

The earlier minutes for this meeting will be found in the preceding book.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6231 (New Series), recorded on Microfilm Roll No. 84, 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, 95.0115, 95.0116, 95.0117, 95.0118, 95.0122, 95.0130 and 95.0132 and repealing Section 95.0131 regulating Marquees, Signs on Marquees, and Signs, 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--Councilman Dail.

The following ordinance had been introduced at the meeting of August 10, 1954.

Amending San Diego Municipal Code by amending Section 64.13 relating to charges for various sewer connections: "Sec. 64.13 - Connections to Public Sewers - Work to be done by department of Public Works - fees and charges established....."

The City Manager told the Council that it may not want to act without more consideration. He stated that the City is losing about \$15,000 per year under the present arrangement.

RESOLUTION NO. 119820, recorded on Microfilm Roll No. 84, referring to Council Conference the proposed 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 Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance establishing grades of Alleys in Blocks 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 235 and 236 Mission Beach, was introduced.

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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. 6232 (New Series), recorded on Microfilm Roll No. 84, establishing grades of the following Alleys:

Block 222 Mission Beach, between its westerly termination in said Block 222 and westerly line of Strandway;

Block 223 Mission Beach, between easterly line of Strandway and westerly line of Mission Beach;

Block 224 Mission Beach, between easterly line of Mission Boulevard and westerly line of Bayside Lane;

Block 225 Mission Beach, between easterly termination in said Block 225 and easterly line of Bayside Lane;

Block 226 Mission Beach, between easterly termination in said Block 226 and easterly line of Bayside Lane;

Block 227 Mission Beach, between easterly easterly line of Mission Boulevard and westerly line of Bayside Lane;

Block 228 Mission Beach, between easterly line of Strandway and Westerly line of Mission Boulevard;

Block 229 Mission Beach, between its westerly termination in said Block 229, and westerly line of Strandway;

Alley Block 230 Mission Beach, between westerly termination in said Block 230 and westerly line of Strandway;

Alley Block 231 Mission Beach, between easterly line of Strandway and westerly line of Mission Boulevard;

Alley Block 232 Mission Beach, between easterly line of Mission Boulevard and westerly line of Bayside Lane;

Alley Block 233 Mission Beach, between easterly termination in said Block 233, and easterly line of Bayside Lane;

Alley Block 235 Mission Beach, between easterly line of Strandway and westerly line of Mission Boulevard;

Alley Block 236 Mission Beach, between westerly termination in said Block 236 and westerly line of Strandway;

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

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

On motion of Councilman Schneider, 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. 6233 (New Series), recorded on Microfilm Roll No. 84, establishing grade of Banks Street, between line parallel to and distant 360.00 feet southeasterly from southeasterly line of Sherman Street and northwesterly line of Linda

Vista Road, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

On motion of Councilman Schneider, 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. 6234 (New Series), recorded on Microfilm Roll No. 84, establishing property line grades on Ewing Street between the northerly line of Montezuma Road and easterly line of Rincon Street; Tipton Street between its termination at Rincon Street and northwesterly line of Ewing Street, and Rincon Street between its termination at Tipton Street and northwesterly line of Ewing Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None Absent--

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

On motion of Councilman Schneider, 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. 6235 (New Series), recorded on Microfilm Roll No. 84, establishing grade of 51st Street, between southerly line of Polk Avenue and westerly prolongation of southerly line of Lot 1 Block D Oak Park, was on motion of Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

On motion of Councilman Schneider, 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. 6236 (New Series), recorded on Microfilm Roll No. 84, establishing grade of 52nd Street, between easterly prolongation of northerly line of Ottilie Place and easterly prolongation of northerly line of Lot 24 Block 25 Fairmount Addition to City Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

On motion of Councilman Schneider, 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. 6237 (New Series), recorded on Microfilm Roll No. 84, establishing grade of Polk Avenue, between its termination at Altadena Avenue and westerly line of 52nd Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:50 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, August 19, 1954

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

In the absence of Mayor Butler, Vice Mayor Wincote presided

Appeal of Calvin G. Brown from decision of Board of Zoning Adjustment denying request for 6-foot high fence with 5-foot setback on Laurel Street and Balboa St. where 10-foot setback is required, Lot 115 Clearview Manor, in Zone R-1, was filed Aug 16, 1954.

The agenda showed that Douglas D. Deaper, Deputy City Attorney, had ruled orally that appeal was filed too late.....

Councilman Burgener said that a hearing should be held.

Councilman Godfrey asked what the situation is.

Mr. Deaper said that the appeal was filed late. He pointed out that the same situation had come up before. He stated that where there is time to do something, and where there is a legal holiday there is extra time. He pointed out, however, that the San Diego Municipal Code says action shall go into effect on the 11th day, whether a legal holiday or not. He said that if the variance had been granted (instead of denied as was the case) it would go into effect, and neighbors might have appeared to try to appeal in opposition. He stated that the time had been changed - from 5 days for effect - to include 10 days.

Councilman Wincote asked for a ruling regarding the time where there are holidays, Saturdays and Sundays. He asked if the Council has the right to grant the appeal.

Mr. Deaper replied "no", and added that it can request the Planning Commission to initiate proceedings.

On motion of Councilman Godfrey, seconded by Councilman Schneider, appeal was filed.

Referring to the preceding item, after appeal had been ordered filed, Councilman Kerrigan spoke of what had been done in Conference.

Vice Mayor Wincote said that Mr. Deaper had stated to him that he does not have the subject in writing regarding appeal.

Councilman Godfrey requested that the City Attorney be asked to make a written statement to the Council regarding period for decisions.

Mr. Deaper said that the Council might adopt appeal action. It was his suggestion that there be a motion made covering amendment, so that there be no question. He read from the San Diego Municipal Code regarding effectiveness of decisions and the appeal. He referred to language providing for instances where Saturday falls on the 10th day that there could be appeal filed on Monday.

Councilman Schneider said that it could do no harm to set up an addition.

RESOLUTION NO. 119821, recorded on Microfilm Roll No. 84, requesting the City Attorney to prepare an amendment to the San Diego Municipal Code in connection with effectiveness of zone variances in connection with the 10th day where they fall on Saturday, Sunday or holiday, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Petition of George J. Lahoud for permission to omit installation of concrete sidewalk on Lieta Drive, paving one-half of Asher Street with curb and gutter, and paving to property line for one-half of Tonopah Street, including curb and gutter - re tentative map of Lahoud Terrace, was presented. In addition to a lengthy discourse on the subject, the communication states that subdivider wishes to petition and appeal to the City Council for rescinding Resolution in regard to Lahoud Terrace, striking out conditions which refer to paving one-half of Tonopah Street to property line, one-half of Asher Street to property line, and installation of sidewalk.

George J. Lahoud told the Council that the street was purchased by him under 1911 Act. He said that the City now wants additional 23 feet on 1 side. He maintained that the area drops over cliff 40 or 50 feet, goes to dead end. He said it would do no good to pave the remaining 23 feet. He produced a map. He and Councilmen, the Planning Director, and Deputy City Attorney all looked at it. Mr. Lahoud explained it at great length.

There was considerable discussion, none of it heard. Another man, unidentified, joined the round table discussion.

Councilman Burgener asked to have the matter delayed until Tuesday.

Councilman Burgener moved to continue it until Tuesday. Motion was seconded by Councilman Schneider.

Councilman Kerrigan contended that continuance should be for one week.

Mr. Lahoud said that he has a loan which is costing him money. He

Calvin G. Brown appeal

119821

agreed to the continuance until Tuesday.

----- The roll was called, and the petition continued.

Prior to what was shown, the Planning Director said that the request was for elimination of some paving in the Mission Bay area. He said that petitioner had gone to the Engineer requesting modification. He said that it should go to the Engineer regarding the modification. He pointed out that only the petitioners had been heard.

Councilman Kerrigan said that the Council should have the information.

Mr. Lahoud said that he wanted to be heard.

There was discussion between Councilman Wincote and the City Manager.

The City Manager said that he doesn't know about the matter; he hasn't heard of it. He said that the City has dozens and dozens of subdivisions. He spoke for an analysis, and that it can't be decided by debate.

Councilman Burgener said that it seems like a simple problem.

Councilman Schneider said that the City Engineer should be here. The Council sent for the engineer.

The Engineer arrived, the the previous discussions were held and action taken as shown above.

RESOLUTION NO. 119822, 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 sewage plant alterations, bearing Document No. 496317; 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 continued item on Planning Commission recommendation in connection with amendment to Item No. 5 of Resolution No. 1093429 having to do with sidewalks, was presented. The Council adopted the proposed Resolution in the file, and it is shown numbered here, although the Council returned to it. It will be shown where considered again.

RESOLUTION NO. 119823, recorded on Microfilm Roll No. 84, amending Item No. 5 Resolution 103429 dated 8-21-51 approving Tentative Map of Fairmount Park: That Portland cement concrete sidewalks four feet wide and 4 inches thick be installed to serve all lots, to be set 1 foot from property line or as approved by City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

See later discussion for Resolution No. 119824

RESOLUTION NO. 119825, recorded on Microfilm Roll No. 84, approving Tentative Record of Survey Map, submitted in lieu of a subdivision map, for division of North 1/2 of Lot 1 Block 32 La Playa, following findings having been made: 1) Area contains less than 5 acres; 2) Abuts upon a dedicated street; 3) In which no street widenings or openings are required; 4) Lot design meets approval of the Council, was on Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, was presented.

RESOLUTION NO. 119826, recorded on Microfilm Roll No. 84, suspending Sections 102.12-4 and 102.12-5 of San Diego Municipal Code in connection with Final Map of Linda Vista Unit No. 6, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

* The Council returned to the continued item in connection with Tentative Map of Fairmount Park.

Glenn A. Rick, City Planning Director, told the Council that Harry C. Haelsig had no objection to what is proposed. He spoke of subdivider posting a \$1300. personal check

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the item was reconsidered.

Councilman Kerrigan pointed out that the subdivision approval required construction of the steps. He said that some day the property will be rezoned and improved, and steps will be needed to get to the street and to the bus.

Mr. Rick said that one of the stairways ends against an unimproved alley or walkway. In the future, according to him, there may be requirement regarding a business district or a bus.

Councilman Kerrigan added that in the future a sidewalk might be wanted.

Mr. Rick suggested deposit of the check which would go into the City treasury.

Councilman Godfrey declared the matter to be premature, from the standpoint of the developer. He said ~~he is opposed~~ (as he did last week) that he is opposed to the City going into the step building.

Vice Mayor Wincote stated that the Engineer has approved the \$1300 letter.

The City Manager referred to a matter of expediency. He opposed getting involved in a future liability. The Manager thought the Council could eliminate steps

from requirements.

Councilman Schneider agreed that it makes sense to wait.

The City Manager said that the steps would serve this subdivision.

Mr. Rick spoke of the improvements being made, except steps, and asked for release of the bond.

Councilman Kerrigan asked what happens to the \$1300. and to the responsibility of the City.

Councilman Schneider moved to adopt subject to validation of the check. Motion was seconded by Councilman Godfrey.

Question was not called for. Instead, there was further discussion.

Douglas D. Deaper, Deputy City Attorney, asked that when stairs are needed, the City will contribute up to \$1300? He asked if that was the policy of the Council.

Councilman Schneider moved that the City Treasurer be authorized to accept the check as payment for construction of steps as necessary, in Fairmount Park, in the amount of \$1300. The motion was not seconded, so Councilman Schneider suggested that Councilman Godfrey make a motion.

RESOLUTION NO. 119824, recorded on Microfilm Roll No. 84, directing the City Attorney to prepare a resolution for adoption of the Council, stating that the maximum amount of sidewalk cost in Fairmount Park is \$1300.00, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

(City Clerk held the check pending completion of action).

Application of P. & C. Enterprises for cabaret license was presented, together with recommendations of interested City departments for granting.

RESOLUTION NO. 119827, recorded on Microfilm Roll No. 84, granting permission to P. & C. Enterprises to conduct cabaret with paid entertainment at the "Hurricane" 436 University Avenue, where liquor is sold, subject to license fee, and compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Application of P. & C. Enterprises for public dance license was presented, together with recommendations of interested City departments for granting.

RESOLUTION NO. 119828, recorded on Microfilm Roll No. 84, granting permission to P. & C. Enterprises for Class "C" license to conduct public dance at the "Hurricane" 436 University Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Petition from Tom L. Milligan, 4485 Thirty-Ninth Street, dated August 12, 1954, stating that he was writing as representative of a group interested in purchase of possible subdivision of City owned Pueblo Lots 1279, 1280, 1296, 1297, 1299, was presented. It states, further, that while they would be interested in those parcels, they are mainly interested in acquiring Lots 1297 and 1299.

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

The agenda listed communications from Southcrest Civic Club and Mrs. Vincent Somers relative to slow ambulance service in San Diego.

Mrs. Jack Hoberg, Treasurer, Southcrest Civic Club, 1406 So. 43rd St., appeared at the microphone.

Councilman Godfrey asked that the subject be referred to the City Manager for report in one week.

Communication from Southcrest Civic Club, signed by Mrs. Mary M. Minett, secretary, was read. It states that members of the Club are concerned about apparent lack of ambulance service in San Diego, and relates as evidence a recent accident on South 43rd Street, and a little boy lying there while no ambulance came. The communication wonders why such incredible service was allowed, and asked if something can't be done to remedy the situation.

Communication from Mrs. Vincent Somers, 633 South 47th Street, relating having been involved in an automobile accident in which her 4-year old son sustained cuts, abrasions and was in shock. It states that they waited for an ambulance to arrive for almost an hour and when the ambulance failed to come, they were taken by police car to Paradise Valley Hospital where emergency treatment was given. Communication says that the hour of waiting could have been eliminated by calling ambulance from National City, which would have arrived in not more than 5 minutes since accident occurred just a few blocks from National City limits on south 43rd Street. Among other things, it asks if the condition cannot be rectified. It says that they are assured of police and fire protection, and asks if they can't be just as sure of prompt ambulance service when needed.

119824 (out of order)
119827-119828
Ambulance discussion

Councilman Schneider asked the City Manager if there is a prohibition for National City ambulances to serve the San Diego area.

Councilman Godfrey said that he wished the Council had the answer. He stated that a report is needed from the City Manager. There has apparently been a slipup, according to him.

The City Manager stated that any citizen can call an ambulance.

Councilman Godfrey moved to refer the subject to the City Manager for report one week from today.

Councilman Godfrey repeated, and Vice Mayor Wincote agreed that there must have been a slip up.

The Vice Mayor told of the newspaper article on the subject.

Mrs. Hoberg then gained the floor, and spoke of the situation, including first aid given. He said that 45 minutes after the accident the boy and his mother were taken to the hospital. According to the speaker, the Police waited to see how long it would take the ambulance to arrive. She related the reply by an ambulance driver on the situation, to a man who had stopped the ambulance. Mrs. Hoberg said that it smells bad. She asked how many ambulance companies have City contract.

The question was not answered.

Councilman Godfrey stated that it was poor service, but that it is not representative.

Mrs. Hoberg said that it is the 3rd accident, with similar lack of service. She said that the ambulance driver got lost, and that he had to get gas.

The Vice Mayor said that the paper had stated that another ambulance could be contacted.

Mrs. Hoberg then asked again how many ambulances are available, and if they they rotate.

The Vice Mayor stated that it is the intent to get the closest ambulance. He said that he does not know the details, but that the Council will get a report. He, too, said that any civilian can call an ambulance as had been said to him by the City Manager. He declared that the situation is completely out of order. He stated that Mrs. Hoberg will be informed, and she can inform her club.

Councilman Godfrey said that the Council will have the information a week from today, and that the City Manager will report.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the City Manager was requested to report on the problem one week from today (which would be Aug. 26, 1954)

Communication from Harbor Department, signed by John Bate, Port Director, dated 13 August 1954, submitting for approval form of Assignment of Lease from Abraham Sklar, David Zwanziger and Louis Moorsteen, dba "Four-O-Locker Club" to David Zwanziger and Louis Moorsteen, dba "Harbor Locker Club", was presented. It states, among other things, that since only a sample stock of merchandise is carried there, it is anticipated that under the new arrangement a full and complete line will result in a notable increase of business.

RESOLUTION NO. 119829, recorded on Microfilm Roll No. 84, confirming and approving Agreement for Assignment, copy on file in Office of City Clerk as Document No. 496328, entered into between Abraham Sklar, David M. Zwanziger and Louis Moorsteen, co-partners, doing business under name and style of "Four-O-Locker Club", Assignors, and David M. Zwanziger and Louis Moorsteen, co-partners, doing business under name and style of "Harbor Locker Club", Assignees, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119830, recorded on Microfilm Roll No. 84, authorizing the City Manager to employ Griffith Company to construct 21.2 lineal feet of Type G Curb, remove 34.07 square feet of gutter and 133.55 square feet of sidewalk, and construct 78.55 square feet of sidewalk and 55 square feet of 6-inch PCC pavement, in connection with improvement of Commercial Street; cost of work not to exceed \$128.71, payable from funds appropriated by 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 Griffith Company that Drawing 11021-L shows work to be done by the City, and the Company has offered to do work for said sum and City Manager has recommended that it be accepted and work be done.

RESOLUTION NO. 119831, recorded on Microfilm Roll No. 84, authorizing the City Manager to employ R. E. Hazard Contracting Co. to remove 105 square feet of sidewalk, and to replace 16 lineal feet of curb, 46 square feet of gutter and 75 square feet of sidewalk, in connection with improvement of Scott Street, Ingelow Street and Jarvis Street; cost not to exceed \$86.90, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

119829 - 119831

Resolution states that City has entered into contract with R. E. Hazard Contracting Co., that Drawings 10199-L and 10200-L shows work to be done by the City, and the Company has offered to do work for said sum and City Manager has recommended that it be accepted and work be done.

RESOLUTION NO. 119832, recorded on Microfilm Roll No. 84, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against Lots 3 & 4 Block 15 and Lots 9, 10, 11, 12 Block 15 Sellar's Addition, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted. It directs him to take steps necessary to secure cancellation of taxes and deeds.

RESOLUTION NO. 119833, recorded on Microfilm Roll No. 84, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against Lot 2 Block 92 San Diego Homestead Union be cancelled; that all deeds to State of California for delinquent taxes be cancelled; directing him to take steps necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119834, recorded on Microfilm Roll No. 84, accepting without reservation or qualification Amendment of Agreement, being a true and correct copy attached to the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The Resolution states that there has been filed with the Government in behalf of The City of San Diego, called "Applicant", application for Federal assistance under Defense Housing and Community Facilities and Services Act of 1931, and the United States of America, acting by and through Housing and Home Finance Administrator has transmitted to Applicant for acceptance an amendment of agreement in connection with project referred to in the application. Although Resolution does not state any project, it is the Catalina Project.

RESOLUTION NO. 119835, recorded on Microfilm Roll No. 84, waiving service charge for water, as required to be made under Resolution No. 117375, for amount of water erroneously delivered to Fallbrook Public Utility District, out of the first barrel and thereby depleting City of San Diego's entitlement of Colorado River water, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119836, recorded on Microfilm Roll No. 84, granting to the County of San Diego permission to construct Alvarado Canyon Road Extension - Road Survey 473 - F.A.S. 732-3 - over and across City's right of way for El Monte Pipe Line Section IV and right of way for future railroad to serve Alvarado Filtration Plant, to the various conditions set out on file in office of City Clerk on Document No. 496359, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119837, recorded on Microfilm Roll No. 84, accepting Deed of Elizabeth J. Leander, bearing date August 13, 1954, conveying Lot 5 Block 29 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. 119838, recorded on Microfilm Roll No. 84, accepting Deed of Joseph S. Smith and Anna A. Smith, bearing date August 11, 1954, conveying Lot 6 Block 13 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 Kerrigan, adopted.

RESOLUTION NO. 119839, recorded on Microfilm Roll No. 84, accepting Deed of The Farmers & Merchants National Bank of Los Angeles, bearing date August 11, 1954,

conveying Lots 1 and 2 Block 76 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. 119840, recorded on Microfilm Roll No. 84, accepting Deed of Anna Hines, bearing date August 10, 1954, conveying Lot 2 Block 87 Campo Del Dios Unit 4, Lots 2 and 3 Block 74, Lots 6, 7, 8 Block 48 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 Kerrigan, adopted.

RESOLUTION NO. 119841, recorded on Microfilm Roll No. 84, accepting Deed of Marie W. Horton and Clement T. Marks, bearing date July 4, 1954, conveying Lot 7 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119842, recorded on Microfilm Roll No. 84, accepting Deed of Barbara Kirst, bearing deed August 11, 1954, conveying Lot 1 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119843, recorded on Microfilm Roll No. 84, accepting Deed of Emily G. Wade, bearing date August 11, 1954; 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. It conveys Lot 8 Block 88 Campo Del Dios Unit No. 4.

RESOLUTION NO. 119844, recorded on Microfilm Roll No. 84, accepting Deed of Theodore L. McLaughlin, bearing date August 10, 1954, conveying Lots 15 and 16 Block 107 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. 119845, recorded on Microfilm Roll No. 84, accepting Deed of Victoria Clark, bearing date August 9, 1954, conveying Lot 4 Block 114 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. 119846, recorded on Microfilm Roll No. 84, accepting Deed of Henry Posen, bearing date August 12, 1954, conveying Lots 9 and 10 Block 108 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. 119847, recorded on Microfilm Roll No. 84, accepting Deed of Domenico G. Petitucci and Loretta B. Petitucci, bearing date August 10, 1954, conveying easement and right of way for street purposes in portion of Southwest 1/4 of Northeast 1/4 Section 33 T 16S, R2E, SBBM; setting aside and dedicating land for public use and naming it Altadena 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119848, recorded on Microfilm Roll No. 84, accepting Deed of William F. Odom and Ruth C. Odom, bearing date August 7, 1954, conveying easement and right of way for street purposes in portion of Parcel "00"; setting aside and dedicating land to public use for public street and naming it Bonillo 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 Kerrigan, adopted.

RESOLUTION NO. 119849, recorded on Microfilm Roll No. 84, accepting Deed of William F. Odom and Ruth C. Odom, bearing date August 7, 1954, conveying easement and right of way for sewer purposes in portion of Parcel "00" Lot 19 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.

The Vice Mayor declared the meeting adjourned at 11:03 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, August
24, 1954

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

Mayor Butler presented the Rev. L. E. Geogham, Our Lady of the Sacred Heart, 4177 Marlborough Avenue. Father Geogham gave the invocation.

The Minutes of the Regular Meetings of Tuesday, August 17, 1954, and of Thursday, August 19, 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, the latest time set for receiving bids for construction of storm drain in Olney Street and in Grand Avenue - Specification No. 414 - the Clerk reported that 13 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and read.
Bids were as follows:

119848 - 119849
Invocation
Minutes approved
Bids

Walter H. Barber, 7309 El Cajon Boulevard, La Mesa, accompanied by bond written by Hartford Accident and Indemnity Company in sum of 10% of amount of accompanying bid, given Document No. 496700;

Councilman Godfrey was excused

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. 496701;

W. V. Hutchison Co., 5725 Mission Gorge Road, San Diego, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 496702;

Dan E. Pace dba Pace Construction Company, 2041 Cleveland Avenue, National City, accompanied by bond written by American Surety Company of New York in the sum of 10% of total amount bid, given Document No. 496703;

Taylor and Sloan, P.O. Box 357 La Mesa, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, given Document No. 496704;

* H. C. Dennis, P.O. Box 3158 Hillcrest Station, San Diego, accompanied by bond written by American Surety Company of New York in the sum of 10% of the total amount of the bid, given Document No. 496705;

F. M. Bratcher, 2639 University Ave., San Diego, accompanied by bond written by The Travelers Indemnity Company in the sum of 10% of amount bid, given Document No. 493706;

Charles J. Dorfman, 124 North La Brea Avenue, Los Angeles, accompanied by bond written by General Casualty Company of America in the sum of 10% of amount of bid, given Document No. 496707;

* Councilman Godfrey returned

Sim J. Harris Company, Mission Valley Road east of Fairmount, San Diego, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 496708;

Rogers Construction Company, 3669 California Street; San Diego, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of the bid, given Document No. 496709;

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 10% of the total amount of the bid, given Document No. 496710; - 864 - 34th Street, San Diego

L. B. Butterfield, 1211 So. 32nd St., San Diego 13, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of amount bid, given Document No. 496711;

M. H. Golden Construction Company, 3485 Noell Street, San Diego, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 496712.

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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 Mission Beach Lighting District No. 2, and maintenance of mast arms attached to poles, 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 the sum of \$104.40 written by San Diego Trust and Savings Bank, given Document No. 496699.

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

A majority of the members of the Council executed the following undertakings for street lighting, with San Diego Gas & Electric Company:

Five Points Lighting District No. 1;

Loma Portal Lighting District No. 1.

The next item was considered after all other items listed on agenda, but the accompanying resolutions were numbered out of place by request of those involved:

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 Vista Unit No. 8, was presented.

RESOLUTION NO. 119850, recorded on Microfilm Roll No. 84, suspending Sections 102.05, 102.07-5, 102.11-1, 102.11-2, 102.16-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Linda Vista Unit No. 8, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Bids
Lighting Contracts signed
119850 - Linda Vista Unit 8 Code suspensions

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Linda Vista Unit No. 8 - last in a series of Tentative Maps to be submitted for Public Housing Administration for purpose of subdividing the government housing project of Linda Vista, was presented. It states area proposed to be subdivided into approximately 221 lots vary in size from 55 ft. x 100 ft., to some parcels up to several acres on which groups of apartments are located. It says that recently the Council adopted Ordinance 6202 (N.S.) amendment of Master Street Plan, at request of the Public Housing Administration, eliminating Fulton Street through center of Unit No. 8 of Linda Vista. Communication states that in general, street widths and roadway widths in the unit are similar to other units of Linda Vista, and the street and roadway widths are below present subdivision standards. It says that the unit consists of an apartment house area, single family dwellings, and duplexes. It recommends approval subject to 13 conditions.

RESOLUTION NO. 119851, recorded on Microfilm Roll No. 84, approving Tentative Map of Linda Vista Unit No. 8, subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Faye Hartman, Special Field Representative, thanked members of the Council, the City Manager, and Planning Department as well as Planning Commission, for their fine cooperation.

The matter was brought up under Unanimous Consent, at the request of the City Manager.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued 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 City Engineer made a verbal report at the request of the Mayor.

The Engineer told of a 34.1% protest - mostly in Block 2 Bartlett Estate Company's Subdivision, regarding the drain. He said 1 alley pays for the drain; not the other.

Councilman Godfrey said that owners in 1 alley want the paving; the other do not.

Several unidentified persons in the audience cried "yes".

Councilman Dail reviewed the project, and conditions which exist.

Paul Eklund said that it is concerned with the storm drain. He spoke of there being no drainage problem in Block 2. Referring to Block 2, he said that it is considered a separate problem. He spoke of having made a survey; 3 in favor, 7 opposed; 1 absent; and the City also owns property there.

Councilman Dail said that the thing to do is to abandon the North and South Alley (in Block 27 H. M. Higgins Addition).

The City Engineer, answering Councilman Dail said that there would be about a 2 month delay; this is the first hearing.

Councilman Godfrey said that there is a majority protest on a portion of the project.

Councilman Godfrey moved to abandon the project. Councilman Dail seconded the motion.

The City Engineer said that the City will go ahead with the other alley.

Councilman Godfrey spoke to people in the audience who were interested, regarding abandonment and drain and a new project for the North-South Alley. He spoke to Mr. Eklund and an unidentified woman - all not through the Chair.

Nestor Nestorides, an owner in Block 2 told the Council that he signed for the paving.

Councilman Schneider urged making a poll "here" - in the Council Chamber - of the property owners in Block 2 to see if they do or do not want the work.

The City Engineer pointed out on a map the desires of various property owners.

There was great discussion, between several individuals, not through the chair. It was not recorded, inasmuch as little of it could be segregated in the confusion.

Councilman Godfrey said "let them tell who is for what". He declared that Lots 4, 5, 6 want the paving, but not to pay for the drain. An unidentified woman said that a man, whose name she couldn't recall, wants the work.

Councilman Godfrey said that it is up in the air, and asked for a poll by the engineer.

Councilman Dail said that Mr. Fishbein called on him, regarding the existing sump hole, and advised him that property owners are willing to sign. He pointed out that all of a sudden, the block to the south joined in, and held up the project on account of the squabble. Councilman Dail insisted that the Council should abandon the project, cut out the squabble. Joining the 2 projects defeats the purpose, and 1 should not be penalized on account of the other, according to him.

Richard Parsons said that work needs to be done. He said that the "blind alley does not need it". Answering a question, Mr. Parsons stated that he does not own property on the alley, but that he uses it.

Councilman Schneider spoke to property owners, not through the Chair. Then he said that if they can get a majority for paving alone, they should get the petition immediately.

Councilman Godfrey spoke directly to property owners gathered at the microphone.

An unidentified woman spoke to Councilman Godfrey.

Councilman Schneider informed those interested that property owners can

circulate a new petition; that if a majority wants the work, it can go ahead.

Councilman Kerrigan moved to consider the action to abandon the project. Councilman Schneider seconded the motion. Resolution to abandon was not numbered, in view of this action.

Councilman Dail spoke to property owners regarding consideration on future protest.

The roll was then called on the motion and second to reconsider action.

Mr. Nestorides made reference to something he had said to Councilman Godfrey and to another property, none of which had been heard.

Councilman Schneider spoke, again, to property owners about a new petition.

Another unidentified woman referred to a fire station being there, and trucks going through the unimproved alley, making dust.

Councilman Dail told of a majority protest having to prevail in an entire district.

Councilman Godfrey said that another week is going to be required.

Discussion followed between members of the Council and several individuals. The Mayor rapped the gavel, and called for order.

RESOLUTION NO. 119852, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of Alley Block 2 Bartlett Estate Company's Subdivision; the North and South Alley Block 27 H. M. Higgins Addition; and Broadway, under Resolution of Preliminary Determination No. 119217, adopted July 20, 1954, until 10:00 o'clock A.M., Tuesday, August 31, 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. 119355 of Preliminary Determination for paving and otherwise improving Alleys Block 4 Ocean View and Block 2 Sunset Grove, the Clerk reported that no written protests had been received.

Douglas D. Deaper, Deputy City Attorney, pointed that there were only 5 members of the Council present, whereas 6 votes are needed for a Resolution of Feasibility.

RESOLUTION NO. 119853, recorded on Microfilm Roll No. 84, continuing hearing on Resolution of Preliminary Determination No. 119355, for improvements in Alleys Block 4 Ocean View and Block 2 Sunset Grove, ~~under Resolution of Preliminary Determination No. 119355~~ until 10:00 o'clock A.M., Tuesday, August 31, 1954, 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. 119356 of Preliminary Determination for paving and otherwise improving Dudley Street, the Clerk reported no protests had been filed.

RESOLUTION NO. 119854, recorded on Microfilm Roll No. 84, continuing hearing on improvement of Dudley Street, under Resolution of Preliminary Determination No. 119356, until 10:00 o'clock A.M., Tuesday, August 31, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. - on account of 6 votes being needed for Resolution of Feasibility.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119357 of Preliminary Determination for paving and otherwise improving F Street, the Clerk reported no protests had been filed.

RESOLUTION NO. 119855, recorded on Microfilm Roll No. 84, continuing hearing on improvement of F Street, under Resolution of Preliminary Determination No. 119357, until 10:00 o'clock A.M., Tuesday, August 31, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. - on account of 6 votes being needed on Resolution of Feasibility.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119358 of Preliminary Determination for paving and otherwise improving Jefferson Street, the Clerk reported no protests had been filed.

RESOLUTION NO. 119856, recorded on Microfilm Roll No. 84, continuing hearing on improvement of Jefferson Street, Monroe Street, Conde Street, Harney Street, under Resolution of Preliminary Determination No. 119358, until 10:00 o'clock A.M., Tuesday, August 31, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. - on account of 6 votes being needed on Resolution of Feasibility.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Intention No. 119096 for paving and otherwise improving A Street, the City Engineer made a statement at the request of the Mayor. He said that there had been no change; there is 56.9% protest by area; 69+ by frontage favor the improvement.

Mrs. Walter Wencke told the Council that approximately 70% property frontage wants the work. She said that ^{there} has been a dispute regarding the type of pavement. According to her, this appears to be the time to pave. Mrs. Wencke said she thinks the property owners are misinformed, or uninformed. She requested the Council to vote in favor of the improvement.

Councilman Godfrey declared that it is a point of law regarding protest on area basis.

Councilman Godfrey was addressed by the City Engineer, who said that the Council can overrule the protests.

Councilman Dail agreed that the Council can overrule the protests. He stated that those who derive the benefit are 70% in favor of the work.

Mrs. Wencke told the Council that she thinks that protestants will not withdraw, and spoke of contact being made by them.
William J. Ullman stated that he did not influence anyone regarding the signing.

A round table conference was held by Councilmen and the City Engineer, over a map.

There was conversation between Councilman Godfrey and the City Engineer, not through the Chair, regarding the cost and percentages.

The Mayor contended that it is a legal question, regarding 6 votes to overrule majority protest.

Douglas D. Deaper, Deputy City Attorney, agreed with the Mayor that 6 votes are needed to overrule a majority protest.

Councilman Godfrey said that after looking at the map, it would be a shame to abandon - the cost will fall on the frontage.

Mr. Ullman stated that A Street takes in driveways, and spoke of not gaining frontage.

Mrs. Wencke disagreed with the Ullman statement. She talked to Willard Olson, of the City Engineer's office, not through the chair.

Mr. Ullman spoke of a petition "from before", taking in one more lot.

Mrs. Wencke said that she has a letter regarding wanting the improvement under minimum specifications. She handed the letter - from Mrs. Florence Chambers - to the City Engineer.

Two women appeared. Although they did not identify themselves, they both said that they have no outlet. They protested.

Mrs. Wencke said that Mrs. Chambers had been informed of a plan to use heavy paving, which had been changed to lighter paving.

RESOLUTION NO. 119857, 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 31, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current for lighting Logan Avenue 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. 119858, recorded on Microfilm Roll No. 84, confirming and adopting as a whole the Engineer's Report and Assessment for Logan Avenue Lighting District No. 1, filed in office of City Clerk July 16, 1954, 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 furnishing electric current for lighting Pacific 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 written protests were presented.

RESOLUTION NO. 119859, recorded on Microfilm Roll No. 84, confirming and adopting as a whole the Engineer's Report and Assessment for Pacific Beach Lighting District No. 1, filed in office of City Clerk June 18, 1954, 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 furnishing electric current for lighting Roseville 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. 119860, recorded on Microfilm Roll No. 84, confirming and adopting as a whole the Engineer's Report and Assessment for Roseville Lighting District No. 1, filed in office of City Clerk July 16, 1954, 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 Assessment No. 2262 made to cover costs and expenses of paving and otherwise improving Gloria 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. 119861, recorded on Microfilm Roll No. 84, confirming and approving Assessment No. 2262 made to cover cost and expenses of paving and otherwise improving Gloria Street, under Resolution of Intention No. 115145; 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 Assessment No. 2263 made to cover costs and expenses of paving and otherwise improving Everts Street, the Clerk reported that written appeal had been received from Clyde Cahill. It was presented to the Council.

Mr. Cahill appeared, and told the Council that there is only 1 point involved. He said that he has a corner at Garnet and Everts. He said that the bill seems high; he already had the grading and sidewalk.

The City Engineer stated that there has been no assessment levied for sidewalk on Mr. Cahill's Lots 39 and 40. He said, also, that there was no sidewalk and curb installed under the contract, but there was a little surfacing of gutter. He changed that statement, by saying there was not curb and gutter.

RESOLUTION NO. 119862, recorded on Microfilm Roll No. 84, overruling and denying appeal of Clyde Cahill from Street Superintendent's Assessment No. 2263 made to cover costs and expenses of work of grading, paving and otherwise improving Everts Street, under Resolution of Intention No. 115630; confirming and approving the Assessment; 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 Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2264 for paving and otherwise improving Alley Block 58 Park Villas, Felton Street and Public Right of Way, 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. 119863, recorded on Microfilm Roll No. 84, confirming and approving Street Superintendent's Assessment No. 2264 made to cover cost and expenses of paving and otherwise improving Alley Block 58 Park Villas, Felton Street and Public Right of Way, under Resolution of Intention No. 113750; 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 Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2265 for paving and otherwise improving Alleys Blocks 4 and 5 Frary Heights, and Thorn Street, the Clerk reported that written appeals had been received from Battista Orsatti and Helene Orsatti, J. Speake per Jessie Kelly, Nora Ethel Meachem, Mr. and Mrs. Clyde Meyring, Mrs. Emma Bocko and John S. Bocko, Burt G. and Elaine R. Van Meter and others, Robert B. Eagan and others. They were presented to the Council.

The City Engineer reported, verbally, a heavy protest regarding cost - largely on account of storm drain. He pointed out that the storm drain cost was \$4370.70.

Councilman Schneider wondered if the drain was subject to contribution by the City.

Question was not answered.

John S. Bocko, who identified his property as Lots 11 and 12 Block 4, told the Council that it was protesting the cost against the original estimate. He declared that the assessment was way above that.

The City Engineer said that most owners have 2 25-foot lots. He stated that Block 5 is not involved in the storm drain. Asked about the point, the City Engineer told the Council that the total job was 2.6% over the estimate.

The Mayor said that the matter of high cost is not properly received. He contended that the purpose of the hearing is on the equitable assessment. He told the property owners that the drain has been spread uniformly.

The City Engineer stated that the drain serves only "this 1 block".

Mr. Bocko spoke of the mud hole which had existed for years.

Councilman Schneider, who had had a conference with someone behind him during the hearing, stated that he had been told the City cannot now help on the cost of the storm drain.

Councilman Dail spoke to Councilman Schneider regarding the circumstances. He said that Councilman Schneider should asked the City Engineer "why not" (referring to City not participating in drain cost).

The City Engineer answered Councilman Dail's comment by saying that it is purely local; it has not been done heretofore. He said that it had not been the practice for the City to pay in such situations. He referred to the "other job" (the continued hearing on Alley Block 2 Bartlett Estate Co.'s Subdivision, N. & S. Alley Block 27 H. M. Higgins Add. and Broadway) heard earlier in this meeting, and said that had to do with drain across Broadway. He contended that is not the same sort of case here.

Councilman Dail said that the Council would like to do it, but can't.

Councilman Schneider added that there is no option.

Mr. Bocko asked what size alley was called for. He asked what size alley they bid in Block 4.

The City Engineer replied 14 feet of paving; property owners are paying for 14 feet only.

Councilman Dail was excused.

Mrs. Meechem told the Council that she did not sign the petition. She asked why assessment is for drain; there is no drain there, she stated.

The Mayor stated that the spread was uniform.

Mrs. Meechem declared that it is more than on Thorn Street.

The City Engineer referred to this as a 2-block job. He explained to Mrs. Meechem, and said that other was minor.

Mrs. Meechem stated that she had been told that there would be "no charge". She said that it cost her \$1,000 to move her garage.

Councilman Dail returned

Mrs. Van Meter said that portion of the drain goes into Thorn Street. The City Engineer said that property owners pay only for connection to storm drain in Thorn.

There was discussion between Councilman Godfrey and Mrs. Van Meter regarding payment.

Councilman Schneider spoke to property owners regarding payment by use of bonds. He declared that under the law the Council cannot do anything (re the drain cost). There followed a general discussion regarding the cost, in which he joined.

Answering a comment, the City Engineer said that his office had not given out any \$200 estimates, as stated in the discussion.

Mr. Bocko said that it was he who circulated the petition, and that when he did, he had with him a City Engineer's folder regarding costs.

The City Engineer pointed out that the booklet says the drain is extra.

Mr. Bocko stated that the alley had been needed for years, but he did not think of the drain.

Another woman, unidentified, said she can protest the drain.

RESOLUTION NO. 119864, recorded on Microfilm Roll No. 84, overruling and denying appeals of Mrs. Florence Dunbar and Floyd H. Chandler, Erick E. Jacobsen and Miriam Jacobsen, various property owners, Battista Orsatti and Helena Orsatti and Bernard V. Pagliero and Olympia Pagliera, J. Speake for Jessie Kelly, Nora Ethel Meachem, Mr. and Mrs. Clyde Meyring and John S. Bocko and Emma Bocko, from the Street Superintendent's Assessment No. 2265 made to cover the costs and expenses of paving and otherwise improving Alleys Blocks 4 and 5 Frary Heights, and Thorn Street under Resolution of Intention No. 113130; overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2265; authorizing and directing 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2266 for paving and otherwise improving Alley Block 9 Subdivision of Blocks 3, 6, 9, 12 City Heights Annex No. 1, under Resolution of Intention No. 114058, 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. 119865, recorded on Microfilm Roll No. 84, confirming and approving Street Superintendent's Assessment No. 2266 made to cover cost and expenses of paving and otherwise improving Alley Block 9 Subdivision of Blocks 3, 6, 9 and 12 City Heights; 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 Kerrigan, adopted.

The continued petition of George J. Lahoud for permission to omit certain paving on streets in Lahoud Terrace, and sidewalks on Lieta Drive, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued to Thursday, August 26, 1954, at the request of Councilman Burgener (who was not present).

Petition of William E. Miller, 903 Prospect St., La Jolla, being application for 1 taxicab (addition to present 6), was presented.

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

Councilman Schneider observed Adm. Wilder D. Baker in the audience, and wondered if he wished to be heard. He supposed that it had to do with the Community

119864 - 119865

Pet. cont.

Pet. ref mgr.

Adm Baker (No. 41 on agenda
- out of order).

Chest.

Admiral Baker and Marian J. Longstreth, came to the Microphone.

Communication from La Jolla-San Diego County Theatre and Arts Foundation, dated August 18, 1954, signed by Marian J. Longstreth, president, was presented.

Mrs. Longstreth spoke regarding objectives and site selection. She reviewed the entire subject, as set out in her communication. She asked for an equal amount of land from the City (for parking) if land is obtained from University of California for a theatre. She asked that the City withhold sale of the land, as has been proposed, until decision has been made by the University.

The Mayor spoke to Mrs. Longstreth regarding plans for sale of the property. He said that she can be notified of any hearing.

Mrs. Longstreth said that it isn't wanted to have the same problem as downtown regarding limited parking.

Councilman Kerrigan said that the item should be referred to the City Manager.

Councilman Kerrigan moved to refer to the City Manager. Motion was seconded by Councilman Schneider.

Mrs. Longstreth said that there are about 10 acres of City land involved.

A conference was held over a map presented by Mrs. Longstreth, which also shows a ravine which could be used as an amphitheater.

Another motion was made by Councilman Schneider, seconded by Councilman Dail, and the item referred to the City Manager.

The communication referred to speaks of obvious need for a theatre to serve people of San Diego County as place where plays, concerts, and other attractions could be adequately presented. It states that group of civic minded citizens have established La Jolla-San Diego County Theatre and Arts Foundation. It mentions that Board of Directors approved tentative site on University of California's campus about half mile southwest of La Jolla Junction. The Communication says that Dr. Roger Revelle, a director of the Foundation, who is also Director of Scripps Institution of Oceanography of University of California was requested to find out if site might be obtained from the University. It states land adjoins property owned by the City which is sought for parking space for the Theatre. It states that informal discussion with the City Planning Director, it was learned that the City is going to put the property up for sale in the near future, and that the Foundation's Board of Directors is most concerned over disposition and would like to have postponement of sale until hearing from the University. Also, it says the Board hopes that the Council will consider the request favorably because land will be for use of people of San Diego County and Board's failure to acquire it might seriously hinder success of efforts to build a theatre for the community.

Attached to the communication are a "statement" and a copy of "articles of incorporation".

The motion carried, and the communication, together with accompanying papers, were referred to the City Manager.

RESOLUTION NO. 119866, recorded on Microfilm Roll No. 84, accepting bid of Harold Stephens for installation of sprinkler system for public portion of Gleason Point in Mission Bay Park for \$16,000.00; 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119867, recorded on Microfilm Roll No. 84, accepting bid of Industries Supply Company of San Diego for furnishing 40 2" cold water disc meters at \$118.24 each, plus sales tax; awarding contract; authorizing and instructing City Manager to enter into and execute contract on behalf of The City pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119868, recorded on Microfilm Roll No. 84, accepting bid of H. C. Dennis for improvement of 47th Street and Hilltop Drive adjacent to Gomers Jr. High School (including grading, construction curb, sidewalk, driveways, storm drain, curb inlet, storm drain cleanouts, underwalk drain, relocation of fire hydrant) for \$21,897.73; 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119869, recorded on Microfilm Roll No. 84, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing

Verbal statement by Adm. Baker & Mrs. Longstreth re
LaJolla-San Diego County Theatre and Arts Found-
ation - for City-owned land adj proposed site at
Scripps Institution of Oceanography in La Jolla
119866 - 119869

Fire and/or Extended Insurance Coverage for period of 5 years in accordance with Document No. 496809, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119870, 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 construction of sanitary sewers in 42nd Street, Copeland Avenue, Monroe Avenue, Van Dyke Avenue, Madison Avenue, Alder Drive and Hilldale Road in Kensington Park Area, under Document No. 496407; 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. 119871, 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 construction of sanitary sewer in Midway Drive across Block 8 Drucker's Subdivision, and in Juniper Street, under Document No. 496406; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Dail, seconded by Councilman Schneider, 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 Catoctin Tract Unit No. 4, was presented.

RESOLUTION NO. 119872, recorded on Microfilm Roll No. 84, suspending Sections 102.09-1, 102.11-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Catoctin Tract Unit No. 4, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Catoctin Tract Unit No. 4, subject to 10 conditions, was presented.

RESOLUTION NO. 119873, recorded on Microfilm Roll No. 84, approving Tentative Map of Catoctin Tract Unit No. 4, a 9-lot subdivision, located easterly of Catoctin Drive at end of Roxy Lane, subject to conditions outlined in Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 La Jolla Valley Vista, was presented.

RESOLUTION NO. 119874, recorded on Microfilm Roll No. 84, suspending Sections 102.10-3, 102.09-1 & -2, 102.07-6, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of La Jolla Valley Vista, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, recommending approval of Tentative Map of La Jolla Valley Vista, a 12-lot subdivision of portion of Pueblo Lot 1782 and Lots 34 to 42 inclusive Pacific Beach Vista Tract, northerly of Van Nuys Street and easterly of Bayard Street, subject to 11 conditions, was presented.

RESOLUTION NO. 119875, recorded on Microfilm Roll No. 84, approving Tentative Map of La Jolla Vista, a 12-lot subdivision, subject to conditions outlined in Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Muirlands Del Norte - in essential compliance with Tentative Map approved by Resolution 115779 - excepting that Commission has approved revision of setback lines, was presented. It states that all improvements have been installed by the developer.

RESOLUTION NO. 119876, adopting Map of Muirlands Del Norte, being subdivision of portion of Pueblo Lot 1257; accepting on behalf of the public, Muirlands Vista Way, Public Walk and unnamed easements; declaring them to be dedicated to the public use; authorizing and directing Clerk of the City, as and for the act of the Council, to endorse upon the map that the street, public walk and unnamed easements are accepted on behalf of the public; directing the City Clerk to transmit map to the Clerk of the Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Two communications from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, and the approval of Tentative Map of Sun Gold Point, being portion of Pueblo Lot 1783, were presented. They were not read. Instead, Beryl Phelps, engineer representing the subdivider appeared.

Mr. Phelps concurred with all conditions, except that calling for steps down to the beach. He showed a map, and pointed out that on Riviera there is a way down to the ocean. He contended that cost of stairway is prohibitive. He declared that it is a high class subdivision. He showed photographs of the rugged coast, and of the boulders below the cliffs. Mr. Phelps contended that stairway would be just a way to go down, to provide a way for littering the area with beer cans. He told of proposed use of broken concrete or boulders.

Mr. Haelsig said that the area is well known for marine exploratory work. He said that there should be some means of access, to get out on a high tide.

The Mayor said that it is not used as a beach, but for launching of light boats.

Mr. Haelsig said that when the property is subdivided the little ravines (used to go down to the beach, and back up) will be closed.

Mr. Phelps declared that the owner will dedicate the beach, which was private. He pointed out that few persons will ever go down, but that stairs will attract persons, and cause a maintenance problem.

Councilman Dail asked if there is any objection to granting a right of way to the City.

Mr. Phelps said that there is the same objection; it would bring people in for picnics, night parties and be a place to accumulate beer cans. It was his theory that the area can't be used; it is a rough coast.

Councilman Schneider declared that the City is not short on beach areas. He moved to strike the requirement from the map.

Mr. Haelsig said that he thinks of Bird Rock - not elaborating on his idea at Bird Rock.

Mayor Butler left the meeting

Councilman Dail took the Chair, and presided

Councilman Dail said that if the owners refuse to dedicate, they can refuse access.

Mr. Phelps said that schools will go in groups; that hoodlum gangs, with beer cans are not wanted. He told the Council that there are no facilities there, and no life guards. He said that a lot of hot rod people are not wanted, to rush to the beach.

Councilman Godfrey said that it is a question of only walking 2 blocks farther. People in the neighborhood would have access, according to him. He said that it seems logical to grant the request.

RESOLUTION NO. 119877, recorded on Microfilm Roll No. 84, suspending Sections 102.11-2, 102.11-1, 102.16-8, 102.18, 102.17-c, 102.12-8, 102.04 of San Diego Municipal Code in connection with Tentative Map of Sun Gold Point, insofar as they relate to Tentative and Final Maps of the Subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119878, recorded on Microfilm Roll No. 84, approving Tentative Map of Sun Gold Point, a 64-lot subdivision of portion of Pueblo Lot 1782 located between Pacific Riviera Villas Unit No. 1 and Bird Rock Villas, subject to the conditions outlined in the Resolution - eliminating the provision regarding stairs to the beach - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Director was presented. It was read by the Clerk, at request of members of the Council.

It was a report on action taken by Board of Architectural Review on request for approval of proposed sign to be placed on existing marquee. It states that on August 9, 1954, Board of Architectural Review considered File 314 at request of Walker-Scott. It mentions members of the Board present, as well as Mr. Knudson of Walker-Scott and Mr. Harper and Mr. Brandt from San Diego Neon Co. It attached copy of minutes explaining existing marquee which measures 36 ft. 6 inches at building line - sign proposed to be placed on marquee measures 22 ft. It says that length exceeded amount permitted under Council Resolution 119075 adopted July 13, 1954; request for excessive length is 3 ft. 9 inches. The report says that the Board approved the sign, conditional upon maximum length being reduced to amount permitted by Resolution. It says that 2 days after that action, representatives of the sign company requested and were given the drawings they had submitted. Request of the Planning Office to the Sign Company for return of drawings has been unsuccessful, and they are unable to comply with provisions of Section 101.0705 of Municipal Code which requires plans and specifications to accompany report to the Council. The communication says that in view of standards approved in Council Resolution 119075 the Board of Architectural Review would have exceeded its authority if it had approved application as submitted.

Councilman Schneider said that the Board is only advisory. He moved to grant the request.

Councilman Kerrigan said that there is no request (to the Council).

Councilman Schneider moved to instruct the Building Inspector to issue the permit.

Councilman Godfrey said that the Council adopted "the marquee thing" last week (Council adopted amendment to Municipal Code regulating Marquees, Signs on Marquees, and Signs, at the meeting of August 17, 1954). He wondered how many others had been forced to abide by the Resolution.

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

119877 - 119878 (re Sun Gold Point, incl. discussion)
Planning Director comm. re Walker-Scott sign

Communication from Beck & Klitgaard, 235 Broadway, San Diego 1, dated August 19, 1954, signed by R. J. Klitgaard, was presented. It requests the City to abandon an existing 10' easement for public use on boundaries of Lots 2 and 3 Victory Manor Subdivision, and accept a substitute easement.

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

Communication from Civic Club of Encanto, dated August 18, 1954, stating that membership of the club voted in favor of construction of proposed Low Level Highway through Lions Valley to Imperial Valley, and urges Council to take necessary steps to get it under construction, was presented. It states that any information the Council can give the club re fostering the project will be appreciated.

RESOLUTION NO. 119879, recorded on Microfilm Roll No. 84, referring to Council Conference communication from Civic Club of Encanto on low level highway through Lions Valley to Imperial Valley, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Civic Club of Encanto, dated August 18, 1954, stating that it has been brought to attention of the Club the necessity of cross walks at 60th Street and Brooklyn, and hopes necessary steps will be taken to improve the main route for children going to school, was presented.

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

Communication from Mrs. Sara Goodman, 4432 Monroe Avenue, relative to soliciting business by telephone, and requesting regulation of the activity, was presented.

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

Communication from Ewart Goodwin, Suite 300 First National Building, dated August 18, 1954, stating that the Shattuck report pertaining to proposed civic auditorium and parking facility has been completed and received, was presented. It says that "we" are gratified to state the report shows that project facility is economically feasible and has great natural strength. It advises that "we" would appreciate a conference at the Council's convenience.

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

Communication from Golden Hill Improvement Association, dated August 18, 1954, signed by Mrs. William F. Walker, president, and Mrs. George P. Sikes, Jr., Secretary - with stamp of Mrs. W. F. Walker, 2460 Presidion Drive - was presented. It asks for public hearing for purpose of deciding on sites for City and County buildings including Auditorium so that matter may be placed on November 2 ballot. The communication states that it is understood that hearing has already been demanded but has not been sent. It refers to an accompanying letter written to remind the Council that request of the organization was sent in May 9, 1949. It makes reference to Mr. Mill's "Plan A" for Cedar Street voted down, but does not mean that "Plan B" would fail or some other good site that may be brought up at the hearing.

Another communication from the same organization, with the same signers, dated August 18, 1954, was presented. It refers to the 1949 letter asking for consideration to site for grouping of civic buildings known as "Plan B" recommended by Earl O. Mills of St. Louis. It speaks for "Russ Site" bounded by 12th, 16th, Russ and Broadway, but suggested that it be extended from 12th to 18th and from Russ to C, with all older buildings and property is much less expensive than that now being considered adjoining present court house. In addition to further observations, it says it is felt that many would work for the bond issue to pass if a more suitable site is selected; scattering of buildings should not be carried further.

Mrs. Wm. F. Walker spoke to the Council. She said that she wanted a hearing on site for "Civic building". She demanded a hearing - as soon as possible. She referred to request having been submitted originally in 1949.

Councilman Schneider said that he understood from newspaper article that the School Board has purchased a large portion of area mentioned, for a junior college.

Councilman Kerrigan asked if it was in relation to the Hall of Justice.

Mrs. Walker's reply was "yes".

Councilman Kerrigan pointed out that the Board of Supervisors of the County will determine that.

Douglas Deaper, Deputy City Attorney agreed that it would be the County.

Communications
119879
Golden Hill Improvement
Assn. re Civic Bldgs.
Site

Councilman Godfrey referred to several buildings.

Mrs. Walker spoke of having written to the Supervisors. It was her contention that it affects the whole city regarding scattering of buildings.

Councilman Godfrey agreed that grouping the buildings is a good idea. He told of telephone calls from individuals who had declared that the Mills idea is no good.

Councilman Dail said that a hearing is needed.

Councilman Schneider said that Mrs. Walker wants to tell the Council what is wanted.

Councilman Kerrigan referred to their wanting to consider "Plan B" of Mr. Mills. He said that the Supervisors should consider, regarding Hall of Justice.

Councilman Dail said that there will be continuous requests for sites.

Mrs. Walker agreed that it may be too late for the coming ballot, but that a hearing is wanted. She spoke of congestion downtown, which she declared is not improving.

Councilman Godfrey said that procedure begins with the Planning Commission; Supervisors have on the ballot, and the site has been selected.

Mrs. Walker said that the Supervisors are being asked to delete the site.

RESOLUTION NO. 119880, recorded on Microfilm Roll No. 84, referring to Council Conference communications from Golden Hill Improvement Association re sites for City and County Buildings and use of "Plan B" for grouping of Civic Buildings, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

~~Mayor Butler left the meeting~~
~~Councilman Dail took the Chair, and presided~~

Communication from Clarence Waltner, 3330 Isla Vista Dr., San Diego 5, dated Aug 19, 1954, was presented. It attached register receipt for 89¢ purchase on which 4¢ tax was collected, and said it should have been 3¢. It states that some firms are already collecting on 4% basis, but paying City only ½% instead of 1%, so he urges 1% City sales tax be put into effect as scheduled. (It was adopted some time ago).

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

RESOLUTION NO. 119881, recorded on Microfilm Roll No. 84, directing notice of filing assessment and time and place of hearing thereof - Street Superintendent's Assessment No. 2271 - made to cover costs and expenses of work done upon paving and otherwise improving Haines Street, under Resolution of Intention No. 113382, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119882, recorded on Microfilm Roll No. 84, directing notice of filing assessment and time and place of hearing thereof - Street Superintendent's Assessment No. 2273 - made to cover costs and expenses of work done upon paving and otherwise improving J Street, under Resolution of Intention No. 115146, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119883, recorded on Microfilm Roll No. 84, directing notice of filing assessment and time and place of hearing thereof - Street Superintendent's Assessment No. 2272 - made to cover costs and expenses of work done upon paving and otherwise improving 33rd Street, under Resolution of Intention No. 114137, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 119884, recorded on Microfilm Roll No. 84, accepting bid of H. C. Dennis, and awarding contract, for paving and otherwise improving Alley Block 56 Ocean Beach, under Resolution of Intention No. 118554, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Engineer reported in writing that low bid is 2.8% below the estimate.

RESOLUTION OF AWARD NO. 119885, recorded on Microfilm Roll No. 84, accepting bid of Griffith Company, and awarding contract, for paving and otherwise improving Grand Avenue, under Resolution of Intention No. 118555, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Engineer reported in writing that low bid is 25.3% below the estimate.

RESOLUTION OF AWARD NO. 119886, recorded on Microfilm Roll No. 84, accepting bid of San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in Ocean Beach Lighting District No. 1, for one year from and including August 14, 1954, and awarding contract, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 119887, recorded on Microfilm Roll No. 84, accepting bid of San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 3, for one year from and including August 7, 1954, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119888, recorded on Microfilm Roll No. 84, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 30 Park Villas, under Document No. 496251; approving Plat No. 2638 showing exterior boundaries of district to be included in assessment; directing City Clerk to file upon passage of Resolution of Intention, the plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119889, recorded on Microfilm Roll No. 84, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Banks Street, under Document No. 496247; approving Plat No. 2589 showing exterior boundaries of district to be included in assessment; directing City Clerk to file upon passage of Resolution of Intention, the plat in office of City Engineer, was on motion of Councilman Godfrey, ~~seconded by Councilman Godfrey~~, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119890, recorded on Microfilm Roll No. 84, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Oliver Avenue and Pacific Beach Drive, under Document No. 496249; approving Plat No. 2643 showing exterior boundaries of district to be included in assessment; directing City Clerk to file upon passage of Resolution of Intention, the plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 119891, recorded on Microfilm Roll No. 84, for paving and otherwise improving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, under Resolution of Intention No. 119094, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 119892, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alley Block 31 University Heights, under Resolution of Intention No. 119095, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 119893, recorded on Microfilm Roll No. 84, for paving and otherwise improving Udall Street, under Resolution of Intention No. 119097, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 119894, recorded on Microfilm Roll No. 84, for furnishing electric current for lighting ornamental street lights located in Adams Avenue Lighting District No. 1, for period of one year from and including October 13, 1954, in accordance with Engineer's Report and Assessment filed July 9, 1954 in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 119895, recorded on Microfilm Roll No. 84, for paving and otherwise improving Franklin Avenue and 49th Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 119896, recorded on Microfilm Roll No. 84, for paving and otherwise improving Kendall Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 119897, recorded on Microfilm Roll No. 84, for paving and otherwise improving 29th Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 119898, recorded on Microfilm Roll No. 84, for closing portion of Emerald Street, the Alley in Block 185 Subdivision of Acre Lots 67-68, 76-77, 80 and 81 Pacific Beach, and portion of Alley Block 184 Subdivision of Acre Lots 67-68, 76-77, 80 and 81 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 119899, recorded on Microfilm Roll No. 84, for closing portion of Horton Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119900, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alley Block 30 Park Villas, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119901, recorded in Microfilm Roll Roll No. 84, for paving and otherwise improving Banks Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119902, recorded on Microfilm Roll No. 84, for paving and otherwise improving Oliver Avenue and Pacific Beach Drive, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119903, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, was on motion of Councilman Kerrigan, adopted.

RESOLUTION NO. 119904, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for sewer installation in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, et al., was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119905, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119906, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Lane, et al, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119907, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving and otherwise improving Soto Street and Castelar Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

119896 - 119907

RESOLUTION NO. 119908, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 43 Normal Heights, under Resolution of Intention No. 111457, and to be assessed to pay expenses thereof;; directing City Clerk to certify fact and date thereof, and immediately deliver them so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119909, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving Shafter Street and Carleton Street, under Resolution of Intention No. 115495, and to be assessed to pay expenses thereof; directing City Clerk to certify fact and date thereof, and immediately deliver them so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119910, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving 68th Street, under Resolution of Intention No. 115632, and to be assessed to pay expenses thereof; directing City Clerk to certify fact and date thereof, and immediately deliver them so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending rescinding Resolution 98363 which granted petition and ordered district formed to install sewers to serve Orange Crest and portions of Lots 12 and 13 Lemon Villa under 1911 Improvement, was presented. It states work was subsequently authorized for construction by private contract, Resolution No. 118416.

RESOLUTION NO. 119911, recorded on Microfilm Roll No. 84, rescinding Resolution No. 98363 adopted June 20, 1954, for improvement of Orange Crest and portions of Lots 12 and 13 Lemon Villa; abandoning all proceedings thereunder, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119912, recorded on Microfilm Roll No. 84, requesting the Board of Supervisors to grant permission for consolidation of Special City Charter Election to be held November 2, 1954, with State-wide General Election on the same date, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Proposition to appear on the ballot is:

CITY OF SAN DIEGO CHARTER AMENDMENT PROPOSITION: Amend Article VII of the Charter of The City of San Diego by adding a new section thereto to be numbered Section 90.1, which authorizes the City to issue revenue bonds for the purpose of financing replacements and improvements to the water system of said City, upon a majority vote of the people; and providing a procedure for the issuance and sale of such bonds.

In connection with with the next matter, the City Manager explained to Councilman Godfrey the proposition, which has to do with acceptance of check submitted in lieu of previously-required provisions.

RESOLUTION NO. 119913, recorded on Microfilm Roll No. 84, accepting from Birmingham Development Company \$1300.00 check in connection with construction of sidewalks and stairs in Fairmount Park - contained in paragraph 5 of Resolution 103429; waiving provision contained in Document No. 450019 and relieving surety of obligation - City does not assume obligation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted. It states that it is presentention of the Council that if in future sidewalks and stairs are deemed necessary, The City will expend up to but not in excess of \$1300.00 in causing construction. It also authorizes City Treasurer to deposit the sum in the General Fund.

RESOLUTION NO. 119914, recorded on Microfilm Roll No. 84, stating that in opinion of the Council that interests of people of The City of San Diego will be served and benefited by having appropriative rights heretofore made by Department of Finance to surplus waters of Feather River assigned to State Water Authority, with understanding that Authority undertake and carry out program of causing such surplus water to be allocated for benefit of public agencies in southern part of State of California, particularly The City of San Diego and County of San Diego; authorizing Councilman George Kerrigan and Director of Water Department Paul Beermann to attend conference in Sacramento on August 31, 1954, of state officers and representatives of public agencies of the state and to participate in the conference, and present to conference and State Engineer certified copy of said Resolution; authorizing incurring necessary expenses in connection with attendance at the conference, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted. Resolution goes into the entire situation at some length.

RESOLUTION NO. 119915, recorded on Microfilm Roll No. 84, being a Resolution and order of the City Council of The City of San Diego electing to pay out of Municipal Funds all of the amount of tax which would otherwise be levied upon property within City of San Diego by and for The Metropolitan Water District of Southern California, for the Fiscal Year beginning July 1, 1954, and ending June 30, 1955, and providing for payment thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Resolution makes specific the amount of the tax, the period involved, and the amount to be raised through the Order.

RESOLUTION NO. 119916, recorded on Microfilm Roll No. 84, authorizing and directing City Treasurer to exchange \$1,000,000 par value 2-5/8% United States Treasury Certificates purchased from inactive funds in the City Treasury, due August 15, 1954, for \$1,000,000 1-1/8% one-year United States Treasury Certificates, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Resolution states that City's investments include the funds, that the United States Treasury has announced that the Certificates may be exchanged for the 1-1/8% United States Treasury Certificates, due one year from the date, and City Manager has recommended the exchange. In addition, it authorizes and directs the City Treasurer to sell all or such amount of the investments whenever additional cash is required for the purpose for which funds were originally accumulated and placed in the Treasury of the City.

RESOLUTION NO. 119917, recorded on Microfilm Roll No. 84, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the 99 locations set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION authorizing City Manager to execute lease with San Diego Associates, Inc. in Waterville Heights and El Cerrito Heights for term of 49 years at annual rental of \$1.00, was adopted. It was not numbered, inasmuch as Douglas D. Deaper, Deputy City Attorney, told the Council action should be considered. Action was reconsidered, and as suggested by Mr. Deaper, the Resolution was continued to Thursday, August 26, 1954.

Communication from City Engineer, with Assistant City Manager's stamp of approval, recommending that City waive any claim for damages against R. E. Hazard Contracting Co. for failure to complete improvement of Harbor Drive at Scott Street on time was presented. It states that original completion date of March 8, 1954 was not attained because work was delayed by the Navy installing high pressure gasoline line in the same area; actual completion date was July 6, 1954.

RESOLUTION NO. 119918, recorded on Microfilm Roll No. 84, approving request of R. E. Hazard Contracting Co., approved by City Engineer and City Manager, for extension of time to and including July 6, 1954, in which to complete contract for improvement of Harbor Drive at Scott Street, contract contained in Document No. 481020 on file in office of City Clerk; extending completion time to July 6, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119919, recorded on Microfilm Roll No. 84, approving Change Order No. 5, dated August 17, 1954, heretofore filed as Document No. 496454, issued in connection with contract between The City of San Diego and Royal Pipeline Construction Company for construction of Catalina Street Pipe Line (Housing and Home Finance Agency Project Calif. 4-CF-27), contract contained in Document No. 483837 on file in office of City Clerk; changes amounting to increase in contract price of \$262.60, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119920, recorded on Microfilm Roll No. 84, granting permission to Mission Beach Amusement Park Company and San Diego Fireworks Company to conduct public display of fireworks at Mission Beach Amusement Center, September 6, 1954, 10:00 P.M. to 10:45 P.M., upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119921, recorded on Microfilm Roll No. 84, authorizing City Auditor and Comptroller to make deductions from salaries or wages of City employees of The City of San Diego who authorize same in writing, for annual Community Chest Drive, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119922, recorded on Microfilm Roll No. 84, authorizing Department Heads to permit representatives from said departments to attend the League of California Cities Annual Conference, to be held in Los Angeles October 17 to 20, 1954; provided that total number of employees so authorized to attend shall not exceed 18; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6238 (New Series), recorded on Microfilm Roll No. 84, amending The San Diego Municipal Code by amending Section 64.13 relating to charges for various sewer connections, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Ordinance

On motion of Councilman Schneider, amending The San Diego Municipal Code by adding thereto a new section numbered 67.00, prohibiting the addition of fluorides to the City water supply, was introduced, ~~on motion of Councilman Schneider~~, seconded by Councilman Kerrigan, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgener, Wincote, Mayor Butler.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating Rolando Tract into R-1, R-2, R-4 and C Zones as defined by Sections 101.0405, 101.0406, 101.0408 and 101.0411 respectively of San Diego Municipal Code and repealing Ordinance No. 6068 (New Series) adopted April 20, 1954, insofar as it conflicts, was introduced, by the following vote: Yeas-- Councilmen Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgener, Wincote, Mayor Butler.

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

Mrs. Vaughn came to the microphone, and said that she was speaking in behalf of Clifford A. Bayard, who has portion of lots on Fulmer Street. She said that he has been denied a permit for building, and that the Planning Department wanted a letter signed regarding his connecting to sewer or move out in 12 months. Mrs. Vaughn said that the Health Department has sent out a Mr. Walsh, and it had been found that sewer is too high. She said that he should have a permit when Federal Boulevard sewer comes in. She stated that he had been told to go to the Engineer for the west area. She stated that the Health Department wants everybody on the sewer, and that the Health Department is holding up the project. She declared that she doesn't understand.

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

(Betty Blew, Secretary to the City Manager, in telephone conversation with A.M.W. said nothing was needed by the Manager's office, inasmuch as Mrs. Vaughan had gone there. Nothing had been filed, so there were no papers to refer).

There being no further business to come before the Council, the Chairman declared the meeting adjourned at 12:10 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Wadstrom
Deputy

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

119922

Ords. introduced

Mrs. Vaughn verbal presentation
re Clifford A. Bayard not
getting permit acct sewer

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Thursday, August 26, 1954

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

In the absence of Mayor Butler, Vice Mayor Charles B. Wincote presided.

Vice Mayor Wincote said that there are people here regarding the ambulance matter (which had been before the Council on August 19, 1954). He spoke of the Council having gone into the subject with the City Manager and the Chief of Police in conference. He spoke of having to have the ambulance service on a contract basis. He assured the sizable group present on the subject, that the Council is going to look into it at the next contract period. He declared that the City is trying to improve the service. He stated that the item was not on today's agenda (although it had been sent to the City Manager, and the women who spoke last week had thought it was to be up today).

Mrs. Jenkins, who did not give her first name, was heard. She told the Council that she is employed from 7:00 P.M. to 11:00, and that her husband has a heart condition. She told of having had the police out regarding his condition, then he had another condition. She mentioned good service the first time, but it was over an hour before the ambulance arrived the second time. She stated that the ambulance driver made the usual charge, although there was a long wait. She said that the Air City Ambulance insisted on the full charge. Then, after she objected, and the driver telephoned his office, he cut the charges from \$17.50 to \$12.50, for the call when her husband had to be taken no-where. She showed a notice picked up on her lawn, to call the Lincoln Ambulance. Mrs. Jenkins declared that she does not want Air City, although it is close.

The Vice Mayor stated that Michaels and Air City were the only bidders on the contract. He said that there is the contract, and that there is effort to extend better service. The Vice Mayor said that it was decided in Conference to refer the item to the City Manager.

Mrs. Jenkins repeated that she does not want the Air City.

Vice Mayor Wincote told Mrs. Jenkins that she can call any ambulance she desires, since she has to pay for the call.

Mrs. Jenkins said that she had told "them" to call Lincoln Ambulance.

The Vice Mayor said that she can call; that the Police have to call under the contract.

Mrs. Jenkins said she "had proof".

Mrs. Jack Hoberg, who spoke last week, said that she read an article in the paper after her last appearance regarding the contracts. She read the article to the Council. She wanted to know if they were only subject to call when they were available.

Councilman Schneider spoke to Mrs. Hoberg, and said that the man who had driven the ambulance had been discharged because he did not carry out orders when he could not find the address - referring to the last week item reported to the Council.

Mrs. Hoberg stated that she does not blame the man - but the company.

The Vice Mayor stated that drivers have been told to call the police if they can't find the address to which they have been directed. Those are standing instructions, according to him. It had been stated that the driver had said that he ran out of gas, but that he did not. Also, the Vice Mayor, said that the driver had been sent from 5th and Laurel - not from Midway, as had been reported.

Councilman Burgener advised that if the ambulance called doesn't respond, call somebody else.

The Vice Mayor said that if one calls the Police, they can give first aid, but that they can't break the contract by calling ambulance company not under contract. He told of only 2 bids, and the service of 7 or 8 ambulances. He said that when the City ran its own, they did not have so many. He declared that anybody can call any ambulances. He said that the police will call the nearest ambulance.

There was no action.

Petition of George F. Lahoud, which had been continued from August 24, was presented. It states that Resolution has been adopted by the Council re Lahoud Ter-

Discussion re ambulances
Pet re Lahoud Terrace

race,, provising for installation of sidewalk on Lieta Drive, paving one-half of Asher Street with curb and gutter, and paving to property line for one-half of Tonopah Street, including curb and gutter. It says that on Lieta Drive it was installed under 1911 Act Assessment, paid by the subdivider, but City never provided for sidewalks; there are no sidewalks installed within entire general area, and it is not consistent with general plan of neighborhood and would cause undue hardship on him financially to install the improvements. It says subdivider feels that paving one-half of Tonopah which dead-ends at that particular point, and a 50 foot drop making it unfeasible to pave, and could never be used for arterial or feeder street because of topographical lay of the land. It commends that Asher Street, dedicated on map of First Addition to Asher's Clover Leaf Terrace, with one-half paving to property line by subdivider would leave a slab of improved street which would have to be at time street is improved worked over so that patching of remainder of street could be accomplished. Communication says that if Asher Street would not be paved immediately, the improved patch would probably wear away due to erosion, heavy rains and traffic. It appeals to the Council to rescind the Resolution striking out conditions which refer to paving one-half of Tonopah to property line, one-half of Asher to property line, and installation of sidewalks on Lieta Drive.

Councilman Burgener told Mr. Lahoud that he was sorry that he could not attend last Tuesday's meeting, but that he did look at the property.

Mr. Lahoud showed a map to Councilman Burgener. They had a discussion in which others, including the Planning Director, joined. It was not heard, so was not recorded, being not through the Chair.

Glenn A. Rick, Planning Director, spoke to Councilman Burgener regarding requirements for subdivisions.

There was discussion between Councilman Kerrigan and Mr. Lahoud regarding sidewalks.

Councilman Kerrigan stated that after people move in, they want sidewalks, that in the Winter kids walk in the street competing with cars.

Mr. Lahoud pointed out that there are no sidewalks in the entire area.

Councilman Dail said a guy tried to have sidewalks waived....(did not complete the statement). He said that standard development requires by the City sidewalks. The City did quite a bit (eliminating requirements for improvements) during the war on account of shortage of labor, material, and the cost. That does not pertain now, he declared.

In the last 15 months all has been built up, according to Mr. Lahoud. He wanted to conform to Bay Park which has been there for 20 years, in that this would be the only one in the area which had sidewalks.

Councilman declared that the City should not continue with its practices based on other mistakes.

Mr. Lahoud asked why it would be an asset to put in sidewalks, when others are not in.

Councilman Dail said that they will be, eventually.

Mr. Rick said that the sidewalks were not required improvements in the old subdivisions. Now they are being put in, he said. He told the Council that FHA requires them. Mr. Rick stated that PTA groups want sidewalks for protection of children; so do public safety groups. Only where there are privately-financed 90-foot frontages in suburban areas, like Muirlands, sidewalks are not required, he said.

Mr. Lahoud spoke to Councilman Dail, and said that the street was paved by 1911 Act; no sidewalks.

Councilman Burgener maintained that it would be bad with sidewalk on one side, and not on the other. He said that it would provide a playground for bikes.

Councilman Dail said that in his district where there are petitions for paving, property owners will seek to abandon the projects on account of there being no sidewalks.

Vice Mayor Wincote pointed, out for Mr. Lahoud's benefit, that 4 votes of the Council would be required, to eliminate the provisions (overrule the Planning Commission, and for adoption of any resolution). He said that from indications, 4 votes cannot be obtained.

Councilman Kerrigan declared that he will not approve without sidewalks. He said that he has attended many meetings where there were divided opinions. He said that the Vice Mayor was trying to tell Mr. Lahoud what his rights are.

Councilman Schneider moved to continue 1 week - unless there is objection by Mr. Lahoud.

Councilman Dail spoke of having waived paving, putting subdividers in a position to hook veterans.

Councilman Kerrigan said that he had just put in sidewalks, for about \$75.00 per lot.

Mr. Lahoud replied that the City Engineer told him \$100.00 per lot.

Vice Mayor Wincote stated that Mr. Lahoud can get 30¢ to 40¢ bid.

Mr. Rick agreed that Mr. Lahoud had a point regarding the bluff.

Mr. Lahoud asked if the paving is settled.

The Vice Mayor replied that he thinks that Mr. Lahoud would lose, regarding sidewalks next week.

Mr. Lahoud said that he wanted to ask 1 thing, regarding bond being put up. If eliminated, it would cut down the bond. He asked why \$1,000 bond is required when water and sewers are in anyway. He said that he can't get permits unless he pays for them.

Pet re Lahoud Terrace

Mr. Rick said that once the Council approves, Lahoud has salable property - unless there is the bond.

Councilman Kerrigan spoke to Mr. Lahoud regarding the bond, being in lieu of improvements. He said that Mr. Lahoud could sell, if there are no improvements and no bond therefor.

Councilman Schneider spoke to Mr. Rick regarding permits for water and sewer, not through the chair. Why does the subdivider have to do it, he asked.

Before he could answer, Council Dail said that it is a privilege to have the bonds.

Mr. Lahoud said that he was now talking about laterals; there are 3 in. He asked why pay \$1,000 when they are put in.

Mr. Rick replied that if he pays the City to do it, Mr. Lahoud can draw down the bond.

Douglas Deaper told the Council that perhaps that is the way it should be; but is not.

Councilman Wincote, as Vice Mayor, said that Mr. Lahoud is talking about a \$15. premium.

Mr. Lahoud said that the Bonding Co. had told him that if he puts up the money, they will write the bond. He said that they want a certified check. He asked if he could draw on the bond, and then said he could not get a bond.

Councilman Dail declared that he can get a bond.

There was discussion between Councilman Dail and Mr. Lahoud regarding financial statement.

Mr. Lahoud said that he has \$70,000 loans, is building 3-bedroom homes. He then went into the financial situation, again, with Mr. Dail.

Councilman Dail said that it is up to Mr. Lahoud how he runs his business.

Councilman Schneider moved, in connection with paving on bluff side - Items 2 and 3 in Resolution 118903 - be amended to eliminate paving and curbing on Tonapah Street.

Mr. Rick said that the Tentative Map has been approved.

The roll was called on the motion to eliminate conditions 2 and 3 from Resolution No. 118903, resulting in:

RESOLUTION NO. 119923, recorded on Microfilm Roll No. 84, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--None. Absent--Councilman Godfrey, Mayor Butler.

Petition of property owners for extension of Rose Street, from the west line of College Manor Subdivision to College Avenue, was presented.

Mr. Rick spoke, from the petition, pointing out on a plat area which could not be seen by the Clerk. He said that petition should be referred to the City Manager.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the Planning Commission.

Communication from Charles J. Whiting, 637 Forward Street, La Jolla, dated August 24, 1954, "For the Abutting Property Owners", was presented. It requests a public hearing by owners in 5500 block of Waverly Avenue, La Jolla, to request re-consideration of City's refusal to restore asphalt-plant mix street surface removed by the City on or about June 29, 1951. It states that subject matter of controversy is explained by attached copy of DEMAND presented to Director of Public Works on June 21, 1954, which was refused by City Attorney's office August 12, 1954 (by letter signed by Alan M. Firestone). Attached to the communication was a long carbon copy of DEMAND, addressed to the Director of Public Works.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the papers were referred to the City Manager.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Bonnevieu Subdivision, was presented.

RESOLUTION NO. 119924, recorded on Microfilm Roll No. 84, suspending Sections 102.05, 102.07-5, 102.12-6, 102.16-8, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Bonnevieu Subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Bonnevieu, a 48-lot subdivision of North 330 feet of south half of Lot 63 Horton's Purchase, located on westerly side of Euclid Avenue, approx-

600 feet south of Logan Avenue, subject to 10 conditions, was presented.

RESOLUTION NO. 119925, recorded on Microfilm Roll No. 84, approving Tentative Map of Bonnieview, subject to conditions in the Resolution, was on motion of Councilman Schneider, 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 Kenneth Terrace, was presented.

RESOLUTION NO. 119926, recorded on Microfilm Roll No. 84, suspending Sections 102.07-5, 102.16-8, 102.17-C of San Diego Municipal Code in connection with Tentative Map of Kenneth 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 Kenneth Terrace, a 6-lot subdivision of east 100 feet of Lot 62 Las Alturas Villas Sites, located on south side of Olvera Avenue and west of new subdivision of Vista Valencia, subject to 11 conditions, was presented.

RESOLUTION NO. 119927, recorded on Microfilm Roll No. 84, approving Tentative Map of Kenneth Terrace, subject to conditions 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 Rolando Shopping Center, was presented.

RESOLUTION NO. 119928, recorded on Microfilm Roll No. 84, suspending Sections 102.07-5, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Rolando Shopping Center, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan referred back to this item, later in the meeting. He asked about the situation.

Mr. Rick stated that it does not involve zoning.

There was no further discussion, or action.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Rolando Shopping Center, a 5-lot subdivision of portion of parcel "00" Rancho Mission, located on south side of University Avenue between Aragon Drive and Rolando Boulevard within recently annexed Rolando Area - was zoned R-1 by interim zoning ordinance adopted by the Council.

As stated in the preceding item, this does not involve zoning.

It makes recommendation subject to 8 conditions.

RESOLUTION NO. 119929, recorded on Microfilm Roll No. 84, approving Tentative Map of Rolando Shopping Center, subject to conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Geo. F. McDermott, 2904 Copley Avenue, San Diego 16, dated August 20, 1954, calls attention to disgraceful condition of walls of pedestrian underpass between amusement center and bay at Mission Beach, was presented. It refers to vile drawings and writings of offensive nature, and expresses the idea that it is a shame that children must be exposed to unbelievable filth while public funds are being poured into luxurious street lighting, extravagant library and innumerable other lavish ventures.

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

Communication from Chas. P. Morgan & Associates, engineers, 608 F & M Building, 320 Pine Ave., Long Beach 12, California, dated August 19th, 1954, was presented. It says it is understood that construction in vicinity of the ocean areas in connection with possible harbor development, is possible. It states that the firm would like to offer its engineering and architectural services in connection with development of the projects, and outlines its experience and proximity.

On motion of Councilman Schneider, seconded by Councilman Burgener, the communication, signed by Chas. P. Morgan, was referred to the Harbor Commission.

Communication from R. L. Saxton, no address given, dated Aug. 23, 1954, was presented. It states that writer is confronted with problem re seating capacity in

in health cafeteria which he contemplates starting at 913 7th Ave - he needs 60 or 65 chairs, whereas Fire Department says he may have only 50, which he feels would not make a paying venture.

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

RESOLUTION NO. 119930, recorded on Microfilm Roll No. 84, authorizing and approving expenditure of \$500.00 by Property Management Division for purchase of West 1/2 of Northeast Quarter of Northeast Quarter Section 33 Township 16 South Range 2 West, S.B.B.M., from funds appropriated by Ordinance No. 5900 (New Series), 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 Dass Manor, which gives the Council discretion as to access to street, subject to posting adequate bond to insure installation of required improvements. Communication says that final map is in compliance with Tentative Map, excepting that there is indicated a reservation for future street along west boundary of Curry Drive, and that revision was occasioned by adjacent owner's unwillingness to cooperate with small dedication so curb returns might be installed at Curry Drive and Catoc-tin.

RESOLUTION NO. 119931, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Emanon Corp., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Dass Manor 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 Godfrey, adopted.

RESOLUTION NO. 119932, recorded on Microfilm Roll No. 84, adopting Map of Dass Manor, a subdivision of portion of Lot 27 La Mesa Colony; accepting Curry Drive, portion of Catoc-tin Drive and unnamed easements shown for public purposes, declaring them to be dedicated for public use; rejecting dedication for public street land shown as "Reserved for Future Street"; authorizing and directing City Clerk to endorse upon the map, as and for act of the Council, that the street, portion of 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119933, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager for and on behalf of the City to execute lease with San Diego Associates, Inc. portions of Lot 20 Waterville Heights, and of Lots 1 and 2 Block I El Cerrito Heights Unit No. 3, for term of 49 years at annual rental of \$1.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. It refers to terms and conditions to be as in form of lease on file in office of City Clerk; real property has value of \$4,500.00 as disclosed by report of last appraisal made by Auditor and Comptroller, property being leased for reason that City will derive revenue therefrom not otherwise obtainable.

(For construction, operation and maintenance of signboard and landscaping) - it had been continued from a previous meeting.

The City Manager explained to the Council, upon a question being raised, in connection with the next item. He said that it is for a parking lot in the Police Station area.

RESOLUTION NO. 119934, recorded on Microfilm Roll No. 84, ratifying, confirming and approving Lease, copy of which is contained in Document No. 496689, between City of San Diego acting by and through Harbor Commission as Lessor, and United States Navy as Lessee, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Douglas D. Deaper, Deputy City Attorney, referred back to the 2 items on these minutes regarding Dass Manor Subdivision. He asked if the agreement had been answered. The Clerk replied "yes", after referring to the file.

RESOLUTION NO. 119935, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager to enter into agreement with San Diego Gas & Electric Company for underground service installation to supply electricity to City's new standpipe on east side of Catalina Boulevard north of Navy Electronics Laboratory, in accordance with Document No. 496914 on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119936, recorded on Microfilm Roll No. 84, approving request of Al E. Riley, Inc., dated July 30, 1954, contained in Change Order No. 1, for extension of 60 days to and including October 2, 1954, heretofore filed with City Clerk as Document No. 496833, in which to complete contract for construction of house and attached garage at Torrey Pines Filter Plant, and construction of house and attached garage at Lower Otay Reservoir, contained in Document No. 491209 on file in office of City Clerk and extending completion time to October 2, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119937, recorded on Microfilm Roll No. 84, stating that City of San Diego is desirous of acquiring portion of Lot 1 Eureka Lemon Tract for sewer purposes, that Orville E. Lepper and Lucille Lepper are owners and willing to deed land to City in exchange for quitclaim deed from the City, quitclaiming portion of Lot 1 Eureka Lemon Tract; value of property to be granted to City as determined by qualified real estate appraiser is \$100.00; City is owner of portion of Lot 1 Eureka Lemon Tract no longer required by the City, that value of City property determined by last report of City Auditor and Comptroller is \$100.00, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states that City Manager has recommended exchange; it authorizes and empowers 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 Orville O. Lepper and Lucille Lepper said portion; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantees upon receipt by the City of Deed conveying property required by the City.

RESOLUTION NO. 119938, 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 thereto, across portions of Lots 1, 2, 3, 4 Block 1 Homeland Villas, and construction, operation and maintenance of public street across portions of Lots 3 and 4 Block 1 and Lots 1, 2 and 4 Block 6 Homeland Villas, and Lots 6 and 28 Eureka Lemon Tract; that public interest, convenience and necessity demand acquisition of property to be used by the City for purposes aforementioned; declaring intention of The City of San Diego to acquire property 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 the property, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119939, recorded on Microfilm Roll No. 84, rescinding Resolution No. 119581 adopted August 5, 1954, accepting deed of Everett L. Atwood and Julieta S. Atwood, conveying Lot 5 Block 32 Campo Del Dios Unit 1, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119940, recorded on Microfilm Roll No. 84, accepting subordination agreement, executed by Thomas A. Miller, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, bearing date August 2, 1954, subordinating all their right, title and interest in and to portion of Lots 2 and 3 Block F Russell Heights Tract No. 4, to right of way and easement for sewer purposes 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119941, recorded on Microfilm Roll No. 84, accepting subordination agreement, executed by Thomas A. Miller, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, bearing date August 2, 1954, wherein they subordinate all their right, title and interest in and to portion of Lots 2 and 3 Block F Russell Heights Tract No. 4, to right of way and easement for sewer purposes 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119942, recorded on Microfilm Roll No. 84, accepting subordination agreement, executed by Silver Gate Building and Loan Association, bene-

ficiary, and Union Title Insurance and Trust Company, trustee, bearing date August 18, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lots 2 and 3 Block F Russell Heights Tract No. 4 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119943, recorded on Microfilm Roll No. 84, accepting subordination agreement, executed by Silver Gate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date August 18, 1954, subordinating all their right, title and interest in and to portion of Lots 2 and 3 Block F Russell Heights Tract No. 4, to right of way and easement for sewer purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119944, recorded on Microfilm Roll No. 84, accepting deed of Anna Katie Gottwald, bearing date August 16, 1954, conveying Lot 10 Block 29 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119945, recorded on Microfilm Roll No. 84, accepting deed of Karl L. Marshall and Helen F. Marshall, bearing date August 5, 1954, conveying Lot 7 Block 31 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119946, recorded on Microfilm Roll No. 84, accepting deed of Fannie I. Neal, bearing date August 16, 1954, conveying easterly 1/2 Lot 5 Block 6 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119947, recorded on Microfilm Roll No. 84, accepting deed of Helen M. Bevan, bearing date August 13, 1954, conveying Lot 3 Block 81 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 Burgener, adopted.

RESOLUTION NO. 119948, recorded on Microfilm Roll No. 84, accepting deed of Anna Hines, bearing date August 17, 1954, conveying Lot 1 Block 87 Campo Del Dios Unit 4; Lots 2 and 3 Block 52 Campo Del Dios Unit 3; Lot 8 Block 34 and Lots 8, 9, 10 Block 72 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 Burgener, adopted.

RESOLUTION NO. 119949, recorded on Microfilm Roll No. 84, accepting deed of Alice P. Tatlock, bearing date August 12, 1954, conveying Lot 2 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119950, recorded on Microfilm Roll No. 84, accepting deed of Arthur B. Vanderhoef and Mabel Vanderhoef, bearing date August 21, 1954, conveying Lot 6 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119951, recorded on Microfilm Roll No. 84, accepting deed of Nettie R. Helsel, bearing date August 19, 1954, conveying Lots 16 and 17 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119952, recorded on Microfilm Roll No. 84, accepting deed of Frederick Partridge, bearing date August 6, 1954, conveying Lot 21 (except Wly 30' thereof) and Lot 22 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119953, recorded on Microfilm Roll No. 84, accepting deed of Heloise Lutz, Elaine Greer and Carroll Moser, bearing date August 19, 1954, conveying portion of Pueblo Lot 191; 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 Burgener, adopted.

RESOLUTION NO. 119954, recorded on Microfilm Roll No. 84, accepting deed of R. F. Ruth III and Jean Eugenie Ruth, bearing date August 5, 1954, conveying portion of E 1/2 of NE 1/4 Section 7 T13S 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119955, recorded on Microfilm Roll No. 84, accepting deed of Geo. H. Kelley and Kathryn S. Kelley, bearing date August 12, 1954, conveying Lot 8 Block 53 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119956, recorded on Microfilm Roll No. 84, accepting deed of Tri-W Builders, Inc., bearing date August 18, 1954, conveying easement and right of way for street purposes in portion of Lot 60 Rancho Cabrillo; setting aside and dedicating to public use as and for public street and naming it Murray Ridge 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119957, recorded on Microfilm Roll No. 84, accepting deed of Tri-W Builders, Inc., bearing date August 18, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Rancho Cabrillo; setting aside and dedicating land to public use as and for public street and naming it Murray Ridge 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119958, recorded on Microfilm Roll No. 84, accepting deed of Tri-W Builders, Inc., bearing date August 18, 1954, conveying easement and right of way for street purposes in portion of Lot 67 Rancho Cabrillo; setting aside and dedicating land to public use as and for public street and naming it Murray Ridge 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119959, recorded on Microfilm Roll No. 84, accepting deed of Tri-W Builders, Inc., bearing date August 18, 1954, conveying easement and right of way for street purposes in portion of Lot 61 Rancho Cabrillo; setting aside and dedicating land as and for public street and naming it Murray Ridge 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119960, recorded on Microfilm Roll No. 84, accepting deed of Carlos Tavares and Marjorie C. Tavares, Robert F. Driver and Fredricka B. Driver, bearing date July 1, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lots 1257 and 1262; setting aside and dedicating land to public use as and for public street and naming it Nautilus 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. 119961, recorded on Microfilm Roll No. 84, accepting deed of Glen Fries and Olive Mary Fries, bearing date August 6, 1954, conveying easement and right of way for sewer purposes in portion of Lot 13 New Riverside; 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. 119962, recorded on Microfilm Roll No. 84, accepting deed of Edwin W. Schlehuber and Dolores R. Schlehuber, bearing date August 4, 1954, conveying easement and right of way for sewer purposes in portion of Lot 2 and 3 Block F Russell Heights Tract No. 4; 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. 119963, recorded on Microfilm Roll No. 84, accepting deed of Union Title Insurance and Trust Company, bearing date August 19, 1954, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1239; 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. 119964, recorded on Microfilm Roll No. 84, accepting deed of Burton D. Wood and Oleta S. Wood, bearing date August 16, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1774; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, 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 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. 6239 (New Series), recorded on Microfilm Roll No. 84, appropriating \$10,000.00 out of Capital Outlay Fund, for purpose of providing funds to pay improvement assessments against City-owned property, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-- Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent-- Councilman Godfrey, Mayor Butler.

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 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. 6240 (New Series), recorded on Microfilm Roll No. 84, appropriating \$300.00 from 1951 Sewer Bond Fund (Fund 713) for providing funds for installation of manhole connecting Butterfield Line to Alvarado Trunk Sewer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

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

He spoke of a request from a Naval source, and as a result, petition had been mailed regarding banners. The petition had not been returned, however, but he said the Council could grant the request subject to the petition and to the City Manager's recommendation.

RESOLUTION NO. 119965, recorded on Microfilm Roll No. 84, granting, consistent with recommendation of the City Manager, as to locations and conditions, permission to the Navy Relief Society to erect temporary banners over Harbor Drive, Midway Drive and Barnet Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter, not listed on the agenda. He said that it had to do with the Council's policy of 60% petition for paving. He told of there being a petition of only a 55% petition for lighting on B Street. He handed in copy of a communication from San Diego Downtown Association, 521 "B" Street, dated August 20, 1954, by Joseph Jessop, Chairman, Downtown Improvement Committee.

The communication refers to petition for modernization of street lighting system on "B" Street from 1st to 10th Avenues. It states that petition contains signatures of owners of 55.8% of property involved and represents 65% of owners who can be contacted locally. It gives in detail reasons why a 60% petition cannot be obtained, and says that there has been only 1 protest on street lighting proceedings in the last year and that was less than 1% of property involved. Among other things, it says that it is not suggested that petition method of making improvements be discarded but if percentage can be reduced to majority or some basis of reasonable assurance that no substantial protest will occur, it would materially expedite orderly procedure of modernizing street lighting system of the Downtown area.

RESOLUTION NO. 119966, recorded on Microfilm Roll No. 84, authorizing acceptance with less than 60% for modernization of street lighting system on "B" Street from First Avenue to Tenth Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The following items, which had been referred by the Council to Council Conference, were returned to the Clerk by the Council Secretary, and were filed by the Clerk:

Document No. 474899 - Planning Director communication re Trailer Parks - ref 8/20/53;

Document No. 485737 - Morey S. Levenson communication requesting hearing Ord. regulating Trailer Parks - (filed) 3/2/54;

Document No. 487480 - San Diego Municipal Employees Assn., Inc. communication submitting copy of letter to Civil Service Commission re 1954-55 salaries - ref 3/30/54

Document No. 488920 - San Diego County and Municipal Employees Local Number 127 submitting requests for salary adjustments - ref 3/18/54;

Document No. 490171 - Local Union No. 569, International Brotherhood of Electrical Workers re prevailing wages for Electricians; requesting increased pay for City electricians - ref 5/13/54;

Document No. 492031 - Property Owners petition requesting meeting re improvements on La Jolla Mesa Drive - ref 6/17/54 ;

Document No. 491957 - Form of agreement, et al, re water service to M. H. Golden Construction hot plant in Mission Gorge; - ref 6/15/54

Document No. 492297 - Coordinating Councils communication requesting revision in Municipal Code to control distribution of comic books dealing with crime, horror, etc. - ref 6/22/54;

Document No. 492946 - Robert J. McPherson communication re Sea Water Conversion - ref 6/29/54 ;

Document No. 493569 - San Diego C. of C. communication endorsing "Suburban Commercial Zone" (S.C. zone) - ref 6/13/54;

119965 - 119966

6240 N.S.

Conference referrals
returned

Conference referrals cont. from preceding page - filed:

Mission Bay Park Commission comm. re lease on Tierra del Fuego Island for underseas exhibit - Document No. 493688 - ref 7/15/54;
Communications - Document No. 494594 - opposing new ordinance regulating Living Floor Space - Dwellings - ref 7/27/54;

Also returned by the Council Secretary were several related papers - undocumented, which were also filed by the Clerk.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 11:00 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, August 31, 1954

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

Mayor Butler called the meeting to order at 10:05 o'clock A.M.

Dr. Frank Lowe, Public Relations Officer, for the Council of Churches, and the pastor of the People's Radio Pulpit, was presented by the Mayor. He also presented Mrs. Peters, Dr. Lowe's sister, from Kansas City.

Appreciation of the Council of Churches for the opportunity to give the Tuesday invocations, was expressed by Dr. Lowe. Then he gave the invocation.

The next 7 items were taken out of order, to accommodate Carl Reupsch, of the Harbor Department. Mr. Reupsch explained each of the items, as it was brought up for Council consideration.

RESOLUTION NO. 119967, recorded on Microfilm Roll No. 84, accepting bid of Fred A. Brown for installation of Parking Meter Curbs on Harbor Street, between Ash Street and Broadway, for the Harbor Department, in the sum of \$1957.14; 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119968, 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 improvement of Yacht Harbor Drive and Byron Street, bearing Document No. 496996; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Wincote.

Answering a Council question, Mr. Reupsch expressed the belief that the

Invocation

119967 - 119968

Conference references filed

~~The~~ "engineering is not as good" (presumably as required on City streets) but that it will hold up on the sand base. He said that by putting down oil mix first, it was determined where the weak spots are.

In connection with the next item, Mr. Reupsch told the Council that action was made necessary by a ruling of the City Attorney, who had held that funds cannot be held over. He said that, as a result, the Council is being asked for reapproval.

On motion of Councilman Schneider, seconded by Councilman Wincote, the communication was ordered filed. (The item is covered in the amended Appropriation Ordinance, according to Douglas D. Deaper, Deputy City Attorney).

Mr. Reupsch stated that in connection with the existing lease of premises at foot of G Street, occupied by Edward A. Breitbard, et al., dba Balloon Dye Works, the lessees wish to put in another use of the property. Communication states that space is being surrendered by mutual agreement of Balloon Dye Works and Harbor Commission, effective 1 September 1954, since lease provided for construction of building costing approximately \$10,000, which construction did not materialize. It says, also, that carrying dry cleaning and laundry to and from Navy ships in Bay of San Diego will be continued under Tideland Use and Occupancy Permit, effective 1 September 1954.

RESOLUTION NO. 119969, recorded on Microfilm Roll No. 84, confirming and approving Cancellation and Surrender of Lease between the City of San Diego, as Lessor, and Edward A. Breitbard, William Breitbard, Robert Breitbard and Elford Breitbard, co-partners, doing business under name and style of Balloon Dye Works, as Lessees - on file in office of City Clerk under Document No. 497029 - was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On the next item, Mr. Reupsch stated that there had been a recent sale to a corporation, with more funds.

RESOLUTION NO. 119970, recorded on Microfilm Roll No. 84, ratifying, confirming and approving Agreement for Assignment, copy of which is on file in Office of City Clerk, entered into between David C. Campbell, George E. Campbell, Hazel V. Campbell, Lydia Campbell, a co-partner, dba Campbell Machine Company, and Campbell Machine Inc., Assignee, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Mr. Reupsch reviewed contents of the Harbor Commission's letter. The letter attaches form of lease with Martinolich Shipbuilding Company covering premises located on East Belt Street. It states that lease combines into 1 document premises granted under present lease and their 2 permits, that property lines have been rearranged to provide more efficient utilization of the land, and additional water and land area has been granted under the new lease. Lease is for 5 years with 2 addition terms of 5-years each.

RESOLUTION NO. 119971, recorded on Microfilm Roll No. 84, ratifying, confirming and approving lease, copy of which is on file in Office of City Clerk between City of San Diego, acting by and through Harbor Commission, as Lessor, and Martinolich Shipbuilding Company, Lessee, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On the next item, Mr. Reupsch told the Council that there is an assignment, with more assets now.

RESOLUTION NO. 119972, recorded on Microfilm Roll No. 84, ratifying, confirming and approving Agreement for Assignment, copy of which is on file in Office of City Clerk, entered into between B. R. McAfee, Assignor, and B. R. McAfee and Faye M. Scott, a co-partnership, doing business under name and style of "Harbor House", Assignees, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The Clerk called the Mayor's attention to the fact that the minutes of the 2 meetings of last week had not been approved.

On motion of Councilman Burgener, seconded by Councilman Wincote, the Minutes of the Regular Council Meetings of Tuesday, August 24, 1954, and of Thursday, August 26, 1954, were approved without reading, after which they were signed by the Mayor.

Harbor items - out of order
119969 - 119972
Minutes approved

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Byron Street, under Resolution of Intention No. 118860, the Clerk reported that 5 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:

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$700.00, given Document No. 497098;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in sum of \$1,000.00, given Document No. 497099;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in sum of \$1,000.00, given Document No. 497100;

Councilman Dail left the meeting

H. C. Dennis, accompanied by bond written by American Surety Company of New York in sum of \$800.00, given Document No. 497101;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in sum of \$600.00, given Document No. 497102.

On motion of Councilman Schneider, 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 sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, the Clerk reported that 6 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, accompanied by bond written by American Surety Company of New York in the sum of \$500.00, given Document No. 497103;

Councilman Burgener left the meeting

Dan E. Pace dba Pace Construction Co., accompanied by bond written by American Surety Company of New York in sum of \$630.00, given Document No. 497104;

Councilman Burgener returned to the meeting

L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in sum of \$1,000.00, given Document No. 497105;

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$500.00, given Document No. 497106;

Councilman Dail returned to the meeting

Beeson Construction Company, accompanied by bond written by Great American Indemnity Company in the sum of \$400.00, given Document No. 497107;

H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company, in the sum of \$600.00, given Document No. 497108.

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 Thorn Street and Highland Avenue, under Resolution of Intention No. 118861, the Clerk reported that 5 bids had been received. They were presented to the Council.

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

Griffith Company, accompanied by bond written by National Surety Corporation in sum of \$3,000.00, given Document No. 497109;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 497110;

H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$3,000.00, given Document No. 497111;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$2,500.00, given Document No. 497112;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, given Document No. 497113.

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

Preceding the next hearing, the Mayor pointed out that there were only 6 members of the Council present, to vote on the Resolution of Feasibility. He said that Councilman Kerrigan was in Sacramento, and Councilman Godfrey was on vacation.

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, which had been continued,

Mrs. Florence Nosler told the Council that she is in favor of the work, and that she had a petition with enough votes. She said that the 2 men protesting last

Bids
Hearing

"will go along".

Petition was handed in by Willard Olson, of the City Engineer's office.

Mrs. Nosler said that assurance had been given that there is no drainage in Bartlett Estate Co.'s Sub. of the project.

Councilman Dail said that City is to pay half cost of drain in the other block. He pointed out that a majority project would prevail in both alleys.

David Fishbein spoke of there being no protest in his block, and that owners there will pay 1/2 cost of the drain.

RESOLUTION NO. 119973, 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, September 7, 1954, 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. 119355 for paving and otherwise improving Alleys Block 4 Ocean View and Block 2 Sunset Grove, continued, no protests were made.

RESOLUTION NO. 119974, recorded on Microfilm Roll No. 84, continuing hearing on Resolution of Preliminary Determination No. 119355 for improvement of Alleys Block 4 Ocean View, and Block 2 Sunset Grove, until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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 continued hearing on Resolution of Preliminary Determination No. 119356 for paving and otherwise improving Dudley Street, no new protests were made.

RESOLUTION NO. 119975, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of Dudley Street under Resolution of Preliminary Determination No. 119356 until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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 continued hearing on Resolution of Preliminary Determination No. 119357 for paving and otherwise improving F Street, no new protests were made.

RESOLUTION NO. 119976, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of F Street under Resolution of Preliminary Determination No. 119357 until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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. 119358 for paving and otherwise improving Jefferson Street, Moore Street, Conde Street, Harney Street, Mrs. Craig told the Council that property owners paid for asphalt, that 4 out of 5 protest. She said that she has 3 signatures; 1 is on vacation. She declared that Jefferson is already paved.

The Mayor said that it is not paved to City standards.

Mrs. Craig said that her husband took up a collection, and owners paved the street themselves. They do not need the work, according to her. She said that the City has no knowledge of its being paved, that her husband and another man did it themselves. She said that farther on it is all dirt. She declared that it is not a through street. Mrs. Craig said that it is near the Jefferson school. When Councilman Schneider questioned that, she said that it is near Fremont School, near Presidio.

The City Engineer said that it may have been oiled at some previous date. He stated that the City would have to abandon the proceedings, to cut off a portion. Answering a question about time, he said that would be a delay of about 2 months.

The Mayor told Mrs. Craig that she can get a report from the Engineer.

Several Councilmen spoke to Mrs. Craig.

Councilman Burgeners spoke about several blocks together, or linked together. He phrased it as a question.

The City Engineer said that they were lumped together. He told the Council that there is a minority protest - 4.1%. If 1 block is left out, proceedings will have to be abandoned, according to him.

Mrs. Craig said that she did not initiate it.

RESOLUTION NO. 119977, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Preliminary Determination No. 119358 until 10:00 o'clock A.M., Tuesday, September 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Hearings

119973 - 119977

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing improvement of Alley Block 255 Hoel's Subdivision, under Resolution of Preliminary Determination No. 119503; the Clerk reported that there were no written protests.

The Mayor inquired if any interested affected property owners were present to be heard. There were none.

RESOLUTION NO. 119978, recorded on Microfilm Roll No. 84, continuing hearing on Resolution of Preliminary Determination No. 119503 for paving and otherwise improving Alley Block 255 Hoel's Subdivision, until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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. 119504 for paving and otherwise improving Dwight Street, the Clerk reported that there were no written protests.

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

Mrs. Garrett said that ~~said that~~ she had an understanding regarding pro and con. She referred to signs on the posts. Mrs. Garrett said that she still expects people in for and against the project, even if 6 Councilmen are present. She said that she wanted to have it paved for 15 years.

The City Engineer said that there is an 83% petition; no protest.

Mrs. Garrett referred to "only 3 on the east end". She said that when the signs came up, she was surprised to see the notices. She repeated that she wants the paving.

RESOLUTION NO. 119979, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of Dwight Street, under Resolution of Preliminary Determination No. 119504 until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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. 119505 for sewers and appurtenances in Market Street, Pitta Street, J Street and Public Rights of Way, the Clerk reported that there were no written protests.

Karl Maas came to the microphone, and told the Council that he is not protesting; lots are 220 feet long; several cesspools are running, can cause polio.

No protests were entered.

RESOLUTION NO. 119980, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of Market Street, Pitta Street, J Street, and Public Rights of Way, under Resolution of Preliminary Determination No. 119505 until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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. 119506 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, the Clerk reported written protest from J. S. Denison and others, which was presented.

Mrs. Anna K. (last name was not understood). The speaker asked if there are any protests. (The Clerk had reported protests in the file).

The City Engineer said that there is a 20.2% protest, and that protestants want a cheaper type pavement.

The previous speaker said that less pavement is needed, possibly. Nevertheless, she said that she wants it.

O. R. Sommerville said that he wants the paving, that a man who came around with a petition (presumably the protest) told of saving \$400. to \$500.

The Mayor pointed out that there is not a majority protest.

RESOLUTION NO. 119981, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of 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, under Resolution of Preliminary Determination No. 119506 until 10:00 o'clock A.M., Tuesday, September 7, 1954, 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 continued hearing on paving A Street, under Resolution of Intention No. 119096, the Mayor stated that a majority of the members of the Council can abandon the proceedings, ~~that~~ that it takes 6 members to overrule the protest. He said it is unfair.

Councilman Wincote said that if the item is on the docket next Tuesday, the Council would need to be sure if there would be 6 members present.

The Mayor asked Mr. Willis, Assistant to the Mayor, to check with Mrs. Sears, Council secretary, on membership for next Tuesday.

Councilman Schneider asked the Mayor to poll the Councilmen on their views.

Instead, the Mayor reviewed the protest, and what is needed to overrule. Councilman Dail stated that in a similar proceeding, the Council was unable to facilitate. He referred to an old question, in which protestants were helped. Councilman Schneider declared that majority should rule.

The Mayor's rejoinder was "not necessarily".

Florence Chambers, former swimming star, was presented by Councilman Dail. Miss Chambers said that when the issue came up she wanted to remain neutral. While she said that she is in favor of the paving, she understood that it has been proposed to go down into the canyon. She said that if the improvement can be "cut off at the terminus" she is in favor of it. Miss Chambers identified property owned by her at Edgemont and A as 95 feet.

The City Engineer produced a plan, which he showed to Miss Chambers. He spoke of dirt as being about 50 feet on one side; 25 feet on the other.

Miss Chambers referred to speed as being of no sense.

The City Engineer, pointing to the map not seen by the Clerk, told of improvement providing access to "these" lots. He showed it to the Council, and declared that improvement does not go down the Canyon.

Miss Chambers said that she can see no sense in that, going "beyond the fence".

The City Engineer declared that it would give access to properties on both sides. Answering Councilman Dail, he said that it would be \$4718 total - about 20% of the total job.

Willard Olson, of the City Engineer's Office, said that Mrs. Wencke and a person across the street whom he did not identify, own the property, and that they would pay for it.

Mrs. Wencke said she understood that it would be "to the edge of the property".

Councilman Wincote said that would entail about \$450.00 for the extra work, which would be paid for by the owners.

Mr. Ullman spoke regarding payments, directly to Councilman Wincote.

Councilman Wincote spoke to Mr. Ullman, not through the Chair.

Miss Chambers stated that her objections are to going down the steep hill and added that there are no driveways and that cars go in "this side" of the fence.

Councilman Dail said that there is no indication of another plan by the Engineer.

Mrs. Wencke said that if Miss Chambers does not agree, the portion could be cut out.

There was discussion between various property owners, the City Engineer and Councilmen on that point.

Miss Chambers spoke of noticing a steep drop, and referred to there being not much taken off the street.

Councilman Dail spoke directly to Miss Chambers and to Mrs. Wencke, not through the Chair.

Miss Chambers said that dumping dirt would be all right, but not the paving.

Councilman Wincote pointed out that if there is any change, the project would have to be abandoned. He felt that if neighbors try to assist, it would be splendid.

The City Engineer advised that the frontage pays for all of the curbs, and 70% of the paving.

Councilman Wincote spoke of paying 30% of the \$450. to assist.

Councilman Dail asked about the basis of frontage protest.

The City Engineer replied that "she" was listed as a protestant. He said ~~said~~ 69+.....(comment was not completed). He said that he does not have the exact figures. He pointed out that there is slightly less than 1/2 protest.

There was an over-the-table discussion joined in by several, not heard, and not reported.

The Engineer said that he could chop off, although it makes little difference.

Mrs. Wencke said it would be agreeable to cut off, or to make additional contribution toward the cost. She declared that she and others would agree to that.

Douglas D. Deaper, Deputy City Attorney, spoke up, and said that at the time of the confirmation of the assessment is the time to determine what is equitable; not now.

Mr. Ullman said that he did not bring up a couple of aspects. He said that one opponent had been told by a proponent that it did not make much difference. He told of a lady, here present, who could substantiate his statement. He declared that a majority does not want the work. He made reference to rumors.

The Mayor advised against bringing up the rumors matter. He said that it is not fixed, as had been inferred by Mr. Ullman, and told of need for 6 votes to overrule the protest.

Councilman Dail stated that an attorney, a few weeks ago, had made a statement that a zone variance could be fixed. As a result, that was taken to the Grand Jury, the charge fell through, and was dropped.

Councilman Wincote observed that neighborhood squabbles work both ways. He said that he personally wants the work to go through.

Miss Chambers said that she does not object, if Mrs. Wencke and her neighbor assume the extra cost.

Mr. Deaper told the Council that regarding the 100% it is better to keep

it out of the 1911 Act Proceeding.

The Mayor referred to it as a little dead end, and declared that if it (the work) is not done now, it will never be done.

Next, there was discussion between several Councilmen over spread of the assessment. Again, Mr. Deaper point out that as a matter of safer procedure, that cannot be done today, but next week. He told of need for a written statement from those who would pay the 100%.

The Mayor said that the Council is the sole judge. He urged polling the Council.

Mr. Deaper asked about how to work out....(statement was not completed). He asked how it could be distinguished between 2 lots. He declared that it would be better to have the item handled as a private agreement.

Councilman Schneider wanted the hearing continued one more week, and that there be an agreement regarding the assuming of the 100% assessment.

Councilman Dail declared that it is up to the City Engineer to present the assessment roll.

Councilman Burgener asked if the Chambers' withdrawing would reduce the protest.

The Mayor's reply was "no".

Councilman Burgener asked what had been done in the past.

To that question, the Mayor replied that he does not recall a similar circumstance. He said that the matter will have to wait until next week.

RESOLUTION NO. 119982, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of A Street under Resolution No. 119096 until 10:00 o'clock A.M., Tuesday, September 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, under Resolution of Intention No. 119346, 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 Schneider, seconded by Councilman Burgener, 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 Long Branch Avenue and Spray Street improvement, under Resolution of Intention No. 119347, 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 Schneider, seconded by Councilman Burgener, 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. 2267 made to cover cost and expenses of paving and otherwise improving Georgia Street, under Resolution of Intention No. 115144, 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. 119983, recorded on Microfilm Roll No. 84, confirming and approving the Street Superintendent's Assessment No. 2267 to cover cost and expenses of paving and otherwise improving Georgia Street, under Resolution of Intention No. 115144; 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2268 made to cover cost and expenses of paving and otherwise improving Opal Street, the Clerk reported that written appeals had been received from Eileen (Mrs. Earl J.) A. Steffes, and from Mr. & Mrs. M. W. Wieckerson and others, which appeals were presented.

The City Engineer reported a 13% appeal, regarding cost.

Mrs. David Niday asked why difference in cost.

The City Engineer showed her the assessment roll.

The hearing was held up temporarily, and will be found again on Page 44 of these Minutes.

Hearings
119982 - 119983

RESOLUTION NO. 119984, recorded on Microfilm Roll No. 84, accepting bid of Electric Supplies Distributing Co. for furnishing 15 Pressure Sensitive Vehicle Detectors for Traffic Signal Installations at \$170.15 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119985, 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 Construction of Recreation Building (First Part) located in Clairemont Park, 3605 Clairemont Drive, bearing Document No. 496997; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Berlau Subdivision, subject to posting of adequate bond to insure installation of required improvements, or subject to approval by City Engineer based on improvements having been completed, was presented.

RESOLUTION NO. 119986, recorded on Microfilm Roll No. 84, adopting Map of Berlau Subdivision, subdivision of portion of westerly 500 feet of South Half of North Half of Lot 41 portion of Ex-Mission Lands of San Diego (commonly called Horton's Purchase); accepting portion of Market Street 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 portion of public street 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 Burgener, seconded by Councilman Schneider, 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 portion of Lot 32 La Mesa Colony, was presented.

RESOLUTION NO. 119987, recorded on Microfilm Roll No. 84, suspending Sections 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map of portion of Lot 32 La Mesa Colony, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next matter, the recommendation was adopted. Bill Hanson, representing the College Lutheran Church came to the microphone, after the item which followed it, and asked to be heard, stating that the Council went too fast for him.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of portion of Lot 32 La Mesa Colony, for parcel of land consisting of approximately 4 acres located on northerly side of Montezuma Road and approximately 350 feet westerly 67th Street - rezoned R-2 by Ordinance No. 1679 N.S. - to become effective upon filing of final subdivision map of the property. Nine conditions were set out in the recommendation, item 5. "That Mohawk Street shall be paved with half width paving from the termination of the proposed improvements to a turnaround as required by the City Engineer", was the one to which Mr. Hanson offered objection. He contended that paving on the extension of Mohawk would be a hardship to the church. He wanted an extended time limit; say 5 years. He spoke of being chairman of the Building Committee.

Councilman Wincote said that he did not know how they could put in a subdivision map where they were to provide for the paving.

It was held up temporarily, but was brought up soon, so it is continued rather than providing a break for consideration of few items.

Glenn A. Rick, City Planning Director, who had not been present when the recommendation was considered first, was heard. He spoke of Mohawk leading into the parking lot for the church. Mr. Rick pointed out that without the paving, there will be dust and mud which will be found objectionable. He spoke of changing the zone for use of the property by the church, and mentioned a condition having to do with the roadway.

Councilman Wincote asked if it is a subdivision for other than this Lutheran Church.

Mr. Rick told of its being a 1-lot subdivision, and that "all was agreed upon".

Councilman Wincote referred to the 1/2-Street pavement, and told Mr. Rick that the church is asking for time.

Mr. Rick spoke directly to Mr. Hanson, and Mr. Hanson spoke to members of the Council regarding the "other owner". Mr. Hanson told of having gone into his own pockets for the expansion.

Mr. Rick said that the subdivision (and the street) are primarily for the church.

119984 - 119987
Tentative Map of por Lot
32 La Mesa Colony -
unscheduled hearing

Mr. Hanson complimented the Planning Commission, and again asked for 5 years.

Councilman Schneider moved to "strike the paving", and have it when the others do theirs.

Mr. Hanson said again "5 years".

Councilman Schneider moved to modify the recommendation, and the accompanying resolution, for meeting property owners when the others develop, and to waive a bond.

Douglas Deaper's comment was that the Council "can't".

On motion of Councilman Schneider, seconded by Councilman Burgener, item 5 was "scratched", and

RESOLUTION NO. 119988, recorded on Microfilm Roll No. 84, approving Tentative Map of portion of Lot 32 La Mesa Colony, subject to conditions contained in the Resolution - with condition 5 deleted - was adopted.

The Council referred to the item shown on page 42 of these Minutes, for the Assessment hearing on Opal Street, which had been held temporarily.

RESOLUTION NO. 119989, recorded on Microfilm Roll No. 84, overruling and denying appeal of Mrs. Earl J. Steffes, and appeal of other property owners, overruling and denying all other appeals, from the Street Superintendent's Assessment No. 2268 made to cover costs and expenses of work of paving and otherwise improving Opal Street and Dawes Street, under Resolution of Intention No. 112881; 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 Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending amendment to Section 101.0601 of the San Diego Municipal Code, which establishes side and rear yard regulations for buildings to include standards for zones established after section was adopted - zones R-1B, R-1C CP, M-1A and M-2A, was presented.

RESOLUTION NO. 119990, recorded on Microfilm Roll No. 84, referring to Council Conference ~~communication~~, communication from the Planning Director recommending amendment to Municipal Code on side and rear yard regulations for buildings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that at request of City Engineer, the Commission held a public hearing on amendment of Major Street Plan as it pertains to Market Street, between 43rd Street and Euclid Avenue, was presented. It states amendment consists of increasing proposed right of way width from 80' to 100' from 43rd Street to 47th Street, a realignment from 47th Street to point 800' west of Euclid to a 100' width and increasing proposed width from 80' to 100' from realigned portion of Euclid Ave. Report says that at public hearing on August 11, 1954, Jack Kingery protested realignment in that his property was land primarily affected, and that other than Mr. Kingery there were no protests to proposed amendment. It states that the Commission recommended by vote of 4 to 0 that amendment shown in notice of hearing and shown on drawing No. C-109, attached, be adopted. It recommends forwarding to City Attorney for drafting proper ordinance prior to setting Public Hearing before the Council.

RESOLUTION NO. 119991, recorded on Microfilm Roll No. 84, requesting City Attorney to prepare and present ordinance amending Major Street Plan re Market Street between 43rd Street and Euclid Avenue; in accordance with Document No. 497023, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager, dated August 31, 1954, requesting approval of increase of \$453,716 in Water Department budget for fiscal year 1954-55, was presented. It states that 2 small main replacement projects were expected to be under contract in 1953-54 fiscal year, and funds were encumbered accordingly, but was not accomplished. It states that projects should be done this fiscal year and surplus funds now available be appropriated to provide necessary financing.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was approved. It was filed by the Clerk, inasmuch as appropriation is taken care of in an ordinance adopted later.

Communication from the Street Superintendent, with signature of approval by E. W. Blom, Assistant City Manager, dated August 18, 1954, was presented. It recommends that "F" Street be closed between easterly line of 44th Street and westerly line of 45th Street, as requested by property owners.

RESOLUTION NO. 119992, recorded on Microfilm Roll No. 84, granting petition

for closing "F" Street between easterly line of 44th Street and westerly line of 45th Street, 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, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Street Superintendent, with signature of approval by E. W. Blom, Assistant City Manager, was presented. It recommends granting petition to close north $1\frac{1}{2}$ feet of Midway Street, between Calumet Avenue and Sea Rose Place. Communication states that previous petition to close northerly 5 feet was denied because closing would include portion of easement required for existing storm drain, but that proposed closing will not encroach upon the drain.

RESOLUTION NO. 119993, recorded on Microfilm Roll No. 84, granting petition for closing $1\frac{1}{2}$ feet, except corner cut-offs, on northerly side of Midway Street between Calumet Avenue and Sea Rose Place, 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, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Copy of communication signed by T. S. Finley, Leg.Rep. 1001, 4431 Monaco St., San Diego, dated August 25, 1954, was presented. Original was addressed to G. W. Ballard, Legislative Representative, Brotherhood Railroad Trainmen, 844 Pacific Bldg., San Francisco 3, Calif. The communication complains of method of backing an engine, after discharging passengers, by a Hostler and Hostler Helper, about 2 miles north to Washington Street Wye crossing 8 streets, down 1 leg of Wye crossing Washington Street and Highway 101, etc. By request, the Clerk read the letter to the Council.

Councilman Schneider moved to refer it to the Chief of Police.

Councilman Wincote moved to file it. Motion seconded by Councilman Dail. (The roll was not called on the motion.)

Councilman Dail said, instead, that it might be referred to the City Manager.

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

Communication from Leona B. Davis, relative to numerous plumbing inspections made of her property at 2445 Front Street, dated Aug. 25, 1954, and mentioning her appearance before the Council in Feb. of '54, was presented.

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

Communication from C. M. Nelson, P.O. No. 352, Encanto Station, San Diego complaining about stray dogs near Encanto, writing at much length on the subject, and attaching newspaper clipping entitled "San Diego Visitors - Rabies Stressed As Vital Problem", was presented.

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

Communication from Eugene Tweed, 2610 El Cajon Boulevard, dated August 25, 1954, complaining about the bus stop at northeast corner of Hamilton Street and El Cajon Boulevard, and making suggestion for moving it away from his courts which are thereby deprived of a place for tenants to park, was presented.

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

RESOLUTION NO. 119994, recorded on Microfilm Roll No. 84, directing notice of filing assessment and of time and place of hearing thereof - Assessment No. 2274 - for paving and otherwise improving East and West and North and South Alleys Block 55 Normal Heights, under Resolution of Intention No. 115259, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119995, recorded on Microfilm Roll No. 84, directing notice of filing assessment and of time and place of hearing thereof - Assessment No. 2277 - for paving and otherwise improving North and South Alley Block 119 University Heights, under Resolution of Intention No. 115261, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119996, recorded on Microfilm Roll No. 84, directing notice of filing assessment and of time and place of hearing thereof - Assessment No. 2275 - for paving and otherwise improving Dwight Street and Wilson Avenue, under Resolution of Intention No. 113492, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119997, recorded on Microfilm Roll No. 84, directing notice of filing assessment and of time and place of hearing thereof - Assessment No. 2276 - for paving and otherwise improving Linda Rosa Avenue and La Jolla Mesa Drive, under Resolution of Intention No. 115494, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119998, recorded on Microfilm Roll No. 84, directing notice of filing assessment and of time and place of hearing thereof - Assessment No. 2278 - for paving and otherwise improving Udall Street, under Resolution of Intention No. 113886, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 119999, recorded on Microfilm Roll No. 84, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for lighting street lamps on mast arms in Mission Boulevard, together with maintenance of mast arms, wires and lamps, for period of one year from and including August 17, 1954, in accordance with Engineer's Report and Assessment filed June 11, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120000, recorded on Microfilm Roll No. 84, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in Adams Avenue Lighting District No. 1, for period of one year from and including October 13, 1954, in accordance with Engineer's Report and Assessment filed July 9, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120001, recorded on Microfilm Roll No. 84, for furnishing electric current for lighting ornamental street located in Logan Avenue Lighting District No. 1, for period of one year from and including November 16, 1954, in accordance with Engineer's Report and Assessment filed July 16, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120002, recorded on Microfilm Roll No. 84, 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, in accordance with Engineer's Report and Assessment filed July 16, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120003, recorded on Microfilm Roll No. 84, 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, in accordance with Engineer's Report and Assessment filed June 18, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120004, recorded on Microfilm Roll No. 84, closing 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 120005, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120006, recorded on Microfilm Roll No. 84,

119996 - 120006

for paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OR INTENTION NO. 120007, recorded on Microfilm Roll No. 84, 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, and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120008, recorded on Microfilm Roll No. 84, for paving and otherwise improving Soto Street and Castelar Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120009, recorded on Microfilm Roll No. 84, for sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street; Alleys Blocks 16, 18, 19, 31, Mission Bay Park Tract showing resubdivision of Blocks 16, 18, 19, 28, 29, 30, 31 and Blocks 4 to 11 inclusive, and Blocks 20 to 27 inclusive, except Lots 6, 7 and 8 Block 29, and Lot 4 Block 30; the northerly and southerly Alleys Blocks 28 and 29 Mission Bay Park Tract showing resubdivision of Blocks 16, 18, 19, 28, 29, 30, 31 and Blocks 4 to 11 inclusive, and Blocks 20 to 27 inclusive, except Lots 6, 7 and 8, Block 29 and Lot 4 Block 30; and Alley Block 32 Mission Bay Park Tract, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120010, recorded on Microfilm Roll No. 84, for furnishing electric current for lighting ornamental street lights located in La Jolla Lighting District Number One, for period of one year from and including January 1, 1955 - ordering entire amount of costs and expenses to be assessed upon the district - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120011, recorded on Microfilm Roll No. 84, closing Alley Block 266 San Diego Land and Town Co.'s South Chollas Addition, southeasterly of Wabash Boulevard, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120012, recorded on Microfilm Roll No. 84, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting Pacific Highway Lighting District No. 1, for period of one year from and including November 5, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120013, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on Del Rey Street, under Resolution of Intention No. 116056, and to be assessed to pay expenses thereof, 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120014, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on Keating Street and Linwood Street, under Resolution of Intention No. 115262, and to be assessed to pay expenses thereof, 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120015, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on Thorn Street, under Resolution of Intention No. 117129, and to be assessed to pay expenses thereof, made by

City Engineer; directing City Clerk 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 Schneider, adopted.

RESOLUTION NO. 120016, recorded on Microfilm Roll No. 84, prohibiting parking of automobiles at all times:

East side of West Service Road of College Avenue, between Streamview Drive and Perique Street;

West side of East Service Road of College Avenue, between Streamview Drive;

authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120017, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager to do all work in connection with construction of portion of Macaulay Street Storm Drain adjacent to Lots 3, 4, 5 Block 114 Roseville, consisting of installation of 2 lines of 36-inch concrete pipe, each 172 feet long, together with construction of Transition Box #1, shown on Engineering Drawing 9088-L dated 2-5-54, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

Communication from City Engineer, with City Manager's stamp of approval, stating that lot stakes and block corners in Clairemont Unit No. 11 Subdivision have been set by private engineer, checked and accepted by City Engineer, was presented. It says that \$202,977.50 deposit by Union Title Insurance & Trust Company may be released since water mains and appurtenances have been quitclaimed to the City. It recommends passage of Resolution authorizing City Manager to execute Notice of Completion.

RESOLUTION NO. 120018, recorded on Microfilm Roll No. 84, authorizing City Manager to accept on behalf of The City of San Diego the work in Clairemont Unit No. 11 Subdivision, and to execute Notice of Completion and have same recorded, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that lot stakes and block corners in Furlow Heights Unit No. 3 Subdivision were set by private engineer, checked and accepted by the City Engineer, was presented. It says that \$58,000.00 deposited as bond by Maryland Casualty Company may be released since water mains and appurtenances have been quitclaimed to the City. It recommends passage of Resolution authorizing City Manager to execute Notice of Completion.

RESOLUTION NO. 120019, recorded on Microfilm Roll No. 84, authorizing City Manager to accept on behalf of The City of San Diego the work in Furlow Heights Unit No. 3 Subdivision, and to execute Notice of Completion and have same recorded, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120020, recorded on Microfilm Roll No. 84, 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 East one-half of Lot E Block 14 Central Homestead, 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120021, recorded on Microfilm Roll No. 84, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 29 and 30 Block 4 Reed and Hubbell's Addition, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120022, recorded on Microfilm Roll No. 84, approving request

of Cameron Bros. Construction Co., dated July 28, 1954, contained in Change Order No. 1, for extension of 30 days to and including August 31, 1954, heretofore filed with City Clerk, in which to complete contract for installation of Small Water Mains in Rolando Village and vicinity; extending completion time to August 31, 1954, was on motion of Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120023, recorded on Microfilm Roll No. 84, approving request of W.H. Clint, dated August 12, 1954, contained in Change Order No. 4, for extension of 20 days to and including September 4, 1954, heretofore filed with City Clerk, in which to complete contract for construction of Catalina Street Pumping Plant (Housing and Home Finance Agency Project Calif. 4-CF-27), in accordance with contract; extending completion time to September 4, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120024, recorded on Microfilm Roll No. 84, approving Change Order No. 1, dated August 4, 1954, heretofore filed with City Clerk, issued in connection with contract between The City of San Diego and Al E. Riley, Inc., for construction of Tennis Courts in Mission Hills Park; changes amounting to increase in contract price of \$112.00, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120025, recorded on Microfilm Roll No. 84, approving Water District Plat of Northeast Clairemont area, together with Water Department Director's report thereon, approved by City Manager, filed with City Clerk as Document No. 496795; construction of water mains serves public interest; proportionate share of construction cost serving Northeast Clairemont area to be borne by each benefited property owner within Northeast Clairemont area shall be \$75.00 per family unit, or its equivalent (if the unit is used for non-residential purposes); that Water Department is authorized and directed to permit property owners within Northeast Clairemont Water District to connect to Clairemont Water System upon payment to City of sum of \$75.00 per family unit, or its equivalent, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Resolution states that construction of the mains serving the area, pursuant to San Diego Municipal Code, requires findings and charges to be made or established by the Council.

RESOLUTION NO. 120026, recorded on Microfilm Roll No. 84, authorizing and permitting Eleventh Naval District of United States of America to construct, operate and maintain 12-inch sewer across property belonging to The City of San Diego in the vicinity of Florida Street and Pershing Drive, in accordance with Drawing No. 11709-L on file in office of City Clerk as Document No. 497051, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120027, recorded on Microfilm Roll No. 84, granting permission, upon a revocable basis, to The Pacific Telephone and Telegraph Company to install 2 underground fuel tanks, 1 metal access door and 1 transformer vault on public property at northwest corner of 7th Avenue and Robinson Street, upon terms and conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120028, recorded on Microfilm Roll No. 84, granting permission to Richfield Oil Corporation, 645 South Mariposa Avenue, Los Angeles 5, (Attention H. E. Merritt) to install 2 35-foot driveways on west side of 47th Street between points 10 and 45 feet and points 65 and 100 feet north of north line of Logan Avenue; also 1 35-foot and 1 33-foot driveway on north side of Logan Avenue between points 10 and 45 feet and points 89 and 122 feet west of the west line of 47th Street, adjacent to Lots 22 to 25 Block E Alta Vista Suburb, subject to conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120029, recorded on Microfilm Roll No. 84, granting Safeway Stores, Inc., (Bramwell Construction Company, 6119 El Cajon Boulevard, San Diego) permission to install 1 27-foot driveway, and 2 30-foot driveways, measured at top of full height curb, on north side of Commercial Street, between points 12 and 39 feet, 55 and 85 feet and 101 and 131 feet respectively, east of east line of 25th Street, east of 25th Street, adjacent

to Lots 25 to 30 Block 17 Lincoln Park, to provide access to parking lot for 66 cars, subject to conditions contained in the Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120030, recorded on Microfilm Roll No. 84, granting permission to Signal Oil Company, 6600 Stanford Avenue, Los Angeles (Attention S. L. Richardson) to widen 39-foot driveway on southerly side of Turquoise Street west of Mission Boulevard, 14 feet to the west, providing easterly 8 feet of the 39 foot driveway is removed and curb and sidewalk properly restored, adjacent to Lots 24 and 26 Block 1 Ocean Villa Tract, subject to conditions contained in the Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120031, recorded on Microfilm Roll No. 84, granting permission to Charles L. Spidale, 1122 South La Cienega Boulevard, Los Angeles 35 (Attention Harold Cross) to install a 30-foot driveway on north side of El Cajon Boulevard, between points 45 and 75 feet east of east line of Van Dyke Avenue and to install a 40-foot driveway on east side of Van Dyke Avenue between points 44 and 84 feet north of north line of El Cajon Boulevard, adjacent to Lot 16 Block F Wilshire Place, subject to conditions contained in the Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120032, recorded on Microfilm Roll No. 84, authorizing City Auditor and Comptroller to utilize such funds as are not needed at this time for municipal purposes out of the Unappropriated Balance for capital outlay expenditures, upon express condition that when equivalent amount of money has been collected from increased sales and use taxes that that money shall be utilized to reimburse the Unappropriated Balance for amount now expended for capital outlay purposes, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The Resolution refers to recently-adopted ordinance increasing sales and use tax one-half cent for purpose of raising money for capital outlay expenditures for 1954-55, that ordinance does not become effective until October 1, 1954, and moneys to be derived from the taxes will not be available until sometime after October, that public interest requires immediate expenditure of certain moneys for capital outlay purposes and there is available in Unappropriated Balance of General Funds moneys which might be used for the purposes, provided that it be restored to the General Fund on or before close of the fiscal year.

RESOLUTION NO. 120033, recorded on Microfilm Roll No. 84, authorizing Chief of Police A. E. Jansen to attend meeting of Peace Officers of State of California, to be held in Los Angeles September 2 through September 4, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, 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. 6241 (New Series), recorded on Microfilm Roll No. 84, amending The San Diego Municipal Code by adding new section numbered 67.00, prohibiting addition of Fluorides to the City water supply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Godfrey.

(Ordinance 6196 N.S. prohibits fluoridation but does not amend the Code)

On motion of Councilman Schneider, seconded by Councilman Wincote, 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. 6242 (New Series), recorded on Microfilm Roll No. 84, incorporating The Rolando Tract into R-1, R-2, R-4 and C Zones as defined by Sections 101.0405, 101.0406, 101.0408 and 101.0411 respectively of the San Diego Municipal Code, and repealing Ordinance No. 6068 New Series - "Interim Zoning" Ordinance adopted April 20, 1954 - insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Godfrey.

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

On motion of Councilman Burgener, seconded by Councilman Dail, reading was

120030 - 120033
6241 N.S. - 6242 N.S.
Ord introduced

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. 6243 (New Series), recorded on Microfilm Roll No. 84, amending Sections 2 and 15 of Ordinance No. 6180 (New Series) of the Ordinances of The City of San Diego, entitled "An Ordinance Fixing, Adopting and Approving an Annual Fiscal Budget for the Fiscal Year 1954-1955, approving the amounts therein estimated for the needs of The City of San Diego and the various departments thereof, and appropriating out of the treasury the necessary moneys to carry on the City and the operation of the various departments for said fiscal year", adopted July 6, 1954, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Godfrey.

(The Ordinance, in Section 2, amends Section 15 of No. 6180 (New Series) to read:

"Section 15. The total amount of money required to operate the City for said fiscal year, including the amount the City will derive from revenues other than taxes, the amount the City will derive from special taxes for the purpose of bond fund requirements of the Charter, and the amount to be raised by a general levy on all real and personal property in said City, are hereby summarized, itemized and set forth as follows:" - and goes on to set it out in detail.

Also, the Ordinance says that in accordance with provisions of Section 17 of the Charter it is declared to take effect immediately upon its passage.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, 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. 6244 (New Series), recorded on Microfilm Roll No. 84, fixing rate and levying taxes for the Fiscal Year 1954-1955 necessary to provide the amount of money to be raised by taxation upon the taxable property of The City of San Diego as a revenue to carry on the various departments of said City of San Diego and to pay the bonded indebtedness thereof, as fixed by and determined by Ordinance No. 6243 (New Series) of the Ordinances of said City, adopted August 31, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Godfrey.

(It sets out a total of City Tax Rate as \$1.76)

The Ordinance specifies how taxes shall be levied and collected, refers to requirement for fixing and levying of the tax rate on or before the last Tuesday of August of each year, and states that the ordinance is enacted for purpose of securing and preserving to The City of San Diego its rightful revenue and it shall take effect and be in force immediately from and after its passage.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, 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. 6245 (New Series), recorded on Microfilm Roll No. 84, appropriating \$24,000.00 from Unappropriated Balance Fund, for the purpose of providing funds for improvement of 47th Street and Hilltop Drive adjacent to Gompers Junior High School, was on motion of Councilman Burgener, seconded by Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan, Godfrey.

(The Ordinance authorizes and directs the City Auditor and Comptroller to credit any and all funds received from San Diego Unified School District as contribution toward the project to the appropriation made by Ord. 6245 N.S., and return to Unappropriated Balance Fund any and all unencumbered funds provided by the ordinance for the work.

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

RESOLUTION NO. 120034, recorded on Microfilm Roll No. 84, authorizing Paul Beermann, Director of the Water Department of The City of San Diego to accompany the Technical Committee of the Colorado River Board on a trip to Arizona, from September 5

6243 N.S. - 6245 N.S.
120034 by U.C.

to September 11, 1954, for purpose of making study of water consumption upon the Gila and Salt Rivers in Arizona; authorizing him to incur all expenses necessary in connection with the trip, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Douglas D. Deaper, Deputy City Attorney, asked the Council about deletion of Veterans' Advisory Commission in connection with a new Peddlers ordinance.

The Mayor replied that the Commission had not been active for the past 5 years.

There was no action.

The following items, which had been referred by the Council to Council Conference, were returned to the City Clerk's office by the Council Secretary. They, together with accompanying undocumented papers, were filed by the Clerk:

San Diego Municipal Employees' Association communication requesting permission to hold election on question of entering State Employees Retirement System - referred 6/30/53;

San Diego Municipal Employees' Association, Inc., submitting petition re election on execution of a contract for joining State retirement plan - referred 2/2/54;

San Diego Municipal Employees' Association re entering State Employees' Retirement System - referred 9/1/53;

San Diego Taxpayers' Association suggesting that City revamp its own retirement system, etc. - referred 10/6/53;

Assemblyman Frank Luckel communication submitting copies of Assembly Bills re retirement of County Employees, etc. - ref to Council Secy for Council information 10/15/53;

City Attorney's opinion re Social Security benefits for City employees and legality of City entering into such a contract - referred 10/27/53

San Diego Soroptimist Club resolution re lack of adequate Tourist Promotion, etc. - referred 4/29/54;

The Phillios-Ramsey Company communication re Tourist promotion program - referred 3/18/54;

San Diego Municipal Employees' Association, Inc. communication favoring use of "Plan B" in connection with retirement system for City Employees - referred 3/18/54;

Thomas L. Shepherd comm. urging sign control regulation enforcement in La Jolla - referred 5/11/54;

Jane R. Loomis and Richard A. Loomis communications re lack of enforcement of sign control in La Jolla business section, etc. - ref 5/18/54;

Firms and individuals communications re prohibiting use of certain types of signs in La Jolla - referred 5/20/54;

Residents of La Jolla communications re enforcement of sign control in La Jolla business section, etc. - referred 5/25/54;

Maude P. Niedringhaus communication re enforcement of sign control in La Jolla business section - referred 6/1/54;

George A. Peterson, C.P.A. communication favoring further sign control in suburban communities - referred 6/1/54;

E. M. Rogers, M.D. et al communications re enforcement of sign control in La Jolla business section - referred 6/3/54;

Kiwanis Club of La Jolla resolution, and misc. communications favoring Suburban Commercial Zone and further regulation of advertising signs - referred 6/10/54;

Southern California Outdoor Advertising Council communication requesting postponement of action on SC Zone - added to the file;

Motor Car Dealers Association of S.D., protesting enactment of new SC and Signs ordinances - added to the file;

Optimist Club of La Jolla, Inc. communication favoring suburban commercial zones and sign control - added to the file;

Ordinance proposing amendment to San Diego Municipal Code pertaining to regulation of Signs in certain zones - added to the file;

Jean S. ZoBell, Secy of La Jolla Visiting Nurse Assn. communication urging SC Zone - referred 6/17/54;

Central Labor Council of San Diego County urging that Sales Tax be not increased;

Western Oil & Gas Association communication protesting amendments to Municipal Code re SC Zone and sign control - referred 7/1/54;

Grace L. Franklin communication protesting proposed increase in Sales Tax;

J. S. Overby communication protesting increase in Sales Tax;

Mrs. Elizabeth Decker communication protesting proposed increase in Sales Tax;

Motor Car Dealers' Association of San Diego and several individuals protesting increase in Sales Tax;

Linda Vista Businessmens' Assn. communication opposing doubling Sales Tax;

San Diego Downtown Assn. communication and several individuals protesting increase in Sales Tax;

San Diego Visitors' Bureau re securing City funds - referred 7/15/54;

Fleet Reserve Assn. protesting increased Sales Tax - referred 7/20/54;

San Diego Taxpayers' Assn. opposing purchase by City of Frontier Housing area - referred 7/20/54

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:48 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk
By August M. Hadstrom Deputy
Peddlers Ord. comment by Deaper
Conference references filed.

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Thursday, September
2, 1954

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

A majority of the members of the Council signed undertaking with San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 4.

The Mayor acknowledged a group of Pacific Beach Boy Scouts Troup #6. At his request, they arose for applause. He then invited the boys to visit his office before leaving the building.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on rezoning portion of Sunshine Gardens at Market Street east of 47th Street, the Clerk reported that no protests had been received.

The Mayor asked Glenn A. Rick, City Planning Director, to make a verbal report.

Mr. Rick told about there being no protest from property owners, and said that "they" petitioned for it. He showed Councilmen a plat. He stated that the Engineer has a plan to straighten Market Street. He said that Jack Kingery had made comments, but that he did not protest. Mr. Rick pointed out that one (protest) may result in a dispute coming up. He referred to what will be part of a Major Street Plan, still pointing out the alignment on the plat. He told the Council of the existing businesses, and stated that there is not much development. (The request is for change from the existing R-2 zone to R-4 Zone) - there was an earlier petition, amended to make provision mentioned.

No one appeared to protest at the hearing.

RESOLUTION NO. 120035, recorded on Microfilm Roll No. 84, requesting City Attorney to prepare and present the necessary ordinance for rezoning of portion of Sunshine Gardens at Market Street, east of 47th Street, from R-2 to R-4 Zone, in accordance with recommendation of City Planning Commission in Document No. 496151, was on motion of Councilman Wincote, 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 Hazelwood Heights Unit No. 3, was presented.

RESOLUTION NO. 120036, recorded on Microfilm Roll No. 84, suspending Sections 102.11-2, 102.12-6, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Hazelwood Heights Unit No. 3, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of O. D. Arnold's Hazelwood Heights Unit No. 3, a 38-lot subdivision of portion of Section 33, Township 16, Range 2 West, SBBM, located northwesterly of Chollas Road and Redwood Street and a continuation of former unit of Hazelwood Heights No. 2, was presented.

RESOLUTION NO. 120037, recorded on Microfilm Roll No. 84, approving Tentative Map of O. D. Arnold's Hazelwood Heights Unit No. 3, subject to the 10 conditions in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from D. E. South, Zoning Administrator, reporting on request of Nick Piscopo for extension of Resolution No. 107435 to continue operation of plant nursery at 3344 Nile Street, in Zone R-4, subject to 3 conditions, was presented.

RESOLUTION NO. 120038, recorded on Microfilm Roll No. 84, granting request of Nick Piscopo, 3344 Nile Street, for extension of time to continue operation of plant nursery - for period of 2 years only, to June 30, 1956 - on conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Lighting contract signed
Hearing
120036 - 120038
Communications

Communication from Dorothy Barron, 305 Playa Del Sur, La Jolla, dated Aug. 26, 1954, was presented. It asks for legislation with teeth in it to remove the "comic book menace from the San Diego scene. It mentions cooperation from other sources, and suggests publishing names and addresses and pictures of publishers of the objectionable material.

Councilman Schneider moved to refer the communication to Conference.

The Mayor said that it should be filed - is being considered.

Councilman Wincote seconded the motion.

RESOLUTION NO. 120039, recorded on Microfilm Roll No. 84, referring to Council Conference communication from Dorothy Barron on the "comic" book menace, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Hillcrest Business Association, signed by Benjamin F. Sherman, O.D., President, dated August 20, 1954, thanking the Council for consideration to problem of posting "Tow-Away" markers on University, and for hearing the case, was presented. It states that it is believed that it was solved in a manner satisfactory to all, and hopes that future relationships will bring as much understanding. It also commends James Reading, City's Traffic Engineer, for his efficiency and courtesy, and states that he is the type of public servant of which the City can be proud.

Councilman Burgener moved to file the communication.

Councilman Wincote asked what if the City should not agree? He urged that it be referred to the City Manager, and stated that 60 days from now a change might be wanted.

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

Communication from R. W. Peddicord, 560 Arenas Street, dated August 29, 1954, was presented. It states that copy of letter dated 8/11 signed by the City Engineer regarding approval of proposal for widening La Mesa Dr. by taking property from east side has come to his attention. It opposes such a plan as it will damage sale of his property by having it publicly known the buildings are to be demolished when it is decided to widen the road. It goes into several ramifications of a plan, and says he can't see why people on the west of the road should be permitted to decide the widening should come off the east side and "let them off the hook".

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

Councilman Burgener requested a copy. The Clerk furnished one to him.

Communication from Ewart Goodwin, 300 First National Building, San Diego, dated August 31, 1954, submits report on need and feasibility of a Civic Auditorium and Parking Facility on the Plaza site, prepared as result of survey made by Chas. B. Shattuck, M.A.I. Consulting Appraiser. Among other things, it says it is understood that the City will seek recommendations of various City Departments and Planning Commission with reference to the proposal, and then arrange a meeting for negotiation of mutually satisfactory contract.

On motion of Councilman Dail, seconded by Councilman Burgener, it was referred to the Planning Commission for a hearing, and review of the entire problem.

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, signed by Carl P. Staal, president, dated August 31, 1954, was presented. It requests nominations for position of Director, or Directors, and lists as those now serving this community as: Councilman Clair W. Burgener, Councilman Chester E. Schneider, Glenn A. Rick, City Planning Director. It asks for nominations not later than September 15, in that it is practically impossible to handle election of directors in the convention meeting.

Asked for a verbal report, Glenn A. Rick, City Planning Director, stated that the annual conference is coming up. He stated that a list of names is wanted. Asked if he planned to attend the conference, Mr. Rick replied that he would rather go to Philadelphia for the National Planning Conference - rather than to "this one".

RESOLUTION NO. 120040, recorded on Microfilm Roll No. 84, referring communication from Shoreline Planning Association of California, Incorporated, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Boys' Club of San Diego Board of Directors, by James A. Robbins, Chairman of Extension Committee, dated September 1, 1954, was presented. It asks the City to acquire Lot 7, portion of Pueblo Lot 1189 adjacent to the Club lease property in Linda Vista. The communication says that building will be facing that lot, and it is needed as an entrance to the building looking out on the business district of Linda Vista.

On motion of Councilman Burgener, seconded by Councilman Wincote, commun-

ication was referred to the City Manager.

RESOLUTION NO. 120041, recorded on Microfilm Roll No. 84, approving Change and Extra Work Order No. "A" dated August 23, 1954, heretofore filed with City Clerk as Document No. 497092, issued in connection with contract between The City of San Diego and M. H. Golden Construction Company for construction of Transit Shed No. 2 on "B" Street Pier, contract contained in Document No. 493486 on file in office of City Clerk; changes amounting to increase in contract price of \$3,007.00, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120042, recorded on Microfilm Roll No. 84, approving request of Teyssier & Teyssier, dated August 25, 1954, contained in Change Order No. 1, for extension of 21 days to and including September 24, 1954, heretofore filed with City Clerk as Document No. 497152, in which to complete contract for construction of College Heights Branch Library building, contract contained in Document No. 487737 on file in office of City Clerk, extending completion time to September 24, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120043, recorded on Microfilm Roll No. 84, authorizing City Manager to employ Griffith Company to replace curb return and sidewalk, and to patch pavement at north half of intersection of Olney Street and Garnet Street, shown on Engineer's Drawing No. 9398-L, in connection with improvement of portions of Olney Street and Felspar Street; cost of work not to exceed \$470.87, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120044, recorded on Microfilm Roll No. 84, authorizing City Manager to employ R. E. Hazard Contracting Co. to replace 471 square feet of driveway, in connection with improvement of 33rd Street, between Grape and Fir Streets, cost not to exceed \$244.92, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that the City of San Diego has entered into contract with R. E. Hazard Contracting Co. for improving 33rd Street under a 1911 Street Improvement Act proceeding; that it is necessary to replace the 471 square feet of driveway; that R. E. Hazard Contracting Co. has offered to do the work at and for the sum of \$244.92, and City Manager has recommended that offer be accepted and work be done.

RESOLUTION NO. 120045, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager to do all work in connection with surfacing center islands on Harbor Drive, between Laurel Street and Wake, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states 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. 120046, recorded on Microfilm Roll No. 84, authorizing United States Post Office, San Diego, to widen second driveway north of F Street, on east side of 8th Avenue; also second driveway north of F Street on west side of 9th Avenue, each to width of 36 feet measured at top of full-height curb, adjacent to south 100 feet Block 58 Horton's Addition, subject to conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120047, recorded on Microfilm Roll No. 84, 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 Daley Corporation, portion of Lots 1 and 43, Rosedale, together with Old County Right of Way running through the Lots, right of way vacated by County Board of Supervisors December 1, 1930, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states City is desirous of acquiring portion of Lots 6 and 7 Block 27 Rosedale in connection with development of Montgomery Field, that Daley Corporation is willing to deed the land to the City in exchange for quitclaim deed from the City quitclaiming portion of Lots 1 and 2 portion of Lot 43 together with portion of Old County Right of Way vacated - all in Rosedale. It states that value of property to be granted to City as determined by qualified real estate appraiser is \$1,000.00; that City is owner of property mentioned no longer required by City, that value of City property as determined by last report of City Auditor and Comptroller is sum of \$1,000.00.

RESOLUTION NO. 120048, recorded on Microfilm Roll No. 84, accepting deed of Viola L. Peterson and Real H. Peterson and Ivy M. Peterson, bearing date August 20, 1954, conveying Lot 4 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 Wincote, adopted.

RESOLUTION NO. 120049, recorded on Microfilm Roll No. 84, accepting deed of Paul W. Polenz, bearing date August 21, 1954, conveying portion of SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4, Section 7 Township 13 South, Range 2 West 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120050, recorded on Microfilm Roll No. 84, accepting deed of H. H. Peterson, bearing date August 27, 1954, conveying easement and right of way for street purposes in portions of Lots 2, 5, 6, 7, 8, 9, 10, 13 Block 6 Valencia Park Unit No. 1; setting aside and dedicating land to public use and naming it San Jacinto Place; authorizing and directing City Clerk to file deed of 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. 120051, recorded on Microfilm Roll No. 84, accepting deed of Solon S. Kipp and Della A. Kipp, bearing date August 14, 1954, conveying easement and right of way for sewer purposes in portion of Lot 29 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 Wincote, adopted.

RESOLUTION NO. 120052, recorded on Microfilm Roll No. 84, accepting deed of Ernest L. Powell, bearing date August 14, 1954, conveying easement and right of way for sewer purposes in portion of Lots 14, 15, 16, 17 Block 13 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 Wincote, adopted.

RESOLUTION NO. 120053, recorded on Microfilm Roll No. 84, accepting deed of Tooley Hotels, Inc., bearing date August 24, 1954, conveying easement and right of way for sewer purposes in portion of Lot 67 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 Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Schneider, 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. 6246 (New Series), recorded on Microfilm Roll No. 84, ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City on November 2, 1954, for purpose of proposing and submitting to the qualified voters of the City a proposition to amend the Charter of The City of San Diego; and consolidating it with the Statewide General Election to be held that date, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Godfrey.

(Proposition is to amend Article VII of the Charter, by adding Section 90.1 authorizing issuance of revenue bonds for financing replacements and improvements to the water system, and provides for issuance and sale of such bonds).

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

On motion of Councilman Burgener, seconded by Councilman Wincote, reading

120048 - 120053

6246 N.S.

Ord introduced....

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. 6247 (New Series), recorded on Microfilm Roll No. 84, appropriating \$5,069.00 from Unappropriated Balance Fund of The City of San Diego, and transferring same to Social Service Department of the City, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Godfrey.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance Repealing Section 31.0337 of The San Diego Municipal Code and Section 82 of Ordinance No. 2484 (New Series) adopted June 23, 1942, Regulating Tax imposed on Peddlers of merchandise specifically provided for in the Code, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--Councilmen Kerrigan, Godfrey.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:16 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, September
7, 1954

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

The Mayor presented the Reverend E. Walter Smith, of the Mission Hills Congregational Church. At the Mayor's request, all arose, for Rev. Smith's invocation.

On motion of Councilman Burgener, seconded by Councilman Wincote, the Minutes of the Regular Meetings of Tuesday, August 31, 1954, and of Thursday, September 2, 1954, were approved without reading. They were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on Resolution of Preliminary Determination No. 119217, for the paving and otherwise improving Alley Block 2 Bartlett Estate Co.'s Subdivision, and the North and South Alley Block 27 H. M. Addition, and Broadway, the City Engineer made a verbal report. He said that there is protest on 1 alley, and that the City has a petition to go ahead regarding there being no drain assessment in one of the alleys.

* Higgins

Councilman Godfrey was excused

Councilman Dail said that the south alley has no problem.

Robert Wise, in behalf of his father in law, whom he did not identify, asked about cost of the alley north of Broadway. He said that it is on Lots 15 and 16 north of Broadway.

Hearing
Ord introduced
6247 N.S.

The City Engineer said that he has to work it out. It was held, while he did so. Hearing will be found continued on page 59 of these Minutes.

The Mayor noted that there were no bids today. He said that is a result of the new procedure, whereby they will be opened and declared elsewhere.

The Clerk pointed out that there will be bids again next week; that there had been intentionally none set for today.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution No. 119355 of Preliminary Determination for paving and otherwise Alleys in Block 4 Ocean View and Block 2 Sunset Grove, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 120054, recorded on Microfilm Roll No. 84, determining that proposed improvement of Alleys Block 4 Ocean View, and Block 2 Sunset Grove, under Resolution No. 119355 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 continued hearing on Resolution No. 119356 of Preliminary Determination for paving and otherwise improving Dudley Street, the Clerk reported that protest had been received from Marjorie R. Davis. Among other things, the protest said that one man engineered the petition, and in a door-to-door canvass told each house owner that he or she was the only person who had not signed. The portion regarding the circulator was read at the request of the Council.

Councilman Wincote said that it was Nelson Barker who circulated the petition, and that he would have leaned over backward in fairness.

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. 120055, recorded on Microfilm Roll No. 85, recorded on Microfilm Roll No. 85, overruling and denying protest of Marjorie R. Davis against proposed improvement of Dudley Street under Resolution of Preliminary Determination No. 119356, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120056, recorded on Microfilm Roll No. 85, determining that paving and otherwise improving of Dudley Street, under Resolution No. 119356 of Preliminary Determination is feasible, and finding 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 adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution No. 119357 of Preliminary Determination for paving and otherwise improving F 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. 120057, recorded on Microfilm Roll No. 85, determining that paving and otherwise improving of F Street, under Resolution No. 119357 of Preliminary Determination is feasible, and finding 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 continued hearing on Resolution No. 496907 of Preliminary Determination for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, the Clerk reported that written protest had been received from John V. Craig and others, which had been presented earlier, and a new protest, which he presented. Both protests say "We believe the asphalt topping the property owners on this section had put down some years past (they

Uncomp. refer to Jefferson St. between Ampudia St. and Trias St. in Old San Diego), ~~is still sufficient**~~ RESOLUTION NO. 120058, recorded on Microfilm Roll No. 85, sustaining protest of Property Owners against work of improving Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Preliminary Determination No. 119358; abandoning proceedings heretofore taken, 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 continued hearing on Resolution No. 119503 of Preliminary Determination for paving and otherwise improving Alley Block 255 Noel's Subdivision, 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. 120059, recorded on Microfilm Roll No. 85, determining that improvement of Alley Block 255 Noel's Subdivision, under Resolution No. 119503 of Preliminary Determination is feasible, 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 continued hearing on Resolution No. 119504 of Preliminary Determination for paving and otherwise improving Dwight 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. Garretson (who did not give her first name or initials), told the Council that she was present last Tuesday - when hearing was continued until today. She said that she is in favor of the work. No written protests were presented.

RESOLUTION NO. 120060, recorded on Microfilm Roll No. 84, determining that improvement of Dwight Street, under Resolution No. 119504 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

After the Resolution had been adopted, Councilman Kerrigan told Mrs. Garretson that proceedings could be thrown out after the next hearing. He explained this hearing, and advised her to be present for the hearing on the Resolution of Intention.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution No. 119503 of Preliminary Determination for sewers and appurtenances in Market Street, Pitts Street, J 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 were present to be heard.

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

RESOLUTION NO. 120061, recorded on Microfilm Roll No. 85, determining that installation of sewers and appurtenances in Market Street, Pitta Street, J Street, and Public Rights of Way, under Resolution No. 119505 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 Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The Council returned to the hearing shown on page 57, for Resolution No. 119217 covering proposed paving and otherwise improving Alley Block 2 Bartlett Estate Co.'s Subdivision, and the North & South Alley Block 27 H. M. Higgins Addition, and Broadway, inasmuch as the City Engineer had figured out the assessments on 2 parcels asked for. He said that he estimated \$573.65 on Lot 16 and \$90.63 on Lot 15. - including half of the storm drain (City to pay half). He said that one lot has a long frontage. He spoke directly to interested property owners, not through the chair.

There were no additional protests filed.

RESOLUTION NO. 120062, recorded on Microfilm Roll No. 85, overruling and denying all protests against proposed improvements in the Alleys in Block 2 Bartlett Estate Company's Subdivision, and the North & South Alley Block 27 H. M. Higgins Addition, and Broadway, under Resolution of Preliminary Determination No. 119217, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120063, recorded on Microfilm Roll No. 85, determining that improvement of Alley Block 2 Bartlett Estate Company's Subdivision, North and South Alley

Block 27 H. M. Higgins Addition, and Broadway, under Resolution No. 119217 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 Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on 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, under Resolution of Preliminary Determination No. 119506, the Clerk reported a written protest from J. S. Denison and others.

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

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

The City Engineer told of the protest in writing being 20% - they want asphalt, according to him. He said, however, there is poor soil, and what is proper for the area according to tests, has been prescribed.

RESOLUTION NO. 120064, recorded on Microfilm Roll No. 85, overruling and denying protest of J. S. Denison and others against improvement of 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, under Resolution of Preliminary Determination, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120065, recorded on Microfilm Roll No. 85, determining that 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, under Resolution of Preliminary Determination No. 119506 is feasible, and finding 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 to which hearing had been continued on Resolution of Intention No. 119096, for paving and otherwise improving of A Street, the written protests were presented again.

Councilman Schneider stated that a gentleman, whom he did not identify, wants to know about the grade.

Several persons came forward and looked at plans with the City Engineer. They did not identify themselves.

The City Engineer handed in a letter signed by Cathryn Wencke, 3177 A St., Walter Wencke, 3177 A St., Wm. B. Chappel, 3176 A St., Elizabeth T. Chappel, 3176 A St.

The letter read: "August 31, 1954 RE: Paving A Street, between Edgemont Street and a line distant 225.00 feet easterly of Edgemont Street. To the members of the City Council: The undersigned owners agree to equally pay a 100% assessment on the extra length of paving required as shown on the engineers plan. This extra length of paving is understood to be that commencing with the lowest point on the present guard fence and thence easterly to the end of the proposed pavement (signed by the 4 mentioned above)".

The letter just quoted was the one filed by the City Engineer. It was, however, changed later, by Mrs. Wencke.

Wallace J. Ullman said that they should make....should make a happy medium. He spoke of payment for "other 2". Again, he said that it should be a happy medium, to be fair.

The City Engineer showed to the Council a plan, regarding the guard fence. Mr. Ullman asked if there can be a definite statement.

Councilman Godfrey returned to the meeting.

Mr. Ullman declared that it does not help to go beyond the guard fence.

Mrs. Walter Wencke said that paving goes to the edge of "their" house. She stated that those who had signed the letter will pay for all past the guard fence. She pointed out that they had already compromised a good deal.

Mr. Ullman pointed out that there is still a majority against the work.

The City Engineer spoke to Mrs. Wencke, not through the Chair.

Mrs. Wencke said that the 2 owners will compromise.

Mr. Ullman said that it will help only 2 persons.

Mrs. Wencke said that if the Council thinks the owners (Wencke and Chappell) should pay "all", they will go along. She made the statement without consulting anyone.

The Mayor asked Mrs. Wencke to change the letter.

Councilman Schneider asked Mrs. Wencke if she will change the letter.

Mrs. Wencke said yes, and came up to the Clerk's desk and made the change.

Portion of the letter now reads....."This extra length of paving is understood to be that commencing with the present guard fence and thence easterly to the end of the proposed paving". Mrs. Wencke scratched out the words "lowest point of the", to which she added her signature Cathryn Wencke.

Councilman Dail said that he won't drive them down.

Councilman Schneider said that if they don't change (Mrs. Wencke already had) it won't be valid. Councilman Schneider had been talking to 2 women at the rail, neither of whom identified herself, or stated her position.

To Councilman Schneider's comment, the Mayor said that it is not valid, anyhow.

Mrs. Wencke was still at the Clerk's desk, where she had made the change. Douglas D. Deaper, Deputy City Attorney, told the Council that it was putting the cart before the horse. He stated that the letter on file has no legal effect, but that as a result, they cannot protest later.

The Mayor declared the proceedings to be in good order. He stated that one sentence had been amended. He read it, in the amended form. The Mayor stated that the Attorney had said that the Council should resolve regarding majority protest; then overrule it.

Councilman Wincote said that people who have the frontage pay 70% of paving, plus 30% of area cost. He asked the Engineer about the area total, and also who has the frontage.

The Mayor replied about 10%. Then, he said that 6 votes are needed to overrule the protests.

There was an over-the-table discussion, not recorded, in that it was not heard.

The City Engineer said that there is no sidewalk. He then spoke to individual Councilmen, not through the Chair.

Councilman Schneider said that 2 protestants "will go along" - evidently having learned that from the women to whom he had talked earlier.

Councilman Godfrey said that if the total picture were seen, protestants would be quite reasonable. He spoke to people in the audience, regarding percentages, not through the Chair.

Councilman Godfrey and Mr. Ullman then carried on a discussion, not through the Chair.

recorded on Microfilm Roll No. 85,
RESOLUTION NO. 120066, finding that protest of property owners against the paving and otherwise improving A Street, between Edgemont Street and a line distant 225.00 feet easterly of Edgemont Street, under Resolution of Intention No. 119096 is a majority protest of owners of property in the area to be assessed, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120067, recorded on Microfilm Roll No. 85, overruling and denying the written protest of Louise Torres, and others, against work of paving and otherwise improving A Street under Resolution of Intention No. 119096; overruling and denying all other protests thereon, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

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

After action had been taken on the Resolutions, and reference to the City Attorney, Councilman Godfrey stated that there should be inserted in the record the statement regarding payment (Cathryn Wencke and Walter Wencke, 3177 "A" St.; Wm. B. Chappell and Elizabeth Chappell, 3176 "A" Street)

Douglas D. Deaper, Deputy City Attorney, pointed out that the discussion is in the record.

Councilman Godfrey stated that at the time of the hearing on the assessment, the question of payment may come up.

The Mayor stated that maybe an excerpt of the minutes should be inserted in the proceedings.

Councilman Godfrey said that it would be for the purpose of bringing to the Council's attention what has been inserted. What is to be inserted?

(The Clerk will put a copy of the minutes from the several hearings in the proceedings).

Petition from Norman H. Tuttle, 3329 McGraw St., and others, requesting installation of traffic signals at the intersection of Lamont Street and Garnet Avenue, and setting forth conditions which prompt the request, was presented.

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

RESOLUTION NO. 120068, recorded on Microfilm Roll No. 85, accepting bid of McKesson & Robbins, Incorporated, for furnishing 20 tons of copper sulphate, large chrystal, at \$11.23 per cwt. less 1% - 30 days, plus Sales Tax; 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 Wincote, adopted.

RESOLUTION NO. 120069, recorded on Microfilm Roll No. 85, accepting bid of Morton Equipment Company for furnishing 102 Lockers for Public Works Department @ \$8.69 each; 24 Lockers for Police Department @ \$13.95, all plus State Sales Tax; 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120070, recorded on Microfilm Roll No. 85, accepting bid of Sim J. Harris Company for construction of storm drain in Olney Street and in Grand Avenue, for \$66,876.97; 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120071, recorded on Microfilm Roll No. 85, accepting bid of Mission Pipe and Supply Co. for furnishing Item 2, 3 - 4" check valves @ \$134.50; Item 4, 4 - 6" check valves @ \$203.75 each; Item 6, 2 - 8" check valves @ \$286.75 each; terms 2% 10 days, plus state sales tax; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120072, recorded on Microfilm Roll No. 85, accepting bid of Squires-Belt Material Co. for furnishing Item 1, 3 - 4" x 2" Hersey Meters @ \$530.00 each; Item 3, 4 - 6" x 3" x 3/4" Hersey Meters @ \$1,170.00 each; plus state sales tax; authorizing and instructing City Manager to enter into and execute pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120073, recorded on Microfilm Roll No. 85, accepting bid of Western Metal Supply Co. for furnishing Item 5, 2 - 8" x 2" Neptune Meters @ \$1,680.00 each, plus state sales tax; 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120074, recorded on Microfilm Roll No. 85, approving plans and specifications for furnishing all material, labor, tools, equipment and transportation and other expense necessary or incidental for construction of sanitary sewers in Home Avenue at Highland Avenue and at 45th Street, and a water main in Fairmount Avenue at Maple Street, bearing Document No. 497235; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, 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 sale of 83 various and sundry items - pumps, motors, scrap steel, iron, copper, lead, etc - to 16 bidders, was presented. It states that total of \$6,889.58 received from the sale has been deposited with the City Treasurer.

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

Communication from Planning Commission, signed by Harry C. Haelsig, reporting on petition of Pedro and Betty M. Mendoza, being offer to dedicate 10 feet of Leghorn Avenue for widening that street in connection with dividing their property, was presented. It states that the Department reports are favorable to the widening, that City Engineer has recommended that Leghorn Avenue be graded from westerly property line to easterly curb line as condition of the acceptance. It recommends that the Council accept the offer subject to Departmental recommendations.

RESOLUTION NO. 120075, recorded on Microfilm Roll No. 85, accepting offer of Pedro and Betty M. Mendoza, filed in office of City Clerk under Document No. 495306, to dedicate 10 feet of Leghorn Avenue for widening in connection with dividing property, on conditions and in accordance with terms in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent, with Assistant City Manager's signature of approval, recommending granting petition to close west half of Sixth Avenue adjacent to Lots 37 through 50 Block 1 Fifth Street Addition, was presented.

Councilman Schneider asked where the proposed closing is.

Councilman Godfrey was excused

At the request of Councilman Schneider, the letter was read. It states that 6th Avenue northerly from Arbor Street is entirely unimproved, the State Highway has acquired Lots 30 through 34 Fleischer's Addition to San Diego (Map 811) as right of way for Cabrillo Freeway, and right of way fence is installed along easterly line of 6th

Avenue adjacent to the lots, so that it is unlikely that the portion of 6th Avenue proposed to be closed will ever be improved. In addition, it states that westerly part of 6th Avenue in said location was dedicated from Pueblo Lot C on Fifth Avenue (Map 577) and consists of strip of property varying in width from 22.2 feet wide at Lewis Street to 25.6 feet wide at northerly subdivision boundary; easterly portion of street was dedicated from P.L. 1117 on Fleischer's Addition (Map 811). Communication recommends that portion of 6th Avenue dedicated on Fifth Street Addition (Map 577) be closed between easterly extension of southerly line of Lot 37 Block 1 and northerly line of said subdivision.

Councilman Godfrey returned

RESOLUTION NO. 120076, recorded on Microfilm Roll No. 85, granting petition for closing portion of 6th Avenue dedicated on 5th Street Addition (Map 577) between easterly extension of southerly line of Lot 37 Block 1 and northerly line of said subdivision 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 of the closing, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Adams and Hill, attorneys at law, 265-266 Spreckels Building, San Diego 1, dated September 2, 1954, signed by Richard E. Adams, Attorney for Kay Cudd, was presented. It states that Kay Cudd, operator of Kay's Lucky Strike Cafe at 1807 Fifth Avenue, appeals to the Council for hearing, pursuant to San Diego Municipal Code from action of Chief of Police E. A. Jansen, who revoked petitioner's cabaret license on 19th day of August, 1954, was presented. Communication gives notice that petitioner requests hearing, and hearing is requested to review action of Chief of Police on 19th day of August as well as his action on 17th day of August, suspending the license.

RESOLUTION NO. 120077, recorded on Microfilm Roll No. 85, setting hearing at 10:00 o'clock A.M., Thursday, September 16, 1954, to consider appeal of Kay Cudd, operator of Kay's Lucky Strike Cafe, 1807 Fifth Avenue, from action of Chief of Police E. A. Jansen revoking cabaret license, in accordance with request filed in office of City Clerk under Document No. 497277, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120078, recorded on Microfilm Roll No. 85, directing notice of filing of Assessment No. 2281 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 50 Ocean Beach, under Resolution of Intention No. 116055, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120079, recorded on Microfilm Roll No. 85, directing notice of filing of Assessment No. 2279 for paving and otherwise improving Alley Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120080, recorded on Microfilm Roll No. 85, directing notice of filing of Assessment No. 2280 for paving and otherwise improving Rhode Island Street, and Madison Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120081, recorded on Microfilm Roll No. 85, directing notice of filing of Assessment No. 2283 for paving and otherwise improving Santa Cruz Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120082, recorded on Microfilm Roll No. 85, directing notice of filing of Assessment No. 2282 for paving and otherwise improving Wrelton Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 120083, recorded on Microfilm Roll No. 85, for paving and otherwise improving Byron Street, under Resolution No. 118860 - accepting bid of M. H. Golden Construction Co., a corporation, and awarding the contract - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 24.1% below the estimate.

RESOLUTION OF AWARD NO. 120084, recorded on Microfilm Roll No. 85, accepting bid of Cameron Bros. Const. Co., a co-partnership, and awarding contract, for sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The City Engineer reported that low bid is 9.4% below the estimate.

RESOLUTION OF AWARD NO. 120085, recorded on Microfilm Roll No. 85, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract, for paving and otherwise improving Thorn Street and Highland Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The City Engineer reported that low bid is 30.9% below the estimate.

RESOLUTION NO. 120086, recorded on Microfilm Roll No. 85, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue; approving Plat No. 2625 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 Schneider, adopted.

RESOLUTION ORDERING WORK NO. 120087, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 120088, recorded on Microfilm Roll No. 85, for paving and otherwise improving Long Branch Avenue and Spray Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 120089, recorded on Microfilm Roll No. 85, closing Walkway between Lots 9 and 10 Block 41 La Jolla Hermosa Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120090, recorded on Microfilm Roll No. 85, directing notice inviting sealed proposals 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, in accordance with Engineer's Report and Assessment for Logan Avenue Lighting District No. 1, filed July 16, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120091, recorded on Microfilm Roll No. 85, directing notice inviting sealed proposals 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, in accordance with Engineer's Report and Assessment for Pacific Beach Lighting District No. 1, filed June 18, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120092, recorded on Microfilm Roll No. 85, directing notice inviting sealed proposals 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, in accordance with Engineer's Report and Assessment for Roseville Lighting District No. 1, filed July 16, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

*1955

RESOLUTION NO. 120093, recorded on Microfilm Roll No. 85, appointing time and place for hearing protests and directing notice of hearing, for furnishing electric current

for lighting ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for period of one year from and including December 1, 1954, to and including November 30, 1955, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120094, recorded on Microfilm Roll No. 85, appointing time and place for hearing protests and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in Montemar Lighting District No. 1, for period of one year from and including December 16, 1954, to and including December 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120095, recorded on Microfilm Roll No. 85, for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120096, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 66 Ocean Beach, under Resolution of Intention No. 115493, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120097, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 176 University Heights, under Resolution of Intention No. 116283, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120098, recorded on Microfilm Roll No. 85, granting permission to Edwin W. Schleheber to construct sewer to serve portion of Block F Russell Heights Tract No. 1, by private contract under plans, etc., on file in office of City Clerk as Document No. 496344, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120099, recorded on Microfilm Roll No. 85, authorizing and directing San Diego Gas & Electric Company to install 210,000 lumen overhead street lights at each of the following intersections:

Purdue Street at Frontier Street;
Kemper Street at Frontier Street;
Fordham Street at Frontier Street;
Reliant Street at Frontier Street;

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

RESOLUTION NO. 120100, recorded on Microfilm Roll No. 85, extending terms of contract with Roland S. Hoyt, a Landscape Consultant, for his professional services in accordance with conditions in contract bearing Document No. 473411 on file in office of City Clerk, for one year from and after July 1, 1954, and ending June 30, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120101, recorded on Microfilm Roll No. 85, waiving all claims by The City of San Diego for damages against R. E. Hazard Contracting Company arising on account of failure to complete contract for improvement of Harbor Drive at Scott Street, within time specified in contract, Document No. 481020 - because of activities of U.S. Navy in region preventing performance - rescinding Resolution No. 119918 extending time, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120102, recorded on Microfilm Roll No. 85, granting San Diego Unified School District permission to install loop vent for sink in center of Room No. 3 at Samuel L. Gompers Junior High School, 905 - 47th Street, 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 Wincote, adopted.

RESOLUTION NO. 120103, recorded on Microfilm Roll No. 85, authorizing Wesley S. Sharp, Deputy Chief of Police, to attend International Association of Chiefs of Police Conference, to be held in New Orleans, Louisiana, September 26 through September 30 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120104, recorded on Microfilm Roll No. 85, empowering City Manager to enter into Agreement and Grant of Easement for and on behalf of The City of San Diego, with State of California, whereby the State grants to the City an easement for right of way for construction, etc., of public street and highway in Lot 67 Rancho Mission in County of San Diego, State of California, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.
(It is through State College Grounds).

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 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. 6248 (New Series), recorded on Microfilm Roll No. 85, appropriating \$73,500.00 from Capital Outlay Fund for providing funds for construction of storm drain in Olney Street and Grand Avenue, 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.

In connection with the next ordinance, listed on the agenda for introduction, Nicholas J. Haering told the Council that he had a letter in. (It had not come in in time to be listed on the agenda, which had already been printed and distributed before it was received). The Clerk sent for the letter, which was brought into the meeting.
The Mayor reviewed the letter, and said that the ordinance proposed having to do with painting street numbers on curbs would have no effect on Mr. Haering.
First Mr. Haering said that the letter is clear; then he reversed his statement, and said that it is not clear. He declared that the men who paint house numbers on the curbs should also be required to paint the street signs.
The Mayor told Mr. Haering that the City has an extensive program for installation of street signs throughout the City not now covered.
Mr. Haering spoke of having passed 10 streets on University Avenue, and could not find what he was hunting.
The Mayor stated that it is a procedural question, that he should take it up with John Bell of the Water Department.
Then, Mr. Haering spoke of having found the number on the curb, price has been increased; painters put the numbers on first, then paint, and seek permission from householders.
On motion of Councilman Wincote, seconded by Councilman Kerrigan, the letter was ordered filed.
On motion of Councilman Wincote, seconded by Councilman Dail, Ordinance amending Section 62.11 of The San Diego Municipal Code regulating the painting of street numbers on curbs, 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 Schneider, seconded by Councilman Wincote, Ordinance amending Division 14 Article 3 Chapter III San Diego Municipal Code, by adding Section 33.1410 which provides for special registration card for and regulation of Solicitors engaged in painting Street Numbers on Curbs, 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 Wincote, seconded by Councilman Dail, Ordinance repealing Section 33.0602 of The San Diego Municipal Code and Section 30 of Ordinance No. 3179 (New Series) concerning the Issuance of Free Peddlers Licenses to Veterans, 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 Schneider, seconded by Councilman Godfrey, Ordinance repealing Sections 26.20 to 26.25 inclusive of The San Diego Municipal Code establishing the San Diego Sports Commission, 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 Schneider, seconded by Councilman Wincote, Ordinance repealing Section 26.10, 26.11 and 26.12 of The San Diego Municipal Code, and Ordinance No. 3165 (New Series), Establishing The Veterans' Advisory Commission, 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 to permission to present a Resolution governing Comic Books.
Councilman Dail said that Beam (Kenneth Beam) asked to have it continued.
The Clerk was directed to list on the agenda for Tuesday, September 14, 1954.

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

RESOLUTION NO. 120105, recorded on Microfilm Roll No. 85, congratulating members of Junior Baseball Team of American Legion Post 492 for demonstrating ability, sportsmanship, determination and alertness in winning the National Junior American Legion Baseball title, and congratulating Coach Fulton Vickery and members of American Legion Post 492 in their fine work in aiding the youth of The City of San Diego in developing and showing such fine qualities and characteristics; directing City Clerk to forward certified copy of the Resolution to the Commander of American Legion Post 492 and to the Coach of the Team, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 120106, recorded on Microfilm Roll No. 85, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Balboa Avenue between Morena Boulevard and Rose Canyon Creek, bearing Document No. 497311; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 120107, recorded on Microfilm Roll No. 85, accepting bid of Griffith Company for resurfacing 54th Street, et al, for \$5.29 per ton; 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.

When the Resolution was presented, and before adoption, Councilman Kerrigan asked what area the resurfacing covers.

The City Manager replied that he did not have the information.

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

Councilman Godfrey referred to the Police Pistol Team having .45 matches and other matches were tied by them in competition. He stated that he did not have the information, but that it can be found in the sports pages. He asked that the City Attorney be requested to draw a proper Resolution of appreciation, for the agenda of next Tuesday.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the City Attorney was requested to draw and present for Council adoption a proper Resolution of appreciation to the Police Pistol Team - for action on Tuesday.

(A telephone call to Douglas D. Deaper, Deputy City Attorney, September 8, 1954, has prepared the Resolution as requested, and that it will be filed with the Clerk in time for inclusion of the agenda).

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:56 A.M. He announced that members of the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Wadstrom
Deputy

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

Ords introduced
Items to come up Tues.
120107

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Friday, September 10,
1954 (in lieu of September 9, 1954
- a holiday, being California Admis-
sion day)

Mayor Butler appeared in the Council Chambers at 11:25 o'clock A.M., and
declared the meeting adjourned - there being no other members of the Council present.

ATTEST:
FRED W. SICK, City Clerk

By August M. Haddleton
Deputy

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

ADJOURNED REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 14, 1954.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, this
meeting, held in lieu of one which had been adjourned to this date from Friday, September
10, 1954, was adjourned.

ATTEST:
FRED W. SICK, City Clerk

By August M. Haddleton
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 14, 1954

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

The Mayor called the meeting to order at 10:05 o'clock A.M.

The Reverend R. Kells Swenerton, Associate Pastor of The First Methodist
Church, 1112 Ninth Avenue, was presented by the Mayor. Rev. Swenerton gave the invocation.

The Minutes of the Meetings of Tuesday, September 7, 1954, and of Friday,
September 10, 1954, were presented by the Clerk.

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

Minutes approved
Invocation

The Mayor presented awards to the following employees, honoring their long service with the City of San Diego:

Mrs. Beth Samson, City Information Clerk in the Lobby - 25 years;
Ira D. Miller, Keeper at Lower Otay Reservoir - 25 years;
Mark Saunders, Senior Cashier in the Treasurer's Office - 25 years.

Councilman Burgener 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 16 Bird Rock City By the Sea, the Clerk reported that 4 bids had been received. They were presented to the Council.

On motion made and seconded, bids were publicly opened and declared. They 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 \$650.00, given Document No. 497675;

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. 497674;

Councilman Dail was excused

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. 497673;

Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 497672.

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

Councilman Dail returned

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 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, under Resolution of Intention No. 118978, 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 \$550.00, given Document No. 497671;

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$500.00, given Document No. 497670;

John B. Henry, accompanied by bond written by The Fidelity and Casualty of New York in the sum of \$600.00, given Document No. 497669;

Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$500.00, given Document No. 497668;

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 Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, 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 \$650.00, given Document No. 497667;

Councilman Godfrey 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. 497666;

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. 497665;

Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 497664;

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.

Service Awards
Bids

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Jewell Street, under Resolution of Intention No. 118979, 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:

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, given Document No. 497663;
H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$2,000.00, given Document No. 497662;
Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,800.00, given Document No. 497661;
Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,800.00, given Document No. 497660;
M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in sum of \$2,000.00, given Document No. 497659;
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 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 Right of Way under Resolution of Intention No. 118980, 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:

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. 497681;
H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$5,000.00, given Document No. 497680;
Taylor and Sloan, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 497679;
Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$4,000.00, given Document No. 497678;
L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$3,000.00, given Document No. 497677;
Walter H. Barber and H. R. Breeden, as Joint Venturers, accompanied by bond written by Hartford Accident & Indemnity Company in the sum of \$4,000.00, given Document No. 497676;

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 time set for hearing on Resolution of Preliminary Determination No. 119654 for installation of Storm Drains and appurtenances 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, the Mayor made a statement. He said that it is proposed that the City pay about \$171,910.00 - 43.6% of total contract costs from Ordinance 6178 (New Series).

The Clerk reported that no 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 filed.

RESOLUTION NO. 120108, recorded on Microfilm Roll No. 85, determining that improvement of 4th Avenue, 5th Avenue, 6th Avenue, et al., under Resolution No. 119654 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 119655 for paving and otherwise improving of E Street and F Street, the Clerk reported that protest had been received from M. E. Waterhouse. It was presented to the Council.

The City Engineer said that he had not seen the protest, when asked for a report by the Mayor.

The Mayor reviewed the protest.

The Engineer said that it would be a small percentage protest, in that it is a large improvement area.

Ethel Burke, 1010 N. 29th Street, spoke of having property at 3 addresses. She protested on 29th Street, and said that the improvement is not necessary. She declared that most people in the block don't want it. She said that it will be confiscatory, on the 3 houses on which she doesn't want to raise the rent.

Bids
Hearings
120108

The Mayor pointed out that the project was initiated by property owners. Mrs. Burke said that people on E Street are against it. The Mayor said that there will be another hearing.

Councilman Wincote asked if it would be wise to check the petition in the particular block.

The Mayor replied that the Engineer can make the check.

RESOLUTION NO. 120109, recorded on Microfilm Roll No. 85, overruling and denying protest of M. E. Waterhouse on behalf of James Tayforth Estate, and protest of Ethel Burke against improvement of E Street, F Street, 28th Street and 29th Street, under Resolution of Preliminary Determination No. 119655, overruling and denying all other protests thereon, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120110, recorded on Microfilm Roll No. 85, determining that proposed improvement of E Street, F Street, 28th Street and 29th Street under Resolution No. 119655 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. 119656 of Preliminary Determination for sewers in Gregory 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.

RESOLUTION NO. 120111, recorded on Microfilm Roll No. 85, determining that improvement of Gregory Street under Resolution No. 119656 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119657 of Preliminary Determination for paving and otherwise improving La Jolla Hermosa 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. 120112, recorded on Microfilm Roll No. 85, determining that improvement of La Jolla Hermosa Avenue under Resolution No. 119657 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 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 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. 119658 of Preliminary Determination 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.

RESOLUTION NO. 120113, recorded on Microfilm Roll No. 85, determining that improvement of Quimby Street, under Resolution No. 119658 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 of Intention No. 119498, 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 Blocks 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 presented.

Hearings

120109 - 120113

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, 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 Resolution of Intention No. 119499 for paving and otherwise improving Alleghany 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 Kerrigan, seconded by Councilman Burgener, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119500 for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, the Clerk reported having received written protests from Dale S. Harris, 4008 Pepper Drive, and Dorothy G. Harris; Harold B. Warner, 4390 Maple Street, which were presented.

The City Engineer told the Council that protests amounted to 4.8%, being on a basis of the grade being too high. He spoke of there being a low dip, houses had been built, but no street built there yet. He said that no grades had been established before.

Councilman Kerrigan spoke of having had a call in protest about the grade established. He did not identify the caller. When the next speaker was heard, the Councilman asked if it was he. The reply was yes.

H. B. Harris agreed that he had built on a low spoke. He stated that the Engineer had told of grade being established, then changed. He said that it was thought that if the grade were cut, it would hit the sewer. He spoke of being on the north end. He said that the sewer is high, but grading is up about 4 feet above it. He said that there is 18" raise in grade, and that he can't understand it - that is, on the high part. He asked where dirt will be got to pile in front of his house. Mr. Harris contended that he could not get his car out.

The City Engineer stated that he would have to check.

Mr. Harris agreed that there was no grade established when he built, but the grade had been established - then changed. He said that he wants to prevent turning his home into a death trap. He said that hot rodders go around the corner fast, and that it will not be safe if the street is improved.

Councilman Schneider talked to the City Engineer, not through the Chair.

The Mayor left the meeting, and Vice Mayor took the Chair.

The City Engineer related that he had been told that the grade had been lowered as much as it can be.

Mr. Harris asked Councilman Kerrigan to look at it on his way home.

Councilman Kerrigan's comment was that he is not an engineer.

Councilman Schneider said that the question of the sewer should be settled. He asked Mr. Harris, directly, to go to the City Engineer.

Mr. Harris pleaded for making his home safe. He stated that he gave the City an easement for 2 feet, 265 feet long, at City's request.

Councilman Schneider moved to continue the hearing 1 week, and get the answers.

Harold B. Warren, owner of Lots 37 and 38 block 32 Lexington Park, spoke of Lexington and Pepper. He objected to the grade.

Councilman Wincote, as Vice Mayor, asked him to please check with the City Engineer on that point. He said that it is important to show the Engineer what is wanted.

Mrs. Hollis Nelson told the Council that she had sent in a protest.

The City Clerk reported that he did not have it.

Mrs. Nelson said that it was delivered to the City Clerk.

The Clerk sent for the letter, which was located.

Mrs. Nelson said that she is on a dead-end street, and that access is cut off on a rental. She said that she wants 15 feet more, then said she wants 37 feet.

The City Engineer told the Council that the Nelsons were down (apparently to his office), that he has prepared a plan to extend the street 10 feet.

Mrs. Nelson said that she can't afford the improvement under the Engineer's plan as a separate contract.

Vice Mayor Wincote explained to Mrs. Nelson about what engineering having been done, that if there is any change project has to be abandoned.

Mrs. Nelson contended that the plan had been drawn 3 years ago, that she had never been asked what she wants. She told the Council that the house was finished in January.

The Vice Mayor looked over the notice. He contended that the description does not agree with the supposed improvement.

A conference by several was held over a map.

Hearings

Councilman Schneider, after looking at the plans, said that work called for is not in accordance with the notice.

The Vice Mayor asked Mrs. Nelson if she wished to look at the map.

Mrs. Nelson replied that she has.

She then came up and looked at it with the Engineer, et al.

Councilman Dail moved to continue the hearing one week. (had been made).

Councilman Burgener then said that the plan is "different".

The City Engineer contended that there is a reason for what is done, but did not elaborate on it.

Councilman Burgener said that protest had been made at the first hearing.

The City Engineer maintained that he took care of the trouble at the first hearing.

Mr. and Mrs. Nelson entered into discussion with the City Engineer, directly.

The Vice Mayor said that hearing will be continued one week, and that there be consideration given next week.

Frank Titcombe stated that he thought the City was going to pay for portion in Azalea Park.

Councilman Kerrigan spoke to the City Engineer on that point, not through the Chair.

The City Engineer spoke of having another plan to pave (into Azalea park).

The Mayor returned to the meeting.

The roll was called, resulting in

RESOLUTION NO. 120114, recorded on Microfilm Roll No. 85, continuing for 1 week - to the meeting of September 21 - hearing on Resolution of Intention No. 119500, for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, until the hour of 10:00 o'clock A.M., said day, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119501 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 no written protests had been received.

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

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

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to the City Attorney for 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. 119502 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 verbally, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to the City Attorney for the Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2269 made to cover cost of paving and otherwise improving Fortuna Avenue, Honeycutt Street, Morrell Street and Crown Point Drive, the Clerk reported that written appeals had been received from Dewey O. and Elizabeth A. Reed, J. A. Young, Hazel Elvin Honeland, B. E. Parker, Mrs. G. Kennedy, I. E. Warfield, Lena A. (Mrs. Oscar J.) Kendall, which were presented (Kendall letter filed during meeting, so Engineer had not seen it).

The City Engineer spoke of 4.6% protest, and reviewed the appeals.

Mrs. Reed asked about the paving.

The Mayor replied that it is assessed half a block back.

Mrs. Reed said that she thought she should pay on less.

A conference was held over assessment roll, not seen, and conversation not heard by the Clerk.

Mrs. Kendall spoke about blocks east of the end of the street, where driveways were put in and approved years ago. She told of their having been torn out - a portion - which she maintained increased the cost.

The Mayor referred to the Kendall letter.

Mrs. Kendall told the Council that there is also a serious drainage problem.

There was a conference over papers, with the Engineer, by several individuals, conversation not heard.

Councilman Schneider left the meeting during the conversation in conference, and returned while it was going on.

Councilman Wincote pointed out that this is an assessment hearing, that Mrs. Kendall can get her answer later. He asked her to confer with the City Engineer.

Mrs. Gertrude Kennedy protested the price - approximately \$641.41. She identified property as Lots 1 and 2 Block 14 Fortuna Addition. She spoke of there having been sidewalk on the far side, then put in on her side.

The Mayor told about charges for sidewalk and curb.

Willard Olson, of the City Engineer's Office, spoke to Mrs. Kennedy about her charges for sidewalk and curb. He said that portion of curb was already in, so she would not be charged for that. He told her that he can give her a break down.

The City Engineer pointed out that the contract bid was 14% under the estimate.

The Mayor said that the job is cheaper than the average; it is not high.

Mrs. Kennedy said that she spoke of having a portion strip of paving in already. She said that she is a widow, retired, getting a small social security income.

Councilman Burgener pointed out to Mrs. Kennedy that the job was done on a basis of competitive bid, that Council had no choice in the matter, that it was initiated by Mrs. Kennedy's neighbors.

Councilman Wincote referred to the question of curbing being torn out (as mentioned by Mrs. Kendall).

The City Engineer stated that plans don't show any curb.

Russell Hall, Assistant City Engineer, said that there was an old curb, with street of wrong width. It was different, and was a matter of getting the proper width.

RESOLUTION NO. 120115, recorded on Microfilm Roll No. 85, overruling and denying appeals of Dewey O. and Elizabeth A. Reed, John A. Young, Hazel and Elvin Hone-land, Mrs. B. E. Parker, Mrs. G. Kennedy, I. E. Warfield, Wm. Conlin, Lena Kendall, from Street Superintendent's Assessment No. 2269 made to cover costs and expenses of paving and otherwise improving Fortuna Avenue, Honeycutt Street, Morrell Street and Crown Point Drive, under Resolution of Intention No. 114136; overruling and denying all other appeals; confirming and approving said Assessment, 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. 2270 made to cover cost and expenses of paving and otherwise improving Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue, the Clerk reported no appeals 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. 120116, recorded on Microfilm Roll No. 85, confirming and approving Street Superintendent's Assessment No. 2270 made to cover cost and expenses of paving and otherwise improving Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue under Resolution of Intention No. 114360; confirming and approving Street Superintendent's Assessment; 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 Schneider, seconded by Councilman Wincote, adopted.

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 Sections 55.06, 55.06.1, 55.06.2 and 55.06.3 thereof, and by adding new sections numbered 55.06.4, 55.06.5, 55.06.6, 55.06.7, 55.06.8, 55.06.9, 55.06.10, 55.06.11, 55.06.12, 55.06.13, 55.06.14 regulating the Storage, Use, Transfer and Transportation of Liquefied Petroleum Gas, the Mayor asked Phil Lawlor, Budget Officer, to make a statement.

Mr. Lawlor said that the last time a hearing was held on the subject was about a year ago. He stated that there was quite a large protest at that time from several interested in the subject, by various factions. He stated that the subject had been referred back to the City Manager for consideration. Mr. Lawlor told the Councilmen that meeting had been attended by many users. He pointed out that some who had been invited had not attended. He said that there was discussion of objections, and that there had been effort made to resolve the items. Mr. Lawlor related the study made in Los Angeles, and information received from all major cities on the Coast. He referred to the new draft being prepared. He told of having accommodated most difficulties, and had arrived at the draft before the Council at this hearing. He maintained that in the main, the draft satisfied most parties concerned; most are satisfied on major part of the ordinance. Mr. Lawlor spoke of having not received information from the aircraft industries (as requested) on the final draft in the ordinance, which in the main controls the situation within the City. He told of what and how the LPG is allowed, and of the permits required by the Fire Department. He related that hearings are provided for if permits are revoked.

The Mayor opened the hearing, and invited interested persons to be heard.

Albert Rudolph, plumbing contractor, representing the Associated Plumbing Contractors, was heard first. He thanked Mr. Lawlor for his consideration during the discussions. Mr. Rudolph contended that Section 55.06.3 "Storage of Liquefied Petroleum Gas - Permit Required", would require practically every plumbing contractor to require a permit. He said that containers with capacity of 50 gallons should be raised to 100 gallons. He said that several now are using more than 50 gallons. He told the Council that there is no objection to permit requirement for over 100 gallons.

Councilman Kerrigan was excused
Councilman Schneider was excused

Mr. Rudolph continued speaking. He declared that as a result of the proposed ordinance an almost-daily permit would be needed. He protested the point regarding the 50-gallon containers.

Mr. Lawlor reported at the request of the Mayor. Mr. Lawlor made a further report. He said that ordinance provisions had been increased from 25-gallons to 50-gallons on the containers. He said that seemed reasonable to the Fire Chief. He reviewed reasons for requests to enlarge. He pointed out that the Ordinance does not prohibit storage, but contended that the Fire Department should know about the storage.

Frank Bater, representing the Gas Company, told the Council that the Ordinance has been found satisfactory, as proposed. He, also, thanked Mr. Lawlor for his work on the regulation.

Councilman Schneider returned

There was discussion between Councilman Godfrey and Mr. Rudolph, not through the chair.

Councilman Godfrey declared that it makes sense to have permits.

Mr. Rudolph spoke of having found the Fire Chief cooperative. He maintained, however, that the proposed ordinance gives broad powers to the Chief in connection with the denial and the issuance of permits in the future.

Councilman Godfrey expressed the view that that is a good question to have in mind. He said that ~~there would be~~ appeal could be made to the City Manager and to the City Council.

Mr. Rudolph felt that individuals might be put out of business. He repeated that Courser (Fire Chief George Courser) has been cooperative.

The Mayor, at this point, commented that the Council has a meeting at noon (already scheduled with members of the City Planning Commission), and that there is the Padre victory parade - since the hearing was developing into a lengthy one.

Councilman Burgener, Wincote and Godfrey said that the Council should go to the luncheon.

Mr. Lawlor said that the Ordinance does cover storage up to 60,000 gallons. He said that the Chief would be required to issue permits if there is compliance with the ordinance.

Lewis H. Dowdy, of the San Diego Liquid Gas & Appliance Company said that people in the City are satisfied; "we" haven't been. He asked for adoption of the State Code. He presented Mr. Usher, whom he asked the Council to hear.

Roland Usher, of Los Angeles, Manager of the American Liquid Gas Co., spoke. He told the Council that the State Ordinance is recognized in many areas - also in Los Angeles County. Answering a question put by members of the Council, Mr. Usher stated that Los Angeles City has its own ordinance.

Councilman Kerrigan returned

Councilman Godfrey said that it (the ordinance used in the Los Angeles County) is not the best guide in densely populated areas.

Mr. Usher said that the State Ordinance is similar to codes recognized by insurance companies. Answering Councilman Burgener, Mr. Usher said that Los Angeles' is about the same as San Diego's amended ordinance. He said that basically he is in accord with the Ordinance. Mr. Usher told the Council that research has been to great advantage. He referred to letters from L.P. Gas people, addressed to Mr. Lawlor. He read a portion of a letter from Mr. Luxon. He asked for leaving open the 60,000 gallon storage, and said that quantity has not so much basis as proper installation. He read from a Lockheed statement. He asked why be penalized to move storage out of the City, if facilities come up to standards of installation. Sec. 55.06.4 "Liquefied Petroleum Gas Bulk Storage Plants and Container Filling Plants - Location" - was referred to in the Luxon letter. He said that Mr. Requa refers to accepted standards, being discussed. He maintained that proper maintenance are approved. Next he spoke of Sec. 55.06.5 "Liquefied Petroleum Gas Bulk Storage Plant Location - Exception"; Item 3. He spoke about pamphlets, which include the subject of the enclosure. Then, he spoke of Sec. 55.06.6 "Liquefied Petroleum Gas Container - Minimum Separation", referring to distance between tanks. He said that Los Angeles goes as high as 20,000 gallons before requiring greater distance. Mr. Usher said that he would not comment on others. He recommended that Sec. 55.06.3 "Liquefied Petroleum Gas Container Filling Plants and Bulk Storage Plants - Capacity" maintenance capacity for storage, be removed. In connection with Sec. 55.06.4 "Liquefied Petroleum Gas Bulk Storage Plants and Container Filling Plants - Location", Mr. Usher contended that deviations that comply should be granted, and that footage be considered as in the "ordinance". He said that cabinet shops have moved into adjacent storage, and that L.P. Gas insurance does not increase where there is compliance.

Councilman Schneider returned

Mr. Usher continued by saying that he asked only if there is doubt that engineers and men experienced, who are willing to offer their services, be allowed to do so.

Walter Schwarz, Soper Butane Service, said that Mr. Usher had already stated most of the objections. He stressed that the California State standard, which is adequate, could have closer inspection by the Fire Department. He said that 2 codes are adequate and satisfactory record has been maintained. Mr. Schwarz said he can see few instances where one can get away with variances.

Mr. Dowdy spoke again, and referred to roadways without permit, which leaves only 2 without roads to his plant. It is not reasonable, according to him. He spoke about leaving 3 blocks away.

Mr. Lawlor told about 3 major highways for the movement of L.P. Gas. He stated that Ordinance can't be drawn for the various places.

Councilman Wincote wondered if that should be written out, for the present plants.

The City Manager said that is taken care of.

Fire Chief George Courser said that the matter of roadways has to do with transportation of the L.P. Gas through the City.

Mr. Dowdy contended that it is not clear - as written.

Douglas D. Deaper, Deputy City Attorney, stated that point had been discussed in conference, and that it was satisfactory.

Councilman Dail said that it is in there now.

Councilman Godfrey said that the provision is in now; the City is not trying to be arbitrary or unfriendly, but it is for protection. He favors L.P.G.

Councilman Burgener asked Mr. Dowdy if his company is not trying to put in a plant on Camino Del Rio.

Mr. Dowdy said that they could squeeze in a 10,000 gallon plant. He told of the company having a 30,000 gal plant now. He said that objection is only local.

Councilman Godfrey said that where the State guides it is allright, but that it stinks in Los Angeles and San Diego. He contended that most of the Los Angeles County property lives in Los Angeles City. He said that it would not be possible to put a plant in Los Angeles.

Mr. Dowdy said that 2 inspectors could not object to installation - if bulk butane plant would not raise insurance rates. He stated that no experts or authorities had objected.

Councilman Godfrey said that based on experience State regulations are not adequate. He contended that Los Angeles and San Francisco could not be influenced.

Mr. Dowdy pointed out that some transportation systems use the gas that the Council is seeking to regulate by the Ordinance under consideration at this hearing. He maintained that there is misconception regarding L.P.G.

Councilman Dail spoke directly to Mr. Dowdy regarding difference of types.

Fire Chief Courser said that Mr. Usher had referred to "pamphlet 58", that he is not consistent, that he favors a portion, but some not. He referred to a meeting with Mr. Dowdy. He told of having sent Sydney Franklin, Fire Marshal, to Los Angeles regarding L.P.G. He told about Los Angeles having 2 men who specialize in the subject. He told of San Diego adopting regulations close to those of Los Angeles. He said that the City ordinance distance is right, if can be used in Los Angeles. He declared that L.P.G. is not allowed in San Francisco. He pointed out that the department has not tried to strange business, but regulate the L.P.G. The Chief said that Chief Franklin has photographs of explosions (which were not exhibited). He said that he is not in a position to "give" more. He maintained that the Ordinance presented is fair.

Councilman Burgener wanted to hear from Chief Franklin, who had been referred to by the Fire Chief.

Chief Franklin spoke about ordinance having been amended in 1948. He said that he does not know when distances had been set up. If there were a change, he would increase distance a little. He said that it has been satisfactory. He spoke about the Los Angeles industry taking policing but that San Diego can't do the same policing.

Councilman Kerrigan was excused.

There was discussion between Councilman Burgener and Chief Franklin, not through the Chair.

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Dail.

Councilman Dail asked if the Fire Chief objects to raising the 50 gals to 100 gals.

Chief Courser's reply was that size has already been raised from 25 to 50. His statement that 50 gals is plenty, was made.

Councilman Wincote declared that the Fire Department should know where the tanks are.

Councilman Schneider asked if permits are permanent.

Chief Courser said that he thinks they are permanent.

Councilman Godfrey said that when change was made from 25 to 50 there was some reason for increase. He said there was provision made for that.

Councilman Schneider moved to refer the subject to Conference. Motion was seconded by Councilman Dail.

Councilman Godfrey said that no one wants to hurry the regulation, that worthwhile progress has been made, that there is not much to confer about.

There was discussion between Councilman Wincote and Godfrey regarding reason for sending the item to Conference.

Councilman Godfrey declared that then there should be a time set for putting the item back on the docket.

The motion was amended by the maker, and the motion was changed to refer to Conference, and put on the agenda in 1 week.

RESOLUTION NO. 120117, recorded on Microfilm Roll No. 85, referring proposed ordinance amending San Diego Municipal Code, regulating storage, use, transfer and transportation of liquefied petroleum gas to Council Conference, directing that the ordinance be listed on the Council Calendar for the meeting of Tuesday, September 21, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Councilman Wincote, who was in the Chair as Vice Mayor, said that the Council should take a recess, and come back at 2:00 P.M.

Councilman Godfrey said that there are others here.

Councilman Dail said that other bodies recess at 12:00 o'clock. He moved to recess to 1:30 P.M.

There was discussion on that point.

On motion of Councilman Dail, seconded by Councilman Burgener, the Council took a recess at 12:23 o'clock Noon until 2:00 o'clock P.M., this date.

Upon reconvening at 2:08 o'clock P.M., the roll call showed the following:

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey

Absent---Mayor Butler.

Clerk----Fred W. Sick

In the absence of Mayor Butler, Vice Mayor Charles B. Wincote presided.

The next item was taken up out of order

Communication from Planning Commission, signed by Harry C. Haelsig, returning file on requested rezoning from R-2 to R-4 of portions of Palm Heights, located near Curlew and Robinson Streets, was presented. It says that commission reconsidered petition at request of the Council in that owners had stated they were not aware of previous public hearing held by the Planning Commission July 28. It states that Mr. Crake, attorney for petitioner, and a number of property owners were present and reviewed situation, emphasizing that 85% of property owners had signified approval of proposed R-4. Communication says it was pointed out that the one illegal building in the area could not be used because it violates requirements of State Housing Act and Building Code; that property, because of steep topography, extremely steep street grades, narrow street widths of Robinson and Curlew Streets and street is now used as feeder and connecting link between 1st Ave. & Raynard Way, should not be rezoned. It reports that after discussion, the Commission, by vote of 4-0 reaffirmed previous action and recommended denial. Communication states it was pointed out that there is still right of zone variances for specific uses on parcels of land and each parcel can be considered on its merits and its effect on the neighborhood and traffic situation on Curlew Street. The report was read.

Councilman Godfrey was excused

Richard Crake, Attorney, was heard on behalf of property owners, commenting on having been before the Council previously (hearing was held August 12, 1954, also, and referred to the Planning Commission for a hearing on August 25 '54).

Councilman Godfrey returned

Mr. Crake spoke about the Curlew and Pennsylvania Streets dimensions as they exist. There are R-4 zones in adjacent areas, he stated. Mr. Crake contended that street widths exceeds requirement, except 1 in the adjoining area. He said that he had a survey made in the neighborhood, and that the largest house is 5 rooms. He said that it seems to be irrelevant regarding the boarding house contention, although 4 boarders had been allowed - 2 now. He pointed out that there can be boarders in R-2 zone. He spoke of 100% approval for rezoning. He said that a new owner, not on the later petition, now approves. He mentioned there being no objections by people affected. He referred to the property as somewhat of an island in an R-4 zone. He told of the surrounding zones: 1 block cut in $\frac{1}{2}$, portion R-4, portion R-2. Mr. Crake told the Council that on the North of Robinson it is zones R-4; the remainder R-2. He wanted a rational plan, and referred to having consulted people in the Planning office regarding the re-zoning. He believed that if the whole pattern, if petition is allowed, would result in a rational one. He said that the Commission heard him out, but that Commission members thought they had to bear out recommendations from the Planning Department. It was his statement that it would be equitable to grant.

Councilman Godfrey observed that it is a question of merit, that the fair thing to do would be to instruct the City Attorney to prepare the Ordinance.

Councilman Godfrey moved to refer the file to the City Attorney to prepare the proper Ordinance for the rezoning. Motion was seconded by Councilman Dail.

The Clerk pointed out that the property owners had had a hearing, earlier.

Councilman Wincote, as Vice Mayor, said that he had in mind the last time to refer papers to the Attorney for an ordinance, but that it had been referred back to Planning

Councilman Dail said that proceedings are up to the point where they should be heard here.

Councilman Godfrey said that it is the customary procedure to have the Ordinance, then a hearing on that.

Vice Mayor Wincote said that the system had been changed, that when presented the Council can vote any way it desires.

Councilman Dail said that the Council holds a hearing, then decides if it will pass the Ordinance.

Douglas D. Deaper, Deputy City Attorney, pointed out that it depends upon the Planning Commission's vote; also that the Council has had a hearing.

Hearing - out of order -
in Palm Heights

There was discussion between Councilman Godfrey and Mr. Deaper regarding effect of the hearing.

Mr. Crake declared that all here (property owners present at this meeting) are for it. He added that there were some others present in the morning, but that they had to leave.

Glenn A. Rick, City Planning Director, spoke to Mr. Deaper regarding effect of the Planning Commission vote. He pointed out that the proposal for rezoning had no votes of the Commission in favor.

Councilman Godfrey then spoke to Mr. Rick over a map, discussion not heard.

Mr. Crake referred to there being various variances in the district.

Councilman Godfrey looked at the file which the Clerk had. It was discussed by him with Councilman Kerrigan.

Councilman Wincote, (Vice Mayor) stated that Mr. Deaper had said that it takes 5 votes to pass the Ordinance, but needs only a majority to order the Ordinance.

Mr. Crake told about the Planning Department being about 14 feet off regarding street widths. He declared that there was erroneous judgment regarding boarding houses, also.

Mr. Rick said that the street is on a grade, built up, not safe for apartment house on Curlew. He said that it is on a grade and a turn.

The Vice Mayor, who stated that he knows the area, and Mr. Crake, declared that there is a slight grade.

Mr. Rick said that others (existing uses) should not determine the use on a new area.

Councilman Schneider said that the Planning Department and Planning Commission are trying to prevent something that property owners want.

Councilman Godfrey said that there are not many vacant lots.

Councilman Schneider said that sometimes the Planning Commission wants the opposite - variances instead of zone change.

Mr. Crake continued to talk about the development of the area, a repetition of what had been said by him.

Councilman Wincote said that although he had agreed to go look at the property, he had not done so.

The question was called for, resulting in

RESOLUTION NO. 120118, recorded on Microfilm Roll No. 85, requesting City Attorney to prepare and present ordinance for rezoning portion of Palm Heights and Idyllwild, from R-2 to R-4 zone, in vicinity of Curlew and Robinson Streets, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilman Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilman Kerrigan. Absent--Mayor Butler.

RESOLUTION NO. 120119, recorded on Microfilm Roll No. 85, accepting bid of Business Forms Printing Company for furnishing Parking Citation Books for the Police Department, for \$1231.80; 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 Burgener, adopted.

RESOLUTION NO. 120120, recorded on Microfilm Roll No. 85, accepting bid of Mamer Truck Bodies Company for furnishing 4 flat rack bodies for \$1500.00 plus 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120121, recorded on Microfilm Roll No. 85, accepting bid of Braun Corporation for furnishing 10 tons of Polyphosphate at \$12.44 per cwt, plus tax; 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 Burgener, adopted.

RESOLUTION NO. 120122, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Butterfly Valves for San Vicente Aqueduct connection, in accordance with Notice, etc., on file in office of City Clerk bearing Document No. 497528, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent, with City Manager's signature of approval, reporting on petition of San Diego Unified School District to close "A" Street, between west line of 15th Street and westerly end of "A" Street, approximately 175 feet west of 15th Street, Blocks 5 and 6 Gardner's Addition, was presented. It speaks of portion of A Street closed March 25, 1912. It also says that the 172 foot dead ended portion of "A" Street westerly from 15th is graded and contains an existing 6" sewer and a 4" C.I. water main, all of which could be abandoned if street is closed and the District develops adjacent property for school street. The report states that the short dead ended portion of "A" Street proposed to be closed serves only to give access to adjacent property, all of which has been acquired by the School District. In addition to a further report, communication recommends granting of the closing, as requested.

RESOLUTION NO. 120123, recorded on Microfilm Roll No. 85, granting petition for Closing "A" Street between west line of 15th Street and westerly end of "A" Street, approximately 175 feet west of 15th Street, between Blocks 5 and 6 Gardner's Addition, 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, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent, with City Manager's signature of approval, reporting on petition to close Glendora Street between east line of Del Rey Street and west line of State Highway (under construction), was presented. It speaks of property having been acquired by State of California to be used at right of way for relocation of State Route XI-SD-2-SD - executed "Freeway Agreement". In addition to further report, communication recommends that portion of Glendora Street between easterly line of Del Rey Street and westerly right of way line of State Route XI-SD-2-SD be closed.

RESOLUTION NO. 120124, recorded on Microfilm Roll No. 85, granting petition for closing portion of Glendora 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, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent, with City Manager's signature of approval, reporting on petition to terminate right to access of portion of land 'Reserved for future Street' adjacent to Lot A and 284 to 294 inclusive Allied Gardens Unit No. 3, was presented. Among other things, it recommended that area "Reserved for future Street" be closed, and that the City control of abutters and access rights to the area along westerly line of Lots 284 through 290 be relinquished, subject to filing of "Final Map" of Allied Gardens, Unit No. 4.

A Resolution adopting the recommendation was passed by the Council, but not numbered.

After a few other items had been considered, Douglas D. Deaper, Deputy City Attorney recommended reconsideration, and asked for filing of the item.

The City Manager told the Council that the same is accomplished through a disclaimer.

RESOLUTION NO. 120125, recorded on Microfilm Roll No. 85, filing petition to terminate right to access (of) portion of land shown "Reserved for Future Street", (adjacent to Lot A and 284 to 290 inclusive) Allied Gardens Unit No. 3, shown on Map 3073, and to relinquish access rights thereto, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120126, recorded on Microfilm Roll No. 85, authorizing City Attorney to file disclaimer on action entitled "O. D. Arnold & Sons, a co-partnership, Plaintiff vs. City of San Diego, a municipal corporation, Defendant", No. 190783, 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.

Communication from the Street Superintendent, with City Manager's signature of approval, reporting on petition to close for street or road purposes portion of Old Survey #3 lying within O. D. Arnold's Hazelwood Heights No. 2.....", was presented. It states that present design of the subdivision in O. D. Arnold's Hazelwood Heights #2 and #3, along with rights of way that have been acquired for Chollas Parkway, will adequately serve the area and area to the east. Communication recommends that any portion of the Old Survey No. 3 within limits of O. D. Arnold's Hazelwood Heights Unit No. 2 (Map 3097) except portions in dedicated streets, be closed as requested.

RESOLUTION NO. 120127, recorded on Microfilm Roll No. 85, granting petition to close any portion of Old Survey No. 3 within limits of O. D. Arnold's Hazelwood Heights Unit No. 2 (Map 3097) except portions in dedicated streets; 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 Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, referring to petition denied in 1950 to close portion of Dodson Street from Market Street north to alley adjacent to Block 83 E. W. Morse's Subdivision, was presented. It says that on August 25, 1954, identical petition from same property owners was received in City Planning Office. Among other things, it asks if it would not be advisable to establish some time limit in which petitioner could resubmit a request for street closing when conditions have not materially changed.

Councilman Schneider asked if there is any law to prohibit such filing. Douglas D. Deaper, Deputy City Attorney, said that there is not.

RESOLUTION NO. 120128, recorded on Microfilm Roll No. 85, referring to

Council Conference communication from Assistant Planning Director requesting policy determination on granting petitions to close streets which have previously been denied, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The next item listed on the agenda had been taken up out of order, and considered earlier.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Bonillo Square, was presented.

RESOLUTION NO. 120129, recorded on Microfilm Roll No. 85, suspending ~~Sec-~~ Sections 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Bonillo Square, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Bonillo Square, an 11-lot subdivision fronting on on University Avenue at Bonillo Drive - located in Rolando area recently annexed to the City, was presented. It says that tentative map approved does not indicate that Planning Commission has approved the zoning indicated on the Tentative Map, and that zoning shall be subject to public hearing and further recommendation of Planning Commission. Approval of the Tentative Map is subject to 8 conditions.

RESOLUTION NO. 120130, recorded on Microfilm Roll No. 85, approving Tentative Map of Bonillo Square, subject to conditions in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, 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 College View Estates No. 3, was presented.

RESOLUTION NO. 120131, recorded on Microfilm Roll No. 85, suspending Sections 102.11-2, 102.16-9, 102.17-c of San Diego Municipal Code in connection with Tentative Map of College View Estates No. 3, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of College View Estates Unit No. 3 - 15-lot subdivision on northerly extension of 55th Street immediately west of State College Stadium - was presented. It says that area and adjacent land were recently annexed to City, commonly known as Steinbaum Annexation. It reports that owner submitted preliminary map at time of annexation, saying land would be divided for fraternity row. The communication says that apparently the lot design is based upon the proposed usage in that each lot contains about 30,000 square feet of usable land. It states that access to area is to be provided by extension of 55th Street, over and across State College grounds, from whom subdividers are to acquire easement for access road.

RESOLUTION NO. 120132, recorded on Microfilm Roll No. 85, approving Tentative Map of College View Estates Unit No. 3, subject to 11 conditions, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map for 1-lot subdivision located on portion of Lot 28 La Mesa Colony, on west side of Catocin Drive 64 feet north of Montezuma Road, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the communication was ordered filed (inasmuch as there has been no determination made on the 1-lot subdivisions).

Communication from Mabel Charles, address not given, although property is identified - dated Sept. 7, 1954 - was presented. It refers to needed drainage for Lehigh Street before coming rainy season.

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

Communication from Seymour Kuntz, O.D., optometrist, 1908 Cable Street, dated September 8, 1954, regarding his being required to remove a small sign, was presented. Dr. Kuntz had been at the meeting in the morning, but had to leave, and could not return.

The letter was read to the Council by the Clerk. Councilman Kerrigan said that what the writer wants is an amendment to the sign ordinance.

Councilman Schneider said that Dr. Kuntz wants to appear. On motion of Councilman Schneider, seconded by Councilman Godfrey, communication was continued to September 21, 1954 (Writer was notified by A.M.W. 9/15/54)
Communications
120129 - 120132

Copy of communication from San Diego County Planning Commission, signed by Willis H. Miller, Director of Planning (County) regarding road connection between North Clairemont and U.S. Highway 395, was presented.

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

Communication from Harry Warburton, 8033 La Mesa Boulevard, La Mesa, dated Sept. 3rd 1954, was presented. (Address was scratched out on one page, and shown as 4717 Maple Ave., La Mesa). It favors disposal of lands at Camp Callan, use of proceeds for fishing pier at Ocean Beach, swimming pools, etc.

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

RESOLUTION NO. 120133, recorded on Microfilm Roll No. 85, directing Notice of Filing Assessment No. 2284 made to cover costs and expenses of work on paving and otherwise improving Alley Block 43 City Heights, under Resolution of Intention No. 114133, and of time and place of hearing thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 120134, recorded on Microfilm Roll No. 85, for paving and otherwise improving A Street, under Resolution of Intention No. 119096, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120135, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision, North and South Alley Block 27 H. M. Higgins Addition, Broadway - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120136, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 255 Hoel's Subdivision - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120137, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alleys Block 4 Ocean View and Block 2 Sunset Grove - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120138, recorded on Microfilm Roll No. 85, paving and otherwise improving Dudley Street - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120139, recorded on Microfilm Roll No. 85, paving and otherwise improving Dwight Street - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120140, recorded on Microfilm Roll No. 85, paving and otherwise improving F Street - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120141, recorded on Microfilm Roll No. 85, sewers in Market Street, Pitta Street, J Street and Public Rights of Way - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120142, recorded on Microfilm Roll No. 85, 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 - establishing wage scale - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Resolution authorizing and empowering Harbor Commission to employ H. Louis Bodmer as architect for remodeling and enlarging Men's Public Rest Room in Lindbergh Field Administration Building, and providing for fees, was presented.

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

Resolution appealing to distributors and retailers to return to their source objectionable comic books, appealing to parents to stop use of the books, etc., was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, it was continued 1 week - to September 21. It had been continued from the meeting of September 14.

Councilman Kerrigan requested, and was granted, unanimous consent to present a group of papers, in the forms of letters on the same subject. By agreement, they were added to the proposed Resolution, and will be presented with it on September 21.

Councilman Godfrey said that they could be referred to the City Manager for analysis. There was no action on the suggestion.

RESOLUTION NO. 120143, recorded on Microfilm Roll No. 85, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Harmony Homes, a corporation, for installation and completion of unfinished improvements and setting of monuments required for College View Estates 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. 120144, recorded on Microfilm Roll No. 85, adopting Map of College View Estates Subdivision, subdivision of portion of Lot 67 Rancho Mission of San Diego; accepting public streets and unnamed easements shown as Manhasset Drive, Redding Road, Hewlett Drive, and Remington Road and 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 map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120145, recorded on Microfilm Roll No. 85, directing City Manager to instruct Union Title Insurance and Trust Company to release to Capital Incomes Corporation \$40,306.64 from escrow fund No. E-138,45 held by Union Title Insurance and Trust Company under terms of agreement executed by and between Capital Incomes Corporation and The City of San Diego, and retain balance of the deposit: \$550.00 as continued security for satisfactory completion of contract; releasing subdivider of obligation under agreement Document No. 471230; reciting that he shall not be relieved until such time as City Engineer certifies satisfactory completion of improvements and City Manager executes Notice of Completion - re Balboa Vista Heights, on which \$40,856.64 was deposited with Union Title Insurance and Trust Company - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120146, recorded on Microfilm Roll No. 85, establishing parking time limit of 2 hours between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted: South side of University Avenue, between Ninth and Tenth Avenues; 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.

RESOLUTION NO. 120147, recorded on Microfilm Roll No. 85, authorizing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 46 locations, shown in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120148, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to do all work in connection with construction of tractor shed at Chollas Sanitary Fill, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolutions - filed
120143 - 120148

Resolution says City Manager has recommended the construction, 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. 120149, recorded on Microfilm Roll No. 85, authorizing and directing City Manager to execute Second Amendatory Agreement to Basic Health Agreement, Document No. 463033, between The City of San Diego and The County of San Diego, wherein Article IV is amended to read:

"4. At the time Dr. Cordua terminates her service as a City employee, the City will discontinue furnishing the services of Dr. Cordua or of a Maternal and Child Health Supervisor to the County", was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120150, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego, amendment to lease agreement between The City and Gran Gregory, lease filed in office of City Clerk as Document No. 476318, which amendment adds to property leased and increases rental from \$20.00 to \$27.00 per month, amendment filed in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120151, recorded on Microfilm Roll No. 85, approving Change Order No. 1, dated September 2, 1954, filed with City Clerk as Document No. 497513, issued in connection with contract between City of San Diego and H. C. Dennis for improvement of 45th Street (Southerly Market Street), contract contained in Document No. 495743 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$317.95, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120152, recorded on Microfilm Roll No. 85, approving Change Order No. 2, dated August 31, 1954, for extension of 15 days, to and including September 19, 1954, heretofore filed with City Clerk as Document No. 497515, in which to complete contract for construction of Mission Hills Park Tennis Courts, contract contained in Document No. 493245; extending completion time to September 19, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120153, recorded on Microfilm Roll No. 85, granting request of Southwest Welding & Manufacturing Co., dated September 1, 1954, contained in Change Order No. 2, for extension of 20 days, to and including October 23, 1954, heretofore filed with City Clerk as Document No. 497517 in which to complete contract for construction of Redwood Village Standpipe and Cathodic Protection (Housing and Home Finance Project Calif. 4-CF-18), contract contained in Document No. 488251 on file in office of City Clerk; extending time of completion under contract to October 23, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120154, recorded on Microfilm Roll No. 85, granting permission to the necessary state and county officials, pursuant to recommendation of City Manager, to use Balboa Park Bowl on afternoon of November 11, 1954, for presentation of citizenship papers to Naturalization Class of some 400 persons, without payment of fee for use of Balboa Park Bowl, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120155, recorded on Microfilm Roll No. 85, granting permission to Master Cleaners (Sarah Strazzulle) to install standtrap in dry cleaning and laundry establishment at 5570 University Avenue, San Diego, in order that cleaning room may be cleaned of greases and lint which accumulate - will be no steady flow to sand trap - 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 Burgener, adopted.

RESOLUTION NO. 120156, recorded on Microfilm Roll No. 85, granting revocable permit to E. B. Zink, 605 West Walnut Street, San Diego, to install approximately 275 feet of 6" ceramic weld tile, from City sewer located on west side of Curlew Street to east side of Lot 33 Inspiration Heights, at which point 1 1/4" tile line to be connected to Lot 1, and 1 1/4" tile line to connect to Lot 34 - because of steep grades - 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.

RESOLUTION NO. 120157, recorded on Microfilm Roll No. 85, congratulating San Diego Police Pistol Team for demonstrating skill and ability in their performance at National Trophy Team Match with consequent honor to themselves, San Diego Police Department and The City of San Diego; directing City Clerk to forward certified copies of the Resolution to each of members of San Diego Police Pistol Team: Police Officers Warren Anson, Earl D. Myrick, William E. Guiette and William R. Salle, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

It speaks of competition with best Police Pistol Shooters in the United States in National Trophy Team Match conducted at Camp Perry, Ohio, under direction of Director of Civilian Marksmanship and the United States Congress, the San Diego Police Pistol Team, in which 1st place in 45-caliber arsenal ammunition match; and that police aggregate scores in competition with 22 other police pistol teams the San Diego team tied with a team from Detroit, Michigan, for second place.

(Resolution directs City Clerk to forward certified copies. They, however, were sent to the Mayor for him to transmit with his personal transmittal).

RESOLUTION NO. 120158, recorded on Microfilm Roll No. 85, nominating Councilmen Clair W. Burgener, Chester E. Schneider, and Glenn A. Rick (City Planning Director) for directors of Shoreline Planning Association of California, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120159, recorded on Microfilm Roll No. 85, authorizing Councilman Clair W. Burgener to attend meeting of Shoreline Planning Association of California, Incorporated, in Santa Cruz, California, September 23 to 25, 1954; authorizing incurring of necessary expense therefor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120160, recorded on Microfilm Roll No. 85, authorizing Glenn A. Rick, City Planning Director, to attend National Planning Conference to be held in Philadelphia, Pennsylvania, September 26 through September 29, 1954, which includes sessions on Planning for Preservation of Historical Areas, Industrial Zoning Standards and Capital Budgeting; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120161, recorded on Microfilm Roll No. 85, authorizing George E. Courser, Chief of Fire Department, to attend annual meeting of National Fire Protection Association, to be held in Seattle, Washington, September 20 through September 22, 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. 120162, recorded on Microfilm Roll No. 85, authorizing W. Allen Perry, Park Superintendent, to attend annual conference of American Institute of Park Executives, to be held in Baltimore, Maryland, October 3 through October 9, 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. 120163, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by Bank of America Trust and Savings Association, beneficiaries, and Corporation of America, trustee, bearing date August 27, 1954, wherein parties subordinate all their 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 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. 120164, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by H. L. Hanggi and Evelyn B. Hanggi, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date August 26, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 17 Blethen Subdivision, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120165, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by Joseph Michel & Madeleine Michel, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date August 25, 1954, wherein they subordinate all their right, title and interest in portion of Lot 415 Sunshine Gardens; 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. 120166, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by Lawrence J. Tully, beneficiary, and Allied Benefit Corporation, trustee, bearing date August 11, 1954, subordinating all their right, title and interest in and to portion of Block 25 Tract No. 2 Encanto Heights; 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. 120167, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by C. Wendell Waterman and Helen Waterman, beneficiaries and The Land Title Insurance Company, trustee, bearing date September 2, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 29 Block 16 Bungalow Park Addition, to right of way and easement for sewer purposes; 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. 120168, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by Dwight L. Williams, beneficiary, and Land Title Insurance Company, trustee, bearing date August 23, 1954, wherein they subordinate all their right, title and interest in and to portion of Block 25 Tract No. 2 Encanto Heights, to 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120169, recorded on Microfilm Roll No. 85, accepting deed of August F. Simpson and Marian L. Simpson, bearing date August 25, 1954, conveying Lot 1 Block 6 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120170, recorded on Microfilm Roll No. 85, accepting deed of Mabel Fourcade Webster, bearing date September 1, 1954, conveying Lot 2 Block 5 Campo Del Dios Unit 1, Lots 4 and 5 Block 25 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. 120171, recorded on Microfilm Roll No. 85, accepting deed of First Baptist Church of La Mesa, Inc., bearing date September 2, 1954, conveying Lot 4 Block 36 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. 120172, recorded on Microfilm Roll No. 85, accepting deed of Carl E. Hultgren and Jennie V. Hultgren, bearing date August 27, 1954, conveying Lot 8 Block 38 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120173, recorded on Microfilm Roll No. 85, accepting Deed of Ellis Brown and Frances R. Brown, bearing date August 25, 1954, conveying Lots 7 and 12 Block 89 Campo Del Dios Unit No. 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. 120174, recorded on Microfilm Roll No. 85, accepting Deed of Benjamin F. Burton and Julia Burton, bearing date August 26, 1954, conveying Lot 5 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120175, recorded on Microfilm Roll No. 85, accepting Deed of Mabel McBirney, bearing date August 25, 1954, conveying Lot 11 Block 89 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. 120176, recorded on Microfilm Roll No. 85, accepting Deed of George F. Edwards and Mildred E. Edwards, bearing date September 3, 1954, conveying portion of Lot 2 Block 5 Homeland Villas; 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. 120177, recorded on Microfilm Roll No. 85, accepting Deed of Leo W. Cheney and Emilie E. Cheney, bearing date August 25, 1954, conveying easement and right of way for street purposes in portion of Lots 6 and 28 Eureka Lemon Tract; setting aside and dedicating land to public use as and for public street, and naming it Balboa 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120178, recorded on Microfilm Roll No. 85, accepting Deed of Dora Orlansky and Helen Orlansky Cohen, bearing date August 23, 1954, conveying easement and right of way for street purposes in portion of Lots 5, 6, 7 Block 240 Pacific Beach; setting aside and dedicating land to public use as and for public street, and naming it Balboa 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120179, recorded on Microfilm Roll No. 85, accepting Deed of Fred J. Lewis, bearing date September 3, 1954, conveying Lots A and B Block 1 Week's Addition; setting aside and dedicating land to public use as and for public street, and naming it Morena 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. 120180, recorded on Microfilm Roll No. 85, accepting Deed of Ludolph G. Postel and Mary E. Postel, bearing date March 30, 1954, conveying easement and right of way for street purposes in portion of Lot 17 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 transmit deed, together with certified copy of the Resolution, to 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. 120181, recorded on Microfilm Roll No. 85, accepting Deed of C. J. Graham and Beatrice W. Graham, bearing date August 5, 1954, conveying easement and right of way for sewer purposes in portion of Block 25 Tract No. 2 Encanto 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 Schneider, adopted.

RESOLUTION NO. 120182, recorded on Microfilm Roll No. 85, accepting Deed of Judson R. Humphreys and Mable A. Humphreys, bearing date August 24, 1954, conveying easement and right of way for sewer purposes in portion of Lot 31 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120183, recorded on Microfilm Roll No. 85, accepting Deed of Orville O. Lepper and Lucille Lepper, bearing date August 14, 1954, conveying easement and right of way for sewer purposes in portion of Lot 1 Eureka Lemon 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120184, recorded on Microfilm Roll No. 85, accepting Deed of Alfred J. Lottes and Effie P. Lottes, bearing date August 26, 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 Schneider, adopted.

RESOLUTION NO. 120185, recorded on Microfilm Roll No. 85, accepting Deed of Martin C. Morales and Edith C. Morales, bearing date July 7, 1954, conveying easement and right of way for sewer purposes in portion of Lot 415 Sunshine Gardens; 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. 120186, recorded on Microfilm Roll No. 85, accepting Deed of Tooley Hotels, Inc., bearing date August 24, 1954, conveying easement and right of way for sewer purposes in portion of Lot 67 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120187, recorded on Microfilm Roll No. 85, accepting conditions contained in Agreement and Grant of Easement of State of California, acting by and through Director of Finance, bearing date July 27, 1954, granting easement for purpose of right of way for construction, operation and maintenance of public street and highway in Lot 67 Rancho Mission; authorizing and directing City Clerk to file Agreement and Grant of Easement of record in office of County 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. 120188, recorded on Microfilm Roll No. 85, 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 S. J. Renz, a single man, portion of Lot 3 Block 393 Old San Diego; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantee, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that auction sale was held March 19, 1954, that S. J. Renz was successful bidder; that Council authorized execution of quitclaim deed conveying portions of Lot 3, deed dated April 1, 1954, that through inadvertence portion of property offered at auction sale was omitted from the deed, which omitted portion was strip of land 1 foot in width and 50 feet long; that in order to rectify the error the City should convey the omitted strip; and that City Manager has recommended adjustment by conveying the strip to the successful bidder.

RESOLUTION NO. 120189, recorded on Microfilm Roll No. 85, vacating easement and right of way for sewer purposes in northeasterly 4 feet of Lots 1 through 6 inclusive Block 50, Roseville, stating that title reverts to owners free from rights of the public; directing City Clerk to cause certified copy of the Resolution attested by him under seal, to be recorded in office of County Recorder of San Diego County, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that easement reverts to owners free from rights of the public, 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 January 25, 1954, the date of acquisition, and that it is unnecessary for present or prospective public use.

RESOLUTION NO. 120190, recorded on Microfilm Roll No. 85, accepting Grant Deed of Tooley Hotels, Inc., a corporation, Albert Steinbaum, et al., for easement for public road in portion of Lot 67 Rancho Mission; authorizing and directing City Clerk to file Grant Deed of record in office of County 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. 120191, recorded on Microfilm Roll No. 85, authorizing A. P. Vesco, Chief Electrical Inspector, to attend annual conference of International Association of Electrical Inspectors, to be held in Elko, Nevada, September 13 through September 16, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120192, recorded on Microfilm Roll No. 85, approving claim of Daley Corporation for \$3,057.81, for work done in connection with improvement of La Jolla Boulevard, between Colima and Camino de la Costa; directing Auditor and Comptroller to draw warrant in favor of claimant out of funds appropriated by Ordinance No. 6224 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that Daley Corporation has submitted claim in said sum for work done in connection with the improvement of La Jolla Boulevard, that the Manager has advised that claim is within obligations of the Corporation under contract.

RESOLUTION NO. 120193, recorded on Microfilm Roll No. 85, allowing bill of San Diego City and County Convention Bureau, bearing date September 10, 1954, in sum of \$664.58 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1954-1955 for the sum, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading of the next Ordinance in full prior to final passage was dispensed with by vote of 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. 6249 (New Series), recorded on Microfilm Roll No. 85, amending Section 62.11 of The San Diego Municipal Code regulating painting of Street Numbers on Curbs, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, 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 Schneider, the reading of the next Ordinance in full prior to final passage was dispensed with by vote of 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. 6250 (New Series), recorded on Microfilm Roll No. 85, amending Division 14 of Article 3 Chapter III of San Diego Municipal Code, by adding Section 33.1410 which provides for special registration card for regulation of solicitors engaged in painting street numbers on curbs, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Proposed Ordinance repealing Section 33.0602 of San Diego Municipal Code and Section 30 of Ordinance No. 3179 (New Series), concerning issuance of free peddlers licenses to veterans, was presented.

The City Manager said that he had a phone call which requested continuance to Thursday, September 16, 1954.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, it was continued, as requested by the Manager, until September 16.

On motion of Councilman Godfrey, 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. 6251 (New Series), recorded on Microfilm Roll No. 85, repealing Sections 26.20 to 26.25, inclusive, of San Diego Municipal Code establishing the San Diego Sports Commission, 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.

On motion of Councilman Godfrey, 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. 6252 (New Series), recorded on Microfilm Roll No. 85, repealing Sections 26.10, 26.11 and 26.12 of San Diego Municipal Code, and Ordinance No. 3165 (New Series) adopted April 16, 1946, establishing Veterans' Advisory Commission, 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.

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. 6253 (New Series), recorded on Microfilm Roll No. 85, repealing Section 31.0337 of San Diego Municipal Code and Section 82 of Ordinance No. 2484 (New Series), regulating tax imposed on Peddlers of Merchandise not specifically provided for in the Code, 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.

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 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. 6254 (New Series), recorded on Microfilm Roll No. 85, establishing grade of 40th Street, between northerly line of T Street and easterly prolongation of southerly line of Ocean View Boulevard, 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.

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 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. 6255 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Laurretta Street, between easterly line of Benicia Street and westerly line of Colusa Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, seconded by Councilman Godfrey, adopted, 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 adopting amendment to Major Street and Highway Plan of the Master Plan for The City of San Diego; affecting, especially, realignment and widening of Market Street between 43rd Street and Euclid Avenue, was introduced - and hearing set for Tuesday, September 28, 1954 - 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 incorporating portion of Sunshine Gardens into R-4 Zone as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

6251 N.S. - 6255 N.S.
Ord. introduced; hearing set
Ord. introduced

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, Ordinance dedicating portions of Lot 1773 for street purposes and naming same Electric Avenue and Camino de la Costa, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

*Pueblo

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, Ordinance dedicating portion of Pueblo Lot 1773 for street purposes and naming same La Canada, 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 Kerrigan, Ordinance dedicating portion of Pueblo Lot 1773 for street purposes and naming same Via Del Norte, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Vice Mayor Wincote requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 120194, recorded on Microfilm Roll No. 85, approving appointment by the Mayor of Donald Burnham to fill vacancy created by expiration of term of office of G.E. Arnold-Clinton D. McKinnon, as member of Board of Directors of San Diego County Water Authority representing The City of San Diego; authorizing and directing City Clerk to forward certified copy of Resolution to Board of Directors of San Diego County Water Authority, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Vice Mayor Wincote requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 120195, recorded on Microfilm Roll No. 85, expressing appreciation of the Council of the successful efforts of the Padres Baseball League, and extends to the owners, management and each and every member of the baseball club the sincere congratulations of the officers, employees and people of The City of San Diego; authorizing and directing City Clerk to deliver to owners and management of the Padres Baseball Club certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states that the Padres, San Diego Baseball team of the Pacific Coast League succeeded in winning the pennant for the baseball season of 1954; that in so doing the Council is of the opinion that the team has brought favorable publicity to San Diego, and its record during the season has resulted in direct benefit to the people of The City of San Diego; that the Council is of the opinion that the splendid achievement deserves commendation and praise of not only the baseball enthusiasts of the community but of all the people themselves. (Resolution copies were sent to the Mayor for his transmittal).

Vice Mayor Wincote requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 120196, recorded on Microfilm Roll No. 85, authorizing and directing, upon recommendation of The Mayor, the Purchasing Agent to purchase for use of the Mayor, in connection with his duties as Mayor, 200 inscribed souvenir keys to the City, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Burgener asked about the dumping of sand at Ocean Beach. The City Manager replied that as soon as Army Engineers have the details worked out, will be told to the City. There was no action.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 2:54 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

120194 - 120196 - by U.C.
Ords introduced
Discussion re sand dumping at O.B.

REGULAR MEETING

Thursday, September 16, 1954 - Chamber of the Council
of the City of San Diego, California

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

In the absence of the Mayor, Vice Mayor Wincote 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 hearing, at request of Richard E. Adams, Attorney for Kay Cudd, the following hearing was held. The Adams letter, dated September 2, 1954, on letterhead of Adams and Hill, attorneys at law, 265-266 Spreckels Building, says that Kay Cudd, operator of Kay's Lucky Strike Cafe, 1807 5th Avenue, appeals to the City Council for hearing, pursuant to San Diego Municipal Code from action of San Diego Chief of Police, E. A. Jansen, who revoked petitioner's cabaret license on the 19th day of August, 1954. It says, also, that notice is given that petitioner requests hearing pursuant to Municipal Code, and hearing requested to review action of Chief of Police on 19th day of August as well as his action on 17th day of August, suspending the license.

The Adams letter was read to the Council.

Mr. Adams told the Council that he was not familiar with the procedure.

Douglas D. Deaper, Deputy City Attorney, said that attempt is made to have action of an administrative officer appealed.

Mr. Adams called Mrs. Cudd. He asked if Mrs. Cudd was to be sworn.

Mr. Deaper asked if others had been sworn previously.

The City Clerk replied that some have been, at times, and added that there was no court reporter present.

Mr. Deaper said, then, that she could be sworn, for the future record.

Vice Mayor Wincote pointed out that this is not a court.

Mr. Adams then put 2 letters into the record. He read them first. One, dated August 17, 1954, suspended license for indefinite period; the other, dated August 19, 1954, revoked the license as of said date. After calling Mrs. Cudd to the microphone, Mr. Adams asked her if she had conversation with the Police Department.

Mrs. Cudd replied "yes...with a John". She related having gone to the Police Station about 11:00 P.M. - the night of the arrest. Mrs. Cudd said that she was not notified at that time of the license suspension; she had a letter later. She related the character of the entertainment, as given, and that the woman who did the entertainment was not her employee. She said that the woman had a skirt and blouse on, that she pulled off part of her clothes, which left what she had on equal to a bathing suit. According to Mrs. Cudd, she kept the bra and panties on...had a scarf around her. She said that the dance is not as....as the Hollywood Theatre. Mrs. Cudd told the Council that Police officers came in, excited. She said that she wanted to see her license, and took it away. Then she said that they took the license away, and broke the frame. She contended that she had not staged, or permitted to be staged an indecent performance. She said that she was advised by Mr. Adams to continue to play music. As a result, Mrs. Cudd and another girl played the piano, according to her. Then, she said, she was arrested again.

Councilman Schneider asked if she is without a cabaret license.

Mr. Adams replied "yes; she has only a beer license; not hard liquor". Subsequent to the first action, he contacted Chief Jansen, Mr. Adams said, and was referred to the Vice Squad. He said neither he nor Mrs. Cudd was given opportunity to discuss the matter. He contended that the Chief of Police may suspend the license, but not revoke the license.

Councilman Schneider asked if it was claimed that an indecent performance was witnessed by the Police officers.

Mr. Adams replied that he did not know.

Mr. Deaper read from the Cabaret Ordinance (Municipal Code). - Section 33.0401 - re power to suspend. Mr. Deaper said that there could then be an appeal to the Council.

Councilman Godfrey said that there shall be a review by the Council; that the Police have the power to revoke, according to the Code.

Mr. Deaper said that he did not want to rule on the power to revoke.

Councilman Godfrey said that the question is regarding the right to revoke.

Councilman Godfrey referred to there being a review, on appeal.

Mr. Deaper said that if the second letter is effective, it is not material. He said that the matter here is regarding what the Chief did. He said that the Council can determine. He continued to Section 33.1501.1 "Cabaret-City Council Grants or Denies License". Next, he read Section 33.1501.8 "Lewd or dissolute persons prohibited". Next, he read Section 33.1501.14 "Lewd, Suggestive Entertainment Prohibited".

Mr. Adams said that 33.1501.8 was set out in the Jansen letter.

Hearing - Cabaret license
suspension & revocation at
Kay's Lucky Strike

Vice Mayor Wincote asked if the article was questioned.

Mr. Adams said that he questioned the facts. He stated that the act committed was not a violation of the Act.

The Vice Mayor said that it is unusual at 11:00 P.M. for a customer to jump up on the bar and take off a portion of her clothes.

There was discussion between Councilman Schneider and Mr. Adams, not through the Chair, regarding other than employees performing.

Councilman Godfrey asked if other points were eliminated.

Mr. Deaper said No; not restricted.

Mr. Adams called Russell Ford Rutherford. Mr. Rutherford said that he was in the Lucky Strike Cafe, answering Mr. Adams. He stated that he saw nothing wrong; it was like the Hollywood (Hollywood Theatre) - not vulgar. He said that the performer took off part of her clothes; she had on a bra, pants and scarf; was not lewd or indecent.

The Vice Mayor said he was willing to say that Mr. Rutherford would not permit his date to do the same things.

Mr. Adams called Miss Fries, 1870 - 3rd Avenue. Miss Fries said that she was in the Lucky Strike Cafe, and saw the dance; the girl got up on the bar and danced. She said that the dancer had a hat, skirt and blouse; she took off the skirt and blouse, had a bra, panties and sash. According to Miss Fries, it was like a professional dance - was on the bar.

Councilman Schneider asked if the performer had asked the proprietor if she could do the dance. He asked Miss Fries if she could hear the question asked.

Miss Fries replied that Miss Kay had said that it was all right to do the entertainment; it was on the bar.

Chief of Police A. E. Jansen produced pictures taken of the interior of the cafe, and passed them around.

Councilman Godfrey spoke to Mrs. Cudd regarding steps.

Mrs. Cudd said that they were beer kegs.

Mr. Adams stipulated that they were pictures of the interior. (They were not filed with the Clerk for the record).

Miss Fries pointed out to the Chief, and to Councilmen Schneider, Godfrey, Burgener something from the picture, not seen by the Clerk.

Councilman Burgener asked if the dance was done as an audition.

Mrs. Cudd said that the woman, identified as Sherry Ruzich, was looking for a job, she thought. Mrs. Cudd said that Miss Ruzich said that she was from the Copa Cabana in New York.

Mr. Adams said that Miss Ruzich was trying to break into the business in San Diego.

Mrs. Cudd told of there being no intention to violate the law.

Councilman Kerrigan asked Mrs. Cudd if it was used as a tool to get publicity.

Mr. Adams spoke of no picture of the dance; the girl had called the paper.

Chief Jansen said that he had a picture of the girl. He showed the picture to Mrs. Cudd and to Mr. Adams.

Mrs. Cudd laughed and said that the girl was attractive, but not the same.

Councilman Schneider asked how long the cafe had been operated.

Mrs. Cudd said over a year and a half. She said that she had rules to go by. She stated that she was not aware that she could not permit a customer to perform. She said that they are, in the rule she has. She said that it was the first time it had ever happened.

Councilman Schneider said that in the east many people perform free of charge.

Mrs. Cudd said that she thought it was legal.

Mr. Adams had a copy of mimeographed sheet of rules from the Social Welfare. He read it.

The Vice Mayor asked if the memo is in keeping, or a contradiction.

Mr. Deaper said that he might have to back-track.

Chief Jansen said that the proprietor had been put on notice prior to the events.

Mr. Adams introduced the memo.

It is a mimeographed page, headed "City of San Diego Department of Social Welfare Rules and Regulations for Cabarets (Ordinances 3179 and 3794) (Brief synopsis of Ordinances 3179 and 3794 pertinent to Cabarets)". Regulations follow, numbered 1 to 7. It reads, at the start of each "1. A cabaret... 2. Entertainers... 3. Employees... 4. Female employees... 5. Customers, patrons or guests... 6. Premises 7. Notices of Regulations..."

Chief Jansen asked who gave Mrs. Cudd the sheet.

Mrs. Cudd said that she was not sure who did, but that it was all she had to go by.

Mr. Adams stated that it is an official document.

Vice Mayor Wincote said that the sheet is not dated; is set of Rules for operation. He asked the date of the Ordinance.

Mrs. Cudd replied that she had had a cabaret only since March.

The Vice Mayor asked if it had been handed to her since March.

Mrs. Cudd replied "Yes".

Hearing - Cabaret license suspension
& revocation at Kay's Lucky Strike

Chief Jansen stated that the lady has on-sale beer license. He said that she was arrested for operating a cabaret without a license. He said that she applied for license; it was approved and granted. He said that investigation was regarding a piano, and a stand at back of the room. He stated that it does not exclude the possibility of the type being changed. The Chief said that 2 officers had informed Mrs. Cudd that she was allowing a strip tease. He added that it was being permitted later. He introduced picture of the dancer (Sherry Ruzich). It was passed around to members of the Council. It was not given to the Clerk, and did not, therefore, become part of the file. He stated that the veil around the middle, on the dancer's picture, was in her hand. He said that Mrs. Cudd had her zipper open, from the arm pit to her waist. He stated that the frame (on the license) only because the officers had to. The Chief stated that Mrs. Cudd and the dancer had stated the dance had been performed once before, under similar circumstances. He said that Mr. Adams called him, and he was told that Mrs. Cudd could discuss the matter with Sgt. Ormsby, of the Vice Squad. The Chief said that the license had already been seized. He said that every time there would be a regular procedure. He stated that Mrs. Cudd had contacted Sgt. Ormsby, and pleaded for return of the license. He told the Council that Mr. Adams had stated to Mr. Ormsby that the Chief had operated beyond the scope of his power. He then said that 2 officers heard a piano and singing, in the cafe. Then Mrs. Cudd was arrested, that license was not posted - because it had been picked up. He spoke of the notice of revocation, and cases pending in court against Mrs. Cudd, which have not yet been adjudicated. He said that the ordinance was suspended indefinitely.

Councilman Schneider contended there should be a date.

Chief Jansen told of having closed a card room in La Jolla, and thought he had the right to revoke the license.

Councilman Schneider asked if when a license is seized, the Police have discretion.

The Chief said that it is the only device; the same is used in pawn shops.

Councilman Schneider spoke of there being much discretion.

Chief Jansen told of right to appeal.

Councilman Burgener spoke to the Chief about how many times.

The Chief said that it was seen once, and admission there it had occurred once previously.

Mr. Adams said that Mrs. Cudd was informed that in her absence there had performed - and 1 other time.

The Chief stated that Mrs. Cudd had said that it was a paid entertainer; the dancer said she was not a professional, but had been brought in by a sailor. He said that it would have been adjusted, if there had been reasonableness. He said that the girl was not conducive to a good cabaret.

Vice Mayor Wincote said that she could go in.

Chief Jansen said that she cannot be in the bar to perform.

Vice Mayor Wincote asked the Councilmen if they wanted the Chief of Police to present witnesses.

Mr. Deaper said that in the event of suspension it would be proper; officers should testify.

Councilman Kerrigan said that the case is before the Council, if it sustains the Chief. He spoke directly to Mr. Adams.

Mr. Adams said that if the Chief calls the officers, he would stipulate as the Chief had outlined.

Mr. Deaper read regarding employees & entertainers - Sections 33.1501.3 and 33.1501.4. He said that there was not pointed out any impugment of character. He said that it was only regarding the statement of paid entertainers changed. He spoke about added language, which describes the situation.

Chief Jansen said that the reason was regarding paid entertainment. He told about having been faced with the after-2 A.M. situation.

Mr. Deaper said that he did not want to give a ruling on the paid entertainment feature. He declared it to be in a state of confusion. He stated that he was not considering the status of the entertainment.

Councilman Wincote asked if it is not true that in many bars steps lead up to a piano and singer.

Chief Jansen agreed that it is true, and is hard to control.

Mr. Adams tried to speak, but did not gain the floor.

Instead, Councilman Godfrey said that the lace items were not (in the dance) where the picture shows them. He wanted to hear from the officers. He stated that he doesn't want to argue with Mr. Adams.

The Chief called officer Hoolihan, and then the Chief showed a photograph, which was not filed for the record.

Officer Hoolihan said that officer Sgobba and he saw the lights (in the Lucky Strike) dim, and go out. The officer related that in looking through door legs were seen on the bar, that a woman was standing in a spot light on the bar. He stated that she was dressed as in the picture - except that the veils were in her hands. He related that she got off the bar, and picked up her skirt. He said that when he got into the back room she had put on her skirt. He spoke of questioning her in the back room, and that Mrs. Cudd came in. The officer said that the entertainer stated that she was not employed in the establishment; she had been brought in by a sailor. Mr. Hoolihan said that Mrs. Cudd had first said that the dancer was a paid entertainer. He stated that Mrs. Cudd had said that she could have an entertainer.

Councilman Schneider spoke directly to Officer Hoolihan regarding contributions made to Miss Ruzich, such as passing the hat.

Officer Hoolihan's reply was "no". He said that there were approximately 30 people, men and women, present.

The Chief of Police then called Officer Sgobba. The officer, who came to the microphone, told the Councilmen that his testimony would be the same as Officer Hoolihan's. He said that he went to Mrs. Cudd and told her that she would have to stop (the entertainment) or would be subject to arrest. He stated that he heard the next day the dance was going on. Then he said that it was going on the next day.

Councilman Kerrigan said that he was ready to make a motion.

Vice Mayor Wincote said that the hearing should not be cut short.

Mr. Adams then brought Mrs. Cudd to the microphone.

Mrs. Cudd stated that officers rushed back to see her license. She told the Council that she had a check at the Civic Center, although the license had not been received. She stated that the officers did not show their badges, and pointed out that there are lots of phonies. Mrs. Cudd agreed that the City of San Diego has a good police force. She said that she had not been warned about permitting the dance, although she had not received the license from the Civic Center.

Next, Chief Jansen told of Mrs. Cudd having been arrested in January for no license (for cabaret).

Mrs. Cudd told the Council that she had been in jail 4 times since January for nothing.

Mr. Adams asked Mrs. Cudd about warning in connection with the dance where there there is no license, or warned about the dance.

Mrs. Cudd said she thought it was about there being no license.

The Chief said that license was up June 30 - with 30 days of grace.

Mr. Adams said that Mrs. Cudd had been arrested regarding there being no license, prior to application. He stated that there was little question about the operation up until the time the dancer appeared. Mr. Adams said that Mrs. Cudd had the right to rely on the rules (mimeographed sheet filed for the record). He contended that a lot of instructions are contrary to the Ordinance. He said that he called Chief Jansen, and that the Chief had said Mrs. Cudd should do her own talking. He maintained that is unusual, in that it is customary to permit an attorney to represent a client. He pointed out that the State gives notice regarding revocation. He said that he had no argument about the Chief's right to suspend; but he did not have right to revoke. Mr. Adams said that the only recourse is to appeal the Chief's action. He said that there are laws; licensee has right to appeal. He stated that the license was suspended 2-6 weeks before revocation. Mr. Adams told the Council that the licensee has stated that she had no intention to violate. He said that he did not know if the bar could be judged as a platform. He said that before taking away a livelihood....(he did not finish the statement). Then he repeated that the Chief does not have the right to revoke. He contended that he thought he should have the right to discuss the situation with the Chief. He said that he was not told for how long the license was to be suspended. Mr. Adams said that he did not request that Mrs. Cudd be released the second time. He said that she had the money for the bail. He told the Council that there is a hearing in Court on constitutionality of the ordinance. His statement was "don't blame Mrs. Cudd". He pointed out that it is necessary to perfect the appeal, regarding the second arrest. He said that Mrs. Cudd is willing to abide by the rules. Mr. Adams said that she should have the license.

Officer Sgobba told the Council that he was present when the statement was made (presumably by Officer Hoolihan).

Officer Hoolihan identified the time as August 8, 10:45 P.M. He said he went up 5 minutes later, and asked Mrs. Cudd to check her license. He was told that the new one had not been received, and was shown a check stub for \$69.00 made out to the City Treasurer. He said that he could not determine for what the check in connection was written, in that she has 3 permits. Officer Hoolihan stated that he asked about 2 men who were in the back room. Mrs. Cudd told him, according to the witness, that they were customers, to which he replied that they should be out front - instead of in the back. He spoke of having had information about a strip dance. He stated that he told the operator to stop that performance, or the license would be picked up.

Councilman Burgener spoke to Mrs. Cudd regarding operation of the light (played on the dancer).

Mrs. Cudd replied that anyone could operate it, that it is not a light on the shuffle board, but that she has a spot light.

Councilman Kerrigan asked if the Council wants to sustain the Chief. He said that Mrs. Cudd's legal rights are protected in Court.

Councilman Kerrigan moved to sustain the action of the Chief of Police in suspending the license at Kay's Lucky Strike Cafe, 1807 Fifth Avenue. He changed the word "suspending" to "revoking".

Mr. Deaper said that the Council should make findings, that since the Chief has the power to revoke it would be better to do with the suspension. He declared that the power of the Council is broader than just upholding the Chief of Police.

Councilman Kerrigan said that to protect the people, he does not want to make a finding; he just wants to sustain the Chief. He contended that the Council has not had enough evidence, under oath, to decide.

Councilman Godfrey said that Cafe is not out of business, that it is continuing to sell the product, ~~according to Councilman Godfrey~~. He said that the Police is not putting the place out of business. He seconded Councilman Kerrigan's motion to "suspend". Then he stated that there is indication of lack of cooperation. He said that the police can't determine the suspension time. He contended that Mrs. Cudd has legal recourse in Court.

Councilman Schneider said that the Ordinance could be changed.

Councilman Godfrey said that he favors that.

Councilman Schneider spoke to Mr. Adams regarding the court action.

Hearing - Cabaret license suspension
& revocation at Kay's Lucky Strike

Mr. Adams' reply to question directed to him by Councilman Schneider was "yes". He said that if the Council sustains the Chief, he will dismiss the court action.

Mr. Deaper spoke of no concern with whether the license was suspended or not, but with the matter of the attack.

The Chief told the Council that he will withdraw the revocation.

Mr. Deaper contended that action taken should be based on findings. He asked if he could suggest findings.

The motion and second were withdrawn.

Mr. Deaper suggested that a finding be made: "The Council finds that the Cabaret (Kay's Lucky Strike) operated without a license".

Councilman Godfrey said that it should go to conference, for the Attorney to clarify the point.

Vice Mayor Wincote said that the dancer was on the bar; anybody should have prohibited. He said he was willing to say that the Police did "the right thing". He told the Council that the operator should be severely censured; that he does not want to stop, if it is on a proper basis.

Councilman Kerrigan asked how the Council can say, without oath, in order to declare that a finding has been made.

Mr. Deaper referred to the removal, by the Chief of Police, of the license.

The Vice Mayor spoke of there being no desire to persecute, that the owner could have had the situation adjusted. He said that the action of Chief should be sustained.

Mr. Deaper said that a determination should be made, if attacked in court.

Councilman Schneider asked for a roll call on the motion (It had been withdrawn).

The Vice Mayor said that the situation is going on in every other bar, referring to entertainment by patrons. He said that the Chief is right; it is going on everywhere.

Councilman Godfrey stated that the Council can close the hearing, and put the matter back on the next meeting, for the City Attorney to present findings.

Mr. Deaper said that final action is wanted, but that if the suit is withdrawn, the proposal is not needed. He said that if the subject is referred to Conference, he will prepare findings.

Mr. Adams said that he will file a letter regarding dropping the suit.

Councilman Godfrey moved to close the hearing. It was seconded by Councilman Kerrigan. The hearing was closed.

Councilman Godfrey moved to have the item on the agenda for Tuesday, for action. Motion was seconded.

RESOLUTION NO. 120197, recorded on Microfilm Roll No. 85, directing that communication from Richard E. Adams, attorney for Kay Cudd, appealing from action of the Chief of Police in revoking cabaret license of Kay's Lucky Strike Cafe, 1807 - 5th Avenue on August 19, 1954, be placed on the agenda for action on Tuesday, September 20, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120198, recorded on Microfilm Roll No. 85, requesting City Attorney to prepare proper amendments to the San Diego Municipal Code, for presentation in Conference, Tuesday, September 28, 1954, in connection with cabaret licenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Schneider asked that the City Attorney analyze the ordinance short-comings regarding the Cabaret license, and bring the subject before the Council. He said that he was ready to make a motion.

RESOLUTION NO. 120199, recorded on Microfilm Roll No. 85, requesting the City Attorney to analyze the Municipal Code regarding cabaret licenses, and bring the subject before the Council, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Petition, signed by Thomas H. Higgins, Mrs. Sarah E. Berry, Ben R. Bryant, M.D.; Robert Egger, for permission to start proceedings for annexation to City of San Diego of area referred to as "South Bay Area Tract", described in the petition, was presented.

Mr. Higgins appeared, but did not speak immediately.

Douglas D. Deaper, said that protests would be heard at the regularly established hearing. He declared that this is not a hearing.

Councilman Godfrey moved to refer the petition to Conference.

Thomas J. Higgins, who identified himself as chairman of the South Bay Annexation Commission, said that in January a committee was formed. He said that letters went out to every association in the South Bay area, regarding serving on the Committee. Mr. Higgins stated that most have responded, and that there has been wide circulation. He stated that it is felt that the only solution for the South Bay area is in annexation to the City. He told about the water situation, which he said is known to the Council. He told of using 5 times the amount entitled to in the area. He spoke of need for better police and fire protection, and for harbor improvement. Mr. Higgins stated that incorporation won't serve the development. He told the Council that the matter had been held up for 3 months, in connection with the corridor annexation, and that the committee wants to go to work. He asked for action soon. He declared that time is of the essence. Mr. Higgins spoke of incorporation petitions which are out now. He said, again, that incorporation won't solve the problems.

Hearing - Cabaret license suspension & revocation at
Kay's Lucky Strike

South Bay Tract annexation pet.

The City Manager told the Council that the annexation should be considered in Conference. He declared it to be unique.

Councilman Schneider moved to send it to Conference, for consideration next Tuesday (September 21, 1954)

Mr. Higgins stated that he has a report from the committee regarding water.

Councilman Schneider said that the situation is unusual, in that it is not an area contiguous to the City. He said that the City Manager and the Council need to discuss it.

Councilman Kerrigan moved to refer the subject to Conference.

Vice Mayor Wincote said that if the Council permits circulation of the necessary petition, there will be a hearing later. He stated that action will be to permit, or not, the circulation. He said that the other end is not before the Council today.

There was discussion by a man in the audience, who did not identify himself, in favor of incorporation.

T. C. McCauley, who did not identify himself, but who was known to the Clerk, spoke. He opposed annexation to the City, and asked that the issue of proposed incorporation be not clouded with findings, permission, etc., to allow petition for annexation.

Vice Mayor Wincote said that the issue is not new to the Council; it is one of procedure; information should be obtained.

Councilman Godfrey said that the issue should be evaluated in Conference. He stated that the Council is not inviting either side to the Council. He stated that anyone with pertinent information, can write in.

The City Manager stated that before petition is circulated, it has to be determined if the City will accept property under an annexation. He told of necessity for going out to check on various features. That takes effort and time, he stated. The City Manager pointed out that the basic policies are to be made by the Council.

Major McCauley said that the Council should not act now, that it does not look like fair play.

RESOLUTION NO. 120200, recorded on Microfilm Roll No. 85, referring to Council Conference petition requesting permission to start proceedings for annexation of area referred to as "South Bay Area Tract", was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120201, recorded on Microfilm Roll No. 85, accepting bid of Pascoe Steel Corporation for construction of 10-Unit T-Type Airplane Hangar at Montgomery Field, for \$21,319.00; 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120202, recorded on Microfilm Roll No. 85, accepting bid of R. E. Hazard Contracting Co. for improvement of Morena Boulevard at Huxley Street, for \$1,714.00; 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 Cedar Heights, was presented.

RESOLUTION NO. 120203, recorded on Microfilm Roll No. 85, suspending Sections 102.05, 102.11-1, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Cedar Heights, 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 Cedar Heights, a 61-lot subdivision located in portion of Choates Addition easterly of Wabash Freeway and northerly of Federal Boulevard, subject to 10 conditions, was presented.

RESOLUTION NO. 120204, recorded on Microfilm Roll No. 85, approving Tentative Map of Cedar Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 College View Estates Unit No. 2, was presented.

RESOLUTION NO. 120205, recorded on Microfilm Roll No. 85, suspending Sections 102.12-8, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of College View Estates Unit No. 2 subdivision, 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 College View Estates Unit No. 2, a 37-lot subdivision of portion of Lot 67 Rancho Mission of San Diego, located on high land area westerly of State College Stadium immediately adjoining College View Estates Unit No. 1, was presented. It recommends 10 conditions on the approval.

RESOLUTION NO. 120206, recorded on Microfilm Roll No. 85, approving Tentative Map of College View Estates Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to "close north 18 feet of Udall Street adjacent to Locust Street (closed), between Blocks 172 and 173 Roseville, was presented. For reasons set out in detail, it recommends that request to close be denied, since full width will be required for slopes if street is improved.

RESOLUTION NO. 120207, recorded on Microfilm Roll No. 85, denying request to close portion of Udall Street, adjacent to Lots 4, 5, 6 Block 172 Roseville and adjacent to Locust Street (closed) between Blocks 172 and 173 Roseville, as recommended by Street Superintendent under Document No. 497716, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Cerebral Palsy Foundation of San Diego County, Inc., P.O. Box 1092 San Diego 12, dated September 10, 1954 - signed by Patrick O'Reiley, Executive Secretary, was presented. It mentions, among other things, the fine work done by the City departments in connection with production of "Babes in Toyland", August 26 and 27, 1954, in the Balboa Park Bowl, was presented. Communication tells of having been presented by the Park & Recreation Dept. with check for \$1,423.73 representing proceeds of the show.

Councilman Kerrigan said that it was a fine thing.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the communication was ordered filed.

Communication from Ocean Beach Chamber of Commerce, 1918 Bacon Street, dated September 9, 1954, signed by H. J. LaDou, president, was presented. It attaches copy of Resolution in connection with construction of rock groin seaward from foot of Saratoga Avenue, to be completed prior to dredging Mission Bay channel, in order to permit holding sand into position which will be pumped into the area.

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

Mimeographed communication from Chamber of Commerce of Greater Philadelphia, 17th and Samson Streets, dated August 30, 1954, was presented. It relates to the 31st Annual American Municipal Congress to be held in Philadelphia from November 28 through December 1, 1954, and invites participation. It mentions that the program of entertainment starts with the Army-Navy football game.

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

Communication from County Board of Supervisors, dated September 10, 1954, signed by Marie Nasland, Deputy County Clerk and ex officio Clerk of Board of Supervisors, relative to constructing a road to connect North Clairemont with Route 395.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was, by

RESOLUTION NO. 120208, referred to Council Conference.

Communication from San Diego County Pharmaceutical Association, Associated, 940 National Avenue, signed by Thelma N. Hollingsworth, secretary, dated September 5, 1954, was presented. It attaches copy of Resolution adopted by Los Angeles City Council recently, and some newspaper articles on the subject of sale of Comic Books. Among other things, the communication says that all drug stores have been asked to not place objectionable books on racks for sale.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was ordered to be filed with the record.

RESOLUTION NO. 120209, recorded on Microfilm Roll No. 85, determining and declaring that public interest, convenience and necessity of City of San Diego and inhab-

itants thereof require construction, operation and maintenance of public street across portion of Lot 24 Block 12 La Mesa Colony, and that public interest, convenience and necessity demand acquisition of property to be used by the City for purposes aforementioned; 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, in and for County of San Diego, for purpose of condemning the property, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120210, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to enter into contract for and on behalf of San Diego with T. L. Stearns and Ellen T. Stearns, S. T. Browne and Anna M. Browne, and Western Mutual Inc., subdivider of Rancho Hills Unit No. 6, providing for installation of mains and appurtenances larger than necessary for the subdivision, to be made at request of City, and for reimbursement by the City to Subdivider of \$945.64, for difference in cost, upon execution and delivery to City of Quitclaim Deed conveying to the City all right, title and interest of subdivider in and to water system in the property, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120211, recorded on Microfilm Roll No. 85, authorizing City Manager to execute agreement with State of California providing for allocation of work and costs for alteration of existing traffic signal system, fence removal, reconstruction of curbs, paving and appurtenant work at intersection of 32nd Street and Harbor Drive, in accordance with Document No. 497821 on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120212, recorded on Microfilm Roll No. 85, authorizing City Manager to execute, for and on behalf of City of San Diego, agreement between the City and Chamber of Commerce of San Diego, for advertising, exploiting and making known resources and advantages of City for purpose of increasing trade and commerce thereof, and for advertising and publicizing advantages of the City as a residential, tourist, business and convention city, for period commencing July 1, 1954, and ending June 30, 1955; provided that cost of services shall not exceed \$15,000.00, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120213, recorded on Microfilm Roll No. 85, approving employment by City Manager of James C. Downs, as real estate consultant, in connection with use and disposition of lands at Camp Callan, for period of one day: August 12, 1954, at fee of \$300; authorizing City Manager to issue requisition against funds budgeted for Professional Services, in payment of the fee, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120214, recorded on Microfilm Roll No. 85, approving request of L. B. Butterfield, dated September 3, 1954, contained in Change Order No. 2, for extension of 30 days to and including October 6, 1954, heretofore filed with City Clerk as Document No. 497722, in which to complete contract for construction of Redwood Village Pipeline (Housing and Home Finance Agency Project Calif. 4-CF-18), contained in Document No. 488480, on file in office of City Clerk; extending completion time to October 6, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120215, recorded on Microfilm Roll No. 85, granting permission to Pacific Beach Lions Club, East San Diego Lions Club, North Park Lions Club, San Diego Uptown Lions Club to sell miniature plastic white canes on public sidewalks of San Diego, Friday, September 17, 1954, and Saturday, September 18, 1954, for raising funds to support the Sight Conservation and aid to blind program of the clubs, and on specific projects of the Aid to the Blind program to increase amount of the Loan Fund established to aid employees of California Blind Shop in San Diego, sponsoring blind pre-school children of needy parents in selected nursery schools, and buying of Braille typewriters, etc.; sales to be conducted in areas designated in recommendation of City Manager, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120216, recorded on Microfilm Roll No. 85, authorizing Philip T. Lawlor, Budget Officer, to attend 14th annual conference of Western Governmental Research Association, to be held in Berkeley, California, September 23 and 24, 1954; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120217, recorded on Microfilm Roll No. 85, authorizing and empowering Mayor and City Clerk to execute, on behalf of and as act and deed of The City of San Diego, a quitclaim deed quitclaiming to W. H. Nichols and Geneva M. Nichols, husband and wife as joint tenants, portion of Lot 22 The Highlands, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution states that the Nichols and The City have effected exchange of property; description of portion conveyed was erroneous in that property as conveyed did not conform to original agreement; that in order to adjust discrepancy owners are willing to deed to the City property originally conveyed in exchange for quitclaim deed from the City quitclaiming property in accordance with original intentions. It says that respective values of properties to be exchanged are equivalent, and City Manager has recommended the exchange. Resolution authorizes and directs City Clerk to deliver the quitclaim deed to the City Attorney with instructions that same be delivered to grantee when he shall have received a deed to the property from the grantee.

RESOLUTION NO. 120218, recorded on Microfilm Roll No. 85, accepting Quitclaim Deed, executed on 27th day of August, 1954, by Highland Park Homes, Inc., PO Box 2445, Oklahoma City, Oklahoma, 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; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution in office of County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120219, recorded on Microfilm Roll No. 85, accepting Quitclaim Deed, executed on 28th day of July, 1954, by T. L. Stearns, Ellen T. Stearns, S. T. Browne and Anna M. Browne, and Western Mutual, Inc., quitclaiming 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 Rancho Hills Unit No. 6; 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 Schneider, adopted.

RESOLUTION NO. 120220, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed on behalf of David H. R. Pain, bearing date September 9, 1954, subordinating all right, title and interest in and to portion of Lot 13 New Riverside, to right of way and easement for public road 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. 120221, recorded on Microfilm Roll No. 85, accepting deed of Wilfred L. Tyler and Blanche M. Tyler, bearing date September 8, 1954, conveying portion of Lot 2 Block 6 Bird Rock City by the Sea; 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. 120222, recorded on Microfilm Roll No. 85, accepting deed of Helen Thomas, bearing date September 2, 1954, conveying Lot 1 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120223, recorded on Microfilm Roll No. 85, accepting deed of A. Brice Woodring and Lois E. Woodring, bearing date September 9, 1954, conveying Lot 1 Block 20 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 Schneider, adopted.

RESOLUTION NO. 120224, recorded on Microfilm Roll No. 85, accepting deed of Grace M. Labo, bearing date September 10, 1954, conveying Lot 1 Block 50 Campo Del Dios Unit 3 and Lot 3 Block 21 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120225, recorded on Microfilm Roll No. 85, accepting deed of J. F. Doane and Bernice C. Doane, bearing date September 3, 1954, conveying Lot 15 Block 83, and Lot 3 Block 67 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 Schneider, adopted.

RESOLUTION NO. 120226, recorded on Microfilm Roll No. 85, accepting deed of Earl Filer and Alice G. Filer, bearing date September 4, 1954, conveying Lot 7 Block 41 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 Schneider, adopted.

RESOLUTION NO. 120227, recorded on Microfilm Roll No. 85, accepting deed of Bekins Van & Storage Co., bearing date September 10, 1954, conveying portion of Lots 6 and 28 Eureka Lemon Tract; 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. 120228, recorded on Microfilm Roll No. 85, accepting deed of Jack D. Timmons and Marian E. Timmons, bearing date August 27, 1954, conveying portion of Lot 1 Block 3 Longview Acres Subdivision; 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. 120229, recorded on Microfilm Roll No. 85, accepting deed of Frank Cimmino and Alice Cimmino, bearing date September 10, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 26 and 27 Treat 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 Schneider, adopted.

RESOLUTION NO. 120230, recorded on Microfilm Roll No. 85, accepting deed of Raymond E. Culver and Mary E. Culver, bearing date September 9, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 40 and 41 Pacific View Homestead Lots; 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. 120231, recorded on Microfilm Roll No. 85, accepting deed of William S. Fay, bearing date September 10, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 51 and 52 Pacific View Homestead Lots; 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. 120232, recorded on Microfilm Roll No. 85, accepting deed of Simeon P. Labrador and Mary Labrador, bearing date September 7, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 46 and 47 Pacific View Homestead; 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 of the next ordinance prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy. (The ordinance had been continued from an earlier meeting).

ORDINANCE NO. 6256 (New Series), repealing Section 33.0602 of San Diego Municipal Code and Section of Ordinance No. 3179 (New Series), concerning issuance of

Free Peddlers Licenses to Veterans, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Godfrey, 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. 6257 (New Series), recorded on Microfilm Roll No. 85, appropriating \$23,500.00 from Capital Outlay Fund, for providing funds for construction of a 10-Unit "T" Type Airplane Hangar at Montgomery Field, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Godfrey, 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. 6258 (New Series), recorded on Microfilm Roll No. 85, appropriating sum of \$1,900.00 from Capital Outlay Fund for purpose of providing funds for improvement of Morena Boulevard at Huxley Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned, at 12:12 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy


Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 21, 1954

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

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

The Reverend Joseph F. Morgan, Minister of the First Church of the Nazarene, was presented by the Mayor.
Rev. Morgan gave the invocation.

The Minutes of the Council Meetings of September 14 and September 16, 1954, were presented by the Clerk.

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

The Mayor called the Council's attention to the presence of Raymond Wansley, member of the Bar, and a former Councilman. He said that there were people here to present objections to the proposal for location of an auditorium on the Plaza - if the subject comes up today.

Councilman Dail said that he had received several calls, and that the Council might bring those interested up to date on the proposal.

The Mayor stated that the Council has met with the Planning Commission, that there is nothing "now".

Councilman Dail told of having sat down with the Planning Commission. He said that it has not been decided about hearings for a convention hall. He said that it is not settled.

Mr. Wansley said that the usual procedure should be that hearing be had. That would give both sides an opportunity to be heard, which they should, according to Mr. Wansley. He told the Council that he wants the right to appear, in connection with a decision.

Councilman Godfrey asked Mr. Wansley where he got the information regarding the circumventing of the procedure

Instead of an answer, Councilman Dail said that it is not known what is to be done.

Councilman Wincote stated that there is no intention to avoid the regular procedure.

Councilman Dail declared that it is up to the Council to determine the policy. He said that the Council has not reached a decision regarding the matter of financing.

Councilman Godfrey asked if it was just assurance that is wanted regarding a regular hearing.

Argument arose, several speaking at once, not recorded.

Councilman Dail spoke about there being pressure on various sites. He said that on the final analysis, there will be a hearing held.

Councilman Wincote spoke to Mr. Wansley regarding procedure.

Mr. Wansley said that no objection is raised regarding procedure; assurance of hearings is wanted.

Councilman Dail said that there is a tremendous amount of rumor that the Council is going in the direction of the Plaza site. He commented that indecision has resulted from the Planning Commission meeting. He said that every indication should be given regarding the procedure. He declared that this question should be settled.

Councilman Wincote spoke about the basis for Councilman Dail's comments. He said that the item had been "turned back to the Planning Commission". Councilman Wincote said that it would be stupid to ask the Planning Commission to determine, until the Plaza site is out of the way.

The Mayor told Mr. Wansley that there will be a hearing.
There was no action.

Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, under Resolution of Intention No. 119094, 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.

Invocation

Minutes approved

Auditorium (unscheduled item)

Bids were as follows:

H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$250.00, given Document No. 498056;
 John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$300.00, given Document No. 498055;
 William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$200.00, given Document No. 498054;
 Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$200.00, given Document No. 498053
 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 Alley Block 31 University Heights, under Resolution of Intention No. 119095, 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:

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$200.00, given Document No. 498052;
 John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$300.00, given Document No. 498051;
 William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$200.00, given Document No. 498050;
 Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$200.00, given Document No. 498049.
 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 Udall Street, under Resolution of Intention No. 119097, 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:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in sum of \$1,000.00, given Document No. 498061;
 H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$400.00, given Document No. 498060;
 Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$400.00, given Document No. 498059;
 R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$500.00, given Document No. 498058;
 H. M. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$400.00, given Document No. 498057.
 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 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, 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 the sum of \$79.20 written by San Diego Trust and Savings Bank, given Document No. 498048
 On motion of Councilman Wincote, seconded by Councilman Schneider, it was referred to the City Manager and the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119900 of Preliminary Determination for paving and otherwise improving Alley Block 30 Park Villas, 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. 120233, recorded on Microfilm Roll No. 85, determining that improvement of Alley Block 30 Park Villas, under Resolution No. 119900 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.

Bids
 Hearings

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119901 of Preliminary Determination for paving and otherwise improving Banks 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. 120234, recorded on Microfilm Roll No. 85, determining that proposed improvement of Banks Street, under Resolution No. 119901 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. 119902 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.

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

RESOLUTION NO. 120235, recorded on Microfilm Roll No. 85, determining that paving and otherwise improving of Oliver Avenue and Pacific Beach Drive, under Resolution No. 119902 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 of Intention No. 119651, the Clerk reported that no written protests had been received.

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

E.V. Munson, representing Mrs. Niederhud, told the Council that she has no access to the alley.

The Mayor said that 30% is assessed on area.

Mr. Munson identified the Niederhud property as northwesterly 50 feet of Lot 57.

The Mayor said that assessment would be nominal - about \$15.00.

The Neiderhut letter was filed. (It was signed by Mrs. Johanna Niederhut).

RESOLUTION NO. 120236, recorded on Microfilm Roll No. 85, overruling and denying protest of Johanna Neiderhut against proposed improvement of Alley Block 88 Ocean Beach Extension No. 2; and Alley Block 76 Ocean Beach, and Bacon Street, provided in Resolution of Intention No. 119651; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Kerrigan returned

On motion of Councilman Schneider, seconded by Councilman Wincote, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for hearing on Resolution of Intention No. 119652 for grading and sidewalk portions of 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date 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 Kerrigan, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119653, for paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, et al, the Clerk reported that written protest had been received from J. Dean Archibald and Olga M. Archibald. The protest was presented.

Asked about the percentage on the protest, Russell Hall, Acting City Engineer replied that it was less than 1% - regarding the cost.

RESOLUTION NO. 120237, recorded on Microfilm Roll No. 85, overruling and denying protest of J. Dean Archibald and Olga M. Archibald against improvement of Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2;

West Point Loma Boulevard, and Famosa Boulevard, under Resolution of Intention No. 119653; overruling and denying all other protests thereon, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119786 for paving and otherwise improving Alley Block 3 Ocean Beach, the Clerk reported that there had been no written protests 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 Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119787 for grading and sidewalking Redwood Street, Chollas Street Road, Winlow Street, Marvin Street, 55th Street, Hubner Road, 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 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. 119500, for paving and otherwise improving of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, the Clerk reported that no written protests in addition to those presented at last week's hearing, had been received.

Russell Hall, Acting City Engineer, told the Council that this was the hearing continued from last week, regarding the grade and the extent of the work. He can have a dip, or the whole grade lowered, Mr. Hall said. Answering Councilman Schneider, Mr. Hall said that property is improved on the east side of the street. He spoke of putting in a retaining wall, where affected. He said that if there is to be a lower grade, it would mean having to be more of a cut on each side. He said that he felt a good compromise grade was proposed.

Dale Harris, who had spoken previously, was heard again. Asked about it, Mr. Harris said that Mr. Gabriel from the City Engineer's office, had talked to him after the last meeting.

Mr. Hall said that if change is made, it will have to go back to start over. If lower, he said that it might result in protests from others.

Mr. Harris told of leak in new water valve, and of wanting protection for his house. Again, he declared that the corner is dangerous. He said that if a car hits the wall, it would come through the house. He asked that if there can't be any other protection, that wall be raised 3 feet, and reinforced. He said that he would pay a portion of the cost.

Councilman Kerrigan pointed out that a wall might not be the best thing.

Mr. Hall agreed that the situation is a dangerous one, but that when it is improved, it will be better.

Councilman Godfrey said that it is dangerous now; it is not the responsibility of the City.

Mr. Harris said that a car can be pulled back on the road now; it would be more dangerous later, according to him. He said that he wants wall high enough and strong enough to stop a car.

Mr. Hall said it could be worked out.

Councilman Wincote said that if a wall were built, it might change the plans.

Mr. Hall said that the contractor and the City would cooperate.

Mr. Harris said that a 1-foot wall (apparently 1-foot thick) would be a good idea. He said that it is not adequate, now.

Mrs. Hollis Nelson asked how about Marigold. (It was the subject of her verbal and written protest last week, for more work on the street).

Mr. Hall said that the house proposed to be served, is not there. He thought that it was a good job, to keep the cost down.

Councilman Schneider said that improvement would not be in accordance with the notice. He declared the notice to be deceiving.

Mr. Hall, speaking of not including entire description of work in the notice, said that advertising is expense. He said that the notice refers to the plans, and that it is not possible to describe in detail all of the work, in the notice.

There was discussion between Councilman Schneider and Mr. Hall regarding the notice, and the description of the work.

Mr. Hall told about what is going to be paid.

Mrs. Nelson said that she can't afford \$250. for 15. She said she had been told that it would cost \$40.

Councilman Burgener said that this is not a new problem, the City had it in Pacific Beach. He said that if there is to be additional pavement, it would be necessary to change the plans.

Mrs. Nelson said that she was told in the Engineer's Office that the cost would be \$40. She said that guard rail to be moved was shown to her.

Councilman Wincote spoke to Mrs. Nelson, directly.

Mrs. Nelson told the Council that she came down to the Engineer, regarding the first hearing, and that she thought street was to be paved to the park. Then she mentioned having talked to Mr. Campbell (The City Manager). She said that she can't afford; there are only 2 houses on Marigold.

Councilman Dail told Mrs. Nelson that the Council has to abide by the decision of a majority.

Mrs. Nelson argued, violently, with individual Councilmen regarding dead-ending the street. The Mayor asked her to sit down, which she did.

Councilman Dail said that the City can't penalize the district, regarding 1 property owner.

Then Mrs. Nelson said that her house "sits up 15 feet farther".

Mr. Hall said that 1/2 would be around \$50. for Mrs. Nelson.

Councilman Godfrey said that the point here is regarding a large majority that wants the improvement. He contended that it won't work any great hardship on the Nelsons.

Mrs. Nelson replied that the City is sure; she is not.

Councilman Schneider talked directly to Mrs. Nelson. He told her that the Council is trying to help her, that there are plans for additional cost, that Mrs. Nelson can go to the contractor who does the work, for the doing of the extra work.

Councilman Dail stated that Mrs. Nelson is berating the Council for doing its duty. He declared that she is out of order.

Mrs. Nelson spoke to Councilman Schneider regarding another property owner, in connection with sidewalk.

Councilman Wincote, also, tried to point out that the City is attempting to cooperate.

Mrs. Nelson said that she doesn't know; she signed for paving.

RESOLUTION NO. 120238, recorded on Microfilm Roll No. 85, overruling and denying protests of Dale S. Harris and Dorothy G. Harris, Harold B. Warren, Hollis A. Nelson and Joseph Earl Nelson; overruling and denying all other protests against Resolution of Intention No. 119500 for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, under the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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 for paving and otherwise improving Haines Street, 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. 120239, recorded on Microfilm Roll No. 85, confirming and approving Street Superintendent's Assessment No. 2271 made to cover cost and expenses of paving and otherwise improving Haines Street, under Resolution of Intention No. 113382; authorizing and directing Street Superintendent to attach his warrant thereto 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 Assessment for paving and otherwise improving 33rd Street, 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. 120240, recorded on Microfilm Roll No. 85, confirming and approving Street Superintendent's Assessment No. 2272 made to cover cost and expenses of paving and otherwise improving 33rd Street, under Resolution of Intention No. 114137; authorizing and directing Street Superintendent to attach his warrant thereto 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment for paving and otherwise improving J Street, 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. 120241, recorded on Microfilm Roll No. 85, confirming and

Hearings

120238 - 120241

approving Street Superintendent's Assessment No. 2273 made to cover cost and expenses of paving and otherwise improving J Street, under Resolution of Intention No. 115146; authorizing and directing Street Superintendent to attach his warrant thereto 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 proposed ordinance to amend San Diego Municipal Code, regulating storage, transportation, through City streets, filling of containers, etc., re Liquid Petroleum Gas, the Mayor spoke of new letters (the agenda showed that hearing had been closed by the Council on September 14, 1954).

Councilman Burgener said that if individuals had not been heard, and there was new evidence, the hearing should be re-opened. He moved to re-open the hearing.

Councilman Godfrey seconded the motion.

The Mayor declared the hearing re-opened.

Councilman Wincote spoke of change in one paragraph wording affecting removal, in connection with Kelco.

The Mayor said that the Ordinance would adopt, in conformity with the existing situation. He said that it would be possible to secure a variance.

Councilman Wincote asked if the Kelco improvement is on leased land from the Santa Fe.

Spencer A. Coleman, representing the Kelco, its engineer, said "yes".

The City Manager said that Sydney Franklin (the Fire Marshal) has information on the subject from San Francisco. It answers questions from San Diego Fire Department, and is accompanied by letter from Carl F. Kruger, Chief, Division of Fire Prevention and Investigation, dated March 12, 1954. The letter is addressed to G. E. Courser, Chief, San Diego Fire Department.

Councilman Wincote moved that the ordinance (proposed) be altered to take care of the installations similar to Solar and Kelco. Motion was seconded by Councilman Godfrey.

The roll was not called. Instead,

Fire Marshal Sydney Franklin came to the microphone. He told the Council that he had sent out a questionnaire to 25, regarding their thinking. He said that San Francisco's reply shows that they do not allow built plants and filling in San Francisco.

Councilman Dail spoke of maybe there being some mistake.

The Fire Marshal said that containers are filled outside of the City limits. He stated that he was not able to answer Councilman Schneider's question regarding the hauling.

Councilman Dail read the letter from the San Francisco Fire Prevention and Investigation (referred to earlier, about the questionnaire).

Councilman Schneider said that it may be not the same thing.

Councilman Wincote asked Chief Franklin if he had read it.

The reply was "Yes, sir".

Councilman Wincote said that answer was different from the question.

Councilman Dail said that it is not barred - by legislation.

Councilman Schneider asked if there is no ordinance in San Francisco, other than the discretion regulated by the State.

Mr. Deaper replied "yes".

Councilman Godfrey read a portion of the San Francisco reply. He said that it is not an ordinance; the Fire Department sets up regulations.

Councilman Wincote maintained that the entire letter should be read.

At the request of the Mayor, the Clerk read the questions, and the replies, from the Fire Department of San Francisco.

Councilman Burgener asked if the responsibility on the San Francisco Fire Chief is cumbersome.

The question was not answered.

The Mayor asked how many gallons in a pound.

Chief Franklin replied 4# per gallon.

Councilman Dail said that anything can be waived in San Francisco.

Councilman Wincote maintained that the questionnaire is meaningless; San Francisco is worse off than San Diego.

Councilman Dail said that it is not working in San Francisco, and that legislation there is being considered.

Councilman Godfrey said that there ^{are} points not clearly discussed: heavy equipment.

The Mayor said that under the present ordinance the matter is covered by special permit, by the Fire Department.

H. C. Dennis (paving contractor, who does many of the City's 1911 Act proceedings), stated that he objects to the proposed ordinance. He said that it gives powers to the Fire Chief, which are already set up in the State Code - which works well. He said that when heavy equipment is to be moved, a permit would have to be secured. He told of lots of time which is spent; there would be more red tape. Mr. Dennis said that his firm has 1 man following the red tape now. He then objected to requirement for revision to equipment; will cost \$2000. more. He said that red tape is a mile long. Mr. Dennis said that some shovels would be ruled out, if they do not get special permits.

Councilman Godfrey talked directly to Chief Franklin, not through the Chair.

Chief Franklin, replying to Councilman Godfrey, directly to the Council, said that Dennis would not have to change over.

Councilman Wincote observed that the plumbers waited a long time to eliminate from the ordinance their objections.

Mr. Dennis spoke again. He referred to the discretion of the Fire Chief, and said that permit could be picked up.

Councilman Schneider said that the situation has gone on for years, and that it would have longer, if it had not been for 1 young man (Lewis Dowdy) who wanted a permit.

Mr. Dennis told the Council that his firm distributes explosives, and that Butane is handled just like dynamite. He said that they handle Butane with respect. He maintained that it is a question of education; people who handle it, have respect for the commodity.

Councilman Wincote spoke to Mr. Dennis regarding other contractors using liquid petroleum.

Mr. Dennis said that they do; the situation is similar.

Councilman Wincote spoke to Mr. Coleman, who said that he could not answer if L.P. Gas is more dangerous than high octane gasoline.

Councilman Dail said that the State Code has come into the picture. He asked if it is adequate.

Councilman Schneider said that the record shows it is adequate.

Councilman Dail charged that this thing has been kicking around a couple of years. He said that if the State Code is adequate, the City doesn't need a new ordinance.

Councilman Godfrey said that the Dennis point is worthy of considering.

Mr. Dennis told the Council that the company fills its own containers from 3,000 and 15,000 gallon storage tanks. Asked where the tanks are, Mr. Dennis replied that they are in the County. He stated that they are covered by the State Code, inspected twice a year. Mr. Dennis said that the company has had them for 20 years; no fires, no accidents. He repeated that the State Codes cover them.

Councilman Schneider spoke directly to Mr. Dennis about regulations.

Mr. Dennis said that it is the same as on gasoline. He stated that when the gas gets into a closed room, they get into trouble. He stated that there have been no industrial accidents.

Albert Rudolph, of the Plumbing Contractors, in representation of the Associated Plumbing Contractors, spoke next. He said that there would be an effect on the plumbers regarding the 50-gallon limitation. He declared that it would require practically every one who uses the LPG to get a permit. Mr. Rudolph said that on larger jobs they have to keep smaller pots...have been using them since 1929. He said that the plumbers are proud of their record. He contended that the State Industrial Accident Commission will back up the record, which is practically nil (accidents or fires re use of LPG). Then, he said that there is a low accident record; it is less than gasoline. He said that permit for over 50 gallons works a hardship. Mr. Rudolph told the Council that the Fire Department does not have the man power to handle the proposal. He said that men who learn the trades and work with it, have had accident record which has dropped since change from gasoline to LPG. He stated that it is controlled. Mr. Rudolph maintained that 50 gallons is too restrictive. He pointed out that Safeway, where building is being built on 30th Street, and has more than 50 gallons, would have to have a special permit. He declared the regulation, as proposed, to be too restrictive.

Lewis H. Dowdy, of the San Diego Liquid Gas & Appliance Co., spoke next. He asked Fire Marshal Franklin to show the record for the past 30 years, for fires resulting from use of LPG.

Chief Franklin stated that he does not have the record here. He said that there was one in March, next to Camp Callan.

Mr. Dowdy replied that it was as a result who had started that, and other fires.

Raymond A. Preston, Division Manager, the Griffith Co., told the Council about the use of heavy trucks and shovels (with LPG). He said that the company has 4,000 gallon truck in Murray canyon. He declared that if the ordinance goes through, the company would either have to move - or get permits. He said that they would have to reduce on others, or get permits for them. Mr. Preston stated that there has never been a fire - with 30 to 50 trucks. Answering a question on more specific location, Mr. Preston said it is about 50 feet from the highway.

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Burgener.

Before the roll could be called, Mr. Dowdy questioned the regulation regarding storage.

The hearing was closed on roll call.

Councilman Wincote said that he likes to discuss the situation, when people who understand are here.

Councilman Dail spoke to Chief Franklin, about the State Code being not sufficient.

Councilman Schneider said that it was not fair to question the Fire Chief, when it was the Fire Chief who had asked for the Ordinance.

Councilman Wincote stated that the Fire Chief had asked for a postponement.

Councilman Schneider said that it would be getting the Fire Marshal into a position where he might want to tamper. He stated that the Fire Marshal is obedient to both the City and to the Fire Chief.

Councilman Godfrey said that he was impressed by suggestions for change. He said that a lot of other items had been worked out by several, over years. He said that it should be referred to Conference to work out.

Councilman Schneider moved to refer the subject to Conference.

Councilman Wincote said that the subject was in discussion "prior to purchase of the 30,000 gallon tank. He said that he receives different ideas; the hearing is opened, closed, sent to Conference; it just keeps going.

Councilman Godfrey referred to several calls he had received. He spoke of calls yesterday; and declared that it is "fine to open the hearing".

Councilman Wincote said that there ought to come a time for the Councilmen to make up their minds.

Hearing - unscheduled - re LPG Ord

Councilman Dail said that Mr. Dowdy wants the thing settled. He said that it should be settled expediently, and decisions made.

Councilman Burgener asked where there is an overwhelming need for new regulation - according to the record.

Councilman Dail said that if the Council does not regulate, it would feel badly if a conflagration would result. He said that he is beginning to think there is need for study with the State.

RESOLUTION NO. 120242, recorded on Microfilm Roll No. 85, directing the Clerk to place the LPG Ordinance on the agenda for action within one week - Tuesday, September 28, 1954, and that there be consideration in Conference on Thursday, September 23, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Hearing on communication from Richard E. Adams, Attorney for Kay Cudd, appealing to the Council from decision and action of the Chief of Police in revocation of the cabaret license of Kay's Lucky Strike Cafe, 1807 Fifth Avenue, continued from meeting of September 16, 1954, action was to file, on motion of Councilman Schneider, seconded by Councilman Kerrigan.

Accompanying the file was a new communication from Kay Cudd, approved by Richard E. Adams, attorney. Among other statements, the last paragraph says "I now understand fully all the rules and regulations pertaining to the operation of a cabaret which were not clear to me in the past, and I can assure this Council that if my license is reinstated, you will find that the place in the future will be operated in an entirely different manner".

RESOLUTION NO. 120243, recorded on Microfilm Roll No. 85, accepting bid of Pacific Electric for installation of new electrical lighting system in Shed No. 1 - "B" Street Pier for the Harbor Department - for \$28,686.00; 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 pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120244, recorded on Microfilm Roll No. 85, accepting bid of W. V. Hutchison Company for installation of water main in area at Foot of 10th Avenue for Harbor Department, for \$11,933.50; 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 pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120245, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Concrete Water Meter Boxes for period of one year beginning October 15, 1954, in accordance with Notice to Bidders, etc, on file in office of City Clerk bearing Document No. 497954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120246, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Parking Meters, in accordance with Notice to Bidders, etc, on file in office of City Clerk bearing Document No. 497956, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120247, recorded on Microfilm Roll No. 85, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Sanitary Sewers in El Cajon Boulevard between Alley West of Fairmount Avenue and Euclid Avenue, Document No. 497851; 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 the Planning Commission, signed by Harry C. Haelsig, approving Tentative Map for a 1-lot subdivision of portion of Lot 28 La Mesa Colony, approximately 200 feet north of Montezuma Road on westerly side of Catoctin Drive; Catoctin Drive paved 36 feet in width on existing 40 ft right of way and no provisions made for sidewalks, no sidewalks have been installed adjacent to the property; recommending finding by Council record of survey.

RESOLUTION NO. 120248, recorded on Microfilm Roll No. 85, approving Tenta-

tive Map for 1-lot subdivision of portion of La Mesa Colony, subject to 3 conditions; final subdivision map need not be filed if owner complies with the conditions and within 1 year from the Resolution files copy of survey of property with Planning Department and obtains zone variance for division of land, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, approving Tentative Map for 2-lot subdivision located on portions of Lots 28 and 29 La Mesa Colony, on west side of Catoctin Drive, opposite Saranac Street; Catoctin Drive recently improved with 36 foot roadway on existing 40 foot right of way, where there is inadequate sidewalk area, was presented.

RESOLUTION NO. 120249, recorded on Microfilm Roll No. 85, approving Tentative Map for 2-lot subdivision of portion of Lots 28 and 29 La Mesa Colony, subject to 1 condition; final subdivision map need not be filed if owner complies with conditions and within 1 year from Resolution files copy of survey of property with Planning Department and obtains zone variance, and grants easement for street widening, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, approving Tentative Map for 1-lot division of portion of Lot 63 Las Alturas Villa Sites, located on north side of Logan Avenue east of Euclid Avenue; Logan paved on south side and has curbs, northerly half adjacent to the parcel is dedicated and graded, was presented.

RESOLUTION NO. 120250, recorded on Microfilm Roll No. 85, approving Tentative Map for 1-lot division of portion of Lot 63 Las Alturas Villa Sites, subject to 3 conditions; final subdivision map need not be filed if owner complies with conditions and within 1 year from Resolution files copy of survey of property with Planning Department and obtains zone variance, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, with Harry C. Haelsig's name typed in, approving Tentative Map for 1-lot division of portion of Lot 78 Rancho de la Nacion, located on south side of Division Street west of 56th Street, in Encanto area, was presented, with 5 conditions specified.

RESOLUTION NO. 120251, recorded on Microfilm Roll No. 85, approving Tentative Map for 1-lot division of portion of Lot 78 Rancho de La Nacion, subject to 5 conditions; final subdivision map need not be filed if owner complies with conditions and within one year from Resolution files copy of survey of property with Planning Department and obtains zone variance, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Terry Heights, subject to posting adequate bond to insure installations of required improvements.

RESOLUTION NO. 120252, recorded on Microfilm Roll No. 85, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Jackson & Scott, Inc., for installation and completion of unfinished improvements and setting of monuments required for Terry Heights subdivision; directing City Engineer to prepare ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120253, recorded on Microfilm Roll No. 85, adopting Map of Terry Heights Subdivision, subdivision of portion marked 'Reserved for Future Street' lying between Lots 4 and 5 Wiemeyer Tract, together with portion of Southeast Quarter of Lot 32 Ex-Mission Lands of San Diego; accepting on behalf of the public street and unnamed easements; declaring Cotton Street and unnamed easements to be for and dedicated to public use; authorizing and directing Clerk to endorse upon map, as and for act of the Council, as stated; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Seymour Kuntz, O.D., Optometrist, 1908 Cable Street, San Diego 7, dated September 7, continued from meeting of September 14 because he had to leave meeting before item was reached - was presented again.

The letter was read to the Council by the Clerk. Dr. Kuntz showed pictures of the appearance while sign was up, which he said has been taken down. He did not file the pictures. The letter says that writer was required to remove the outside sign from his office because it is in violation of the City Ordinance regulating projecting signs under marquees. It states objections, and asks to be heard. It refers to the time-honored professional shingle which was not adequately considered when ordinance was originally discussed and approved. Among other things, it contends that sign such as his is in no way a menace to public safety and does not obscure signs of other adjoining businesses. It says

that maximum sign of 10 sq. ft. at 8 ft height, to project 1 ft and extend upward 10 ft. is permitted; that is satisfactory for general types of business but is hardly suitable and certainly would not be considered 'dignified' for a doctor's office.

Dr. Kuntz read his letter to the Council, instead of being read by the Clerk as mentioned first. It was not filed for the record.

Douglas D. Deaper asked if there is no provision for variances.

Glenn Rick, Planning Director, told the Council that it was handled by the Building Department, that there was no request for a variance.

Councilman Kerrigan pointed out that if there is a change, ordinance would have to be revised.

Dr. Kuntz stated that he had been asked to take the little sign down.

Councilman Schneider observed that the change has to do with the code of ethics.

Dr. Kuntz said that the sign "was like a peanut compared to the others", that signs are regulated by own code of ethics, in connection with putting up a shingle. He said that it is not for advertising, but for identification of the office. He told about a man who was in the beauty shop next door for an hour, looking for his office, since all reception rooms look alike.

The Mayor said that it could be hung from the marquee.

Dr. Kuntz replied that it would not be high enough.

The Mayor said that the Council is sympathetic, and wants the item referred to the Building Inspector and to the City Planning Director.

Councilman Wincote spoke for wanting the ordinance changed in connection with professional signs.

Dr. Kuntz told of doctors' offices being in high buildings in many parts of the country, but that this is a 1-story community. He said that he would appreciate an amendment to the ordinance.

Councilman Schneider said that there could be indication about the ethical location.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the communication was referred to the City Manager, the Planning Department, and to the City Attorney, for recommendation. (While referred to the 3, it was sent by the Clerk to the Manager).

RESOLUTION NO. 120254, recorded on Microfilm Roll No. 85, communication was referred to the 3.

Communication from The Music Teachers' Association of California, San Diego County Branch, dated August 30, 1954, signed by Kenneth Symington Ross, president, was presented. Attached was a page showing signatures from other sponsoring clubs and organizations. It tells of need for constructing a Civic Festival Theatre, and outlines that San Diego would be able to compete with other communities, urging San Diego to become one of the greatest entertainment centers in the world which would provide attractions necessary for year round tourist business.

Communication from San Diego County Park Commission, signed by Paul E. Wedgewood, J.D., Chairman, dated September 13, 1954 - 4005 Rosecrans St., Bldg. 8 - was presented. It states that the Commission has received repeated requests from citizens that "something be done about the area around Old Mission Dam". It mentions having referred people to the City since it is City-owned land. The communication tells of the great historical value and great natural appeal to picnickers. The communication says that some mutual arrangement between the City and County could be worked out, and asks to be notified if it is thought that such an idea is feasible.

RESOLUTION NO. 120255, recorded on Microfilm Roll No. 85, referring communication from San Diego County Park Commission re needed improvements in area around Old Mission Dam to Council Conference, and requesting City Manager to make report on the improvements to the Council, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 120256, recorded on Microfilm Roll No. 85, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for paving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying north-erly of and contiguous to Block 2 Bird Rock Addition, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(Engineer reports low bid is 5.5% above estimate).

RESOLUTION OF AWARD NO. 120257, recorded on Microfilm Roll No. 85, accepting bid of Taylor & Loan, a co-partnership, and awarding contract 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 Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(Engineer reports low bid is 8.2% below estimate).

RESOLUTION OF AWARD NO. 120258, recorded on Microfilm Roll No. 85, accepting bid of Callahan Bros., a co-partnership, and awarding contract, 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 Kerrigan, seconded by Councilman Schneider, adopted.
(Engineer reports low bid 3.2% above estimate).

RESOLUTION OF AWARD NO. 120259, recorded on Microfilm Roll No. 85, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for paving and otherwise improving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.
(Engineer reports low bid 5.2% above estimate).

RESOLUTION OF AWARD NO. 120260, recorded on Microfilm Roll No. 85, accepting bid of H. C. Dennis, and awarding contract, for paving and otherwise improving Jewell Street, under Resolution of Intention No. 118979, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.
(Engineer reports low bid 22.6% below estimate).

RESOLUTION ORDERING WORK NO. 120261, recorded on Microfilm Roll No. 85, 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 Resolution of Intention No. 119498, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 120262, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alleghany Street and Public Right of Way, under Resolution of Intention No. 119499, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 120263, recorded on Microfilm Roll No. 85, for paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, et al., under Resolution of Intention No. 119501, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 120264, recorded on Microfilm Roll No. 85, for paving and otherwise improving Olvera Avenue and Bonita Drive, under Resolution of Intention No. 119502, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120265, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 255 Hoel's Subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120266, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alleys Block 4 Ocean View, and Block 2 Sunset Grove, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120267, recorded on Microfilm Roll No. 85, for paving and otherwise improving Dudley Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120268, recorded on Microfilm Roll No. 85, for paving and otherwise improving Dwight Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120269, recorded on Microfilm Roll No. 85, for paving and otherwise improving F Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120270, recorded on Microfilm Roll No. 85, for sewers in Market Street, Pitta Street, J Street and Public Rights of Way, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120271, recorded on Microfilm Roll No. 85, for paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5 and 6 Block 28 Fairmount Addition to City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120272, recorded on Microfilm Roll No. 85, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in La Jolla Lighting District No. 1, for one year from and including January 1, 1955, to and including December 31, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120273, recorded on Microfilm Roll No. 85, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in La Jolla Shores Lighting District No. 1, for period of one year from and including September 15, 1954, to and including September 14, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120274, recorded on Microfilm Roll No. 85, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in Midway Drive Lighting District No. 1, for period of one year from and including October 1, 1954, to and including September 30, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120275, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving E, F, 28th, and 29th Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120276, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120277, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving Gregory Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120278, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving La Jolla Hermosa Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120279, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving Quimby Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120280, recorded on Microfilm Roll No. 85, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Birch Street, under Resolution of Intention No. 116894, and to be assessed to pay expenses thereof; directing Clerk to certify at same time of approval, fact and date thereof, and immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120281, recorded on Microfilm Roll No. 85, approving diagram of property affected or benefited by work of improvement to be done on paving and

No. 116621

otherwise improving Logan Avenue, under Resolution of Intention, and to be assessed to pay expenses thereof; directing Clerk to certify fact and date thereof, and at same time of approval immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120282, recorded on Microfilm Roll No. 85, approving diagram of property affected or benefited by work of paving and otherwise improving Poe Street and Evergreen Street, under Resolution of Intention No. 114500, and to be assessed to pay expenses thereof; directing Clerk to certify fact and date thereof, and at same time of approval immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120283, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block L Altadena, under Resolution of Intention No. 117901, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120284, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 22 Ocean Beach, under Resolution of Intention No. 117902, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120285, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alleys Blocks 199 and 220 Pacific Beach, under Resolution of Intention No. 116718, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120286, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sewer in Ollie Street, Camulous Street, Liberty Street and Venus Street, under Resolution of Intention No. 118156 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120287, recorded on Microfilm Roll No. 85, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120288, recorded on Microfilm Roll No. 85, authorizing and directing the Harbor Commission to execute for and on behalf of The City of San Diego, an agreement for professional services of H. Louis Bodmer, as architect for remodeling and enlarging Men's Public Rest Room in Lindbergh Field Administration Building, under terms and conditions of agreement on file in office of City Clerk as Document No. 498115, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120289, recorded on Microfilm Roll No. 85, appealing to all distributors and retailers of comic books to return to their source any corruption books that may appear among them; to parents to recognize fundamental obligation of moral training and to initiate within framework of their family a voluntary program designed to achieve the end that their children will not read or have desire to read corruption books; to all parents, churches, Parent-Teacher groups and all organizations interested in juvenile welfare to discover sources where corruption books are obtained, and to make known to suppliers their feelings in the matter, so they will cease to deal in them, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

(The Resolution had been before the Council, and continued by request of the Coordinating Councils).

The Resolution goes into considerable lengths as to the character of the books which are widely distributed, sold and generally and cheaply made available to youth of the community, that individuals of unstable character think and act similar to those portrayed. It makes mention, also, of Section 56.01 of San Diego Municipal Code

which makes it a misdemeanor punishable by fine or imprisonment or by both to circulate, sell, or exhibit any obscene, indecent, or immoral writing, book, pamphlet, or picture, and the Section authorizes seizure and destruction of same. Resolution says that no law is effective without constant vigilance of parents and all citizens and groups of citizens who are interested in preserving decency of our youth and the avoidance of juvenile delinquency and appropriate action by them wherever indicated.

RESOLUTION NO. 120290, recorded on Microfilm Roll No. 85, prohibiting parking of automobiles between 4:00 P.M. and 6:00 P.M., Every day of the Week and including holidays:

Both sides of La Jolla Boulevard between Camino De La Costa and point 150 feet north of Via Del Norte;

La Jolla Boulevard between Bon Air Street and Marine Street;
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120291, recorded on Microfilm Roll No. 85, prohibiting parking of automobiles, except commercial delivery vehicles, every day of the week, except Sundays, between hours specified:

East side of 28th Street, between Main Street and National Avenue -
between 4:00 P.M. and 5:00 P.M.;

West side of 28th Street, between Main Street and National Avenue -
between 7:00 A.M. and 8:00 A.M.;

authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120292, recorded on Microfilm Roll No. 85, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of following locations:

67th Street between Saranac and Richard;

Electric Avenue and Colima;

Electric Avenue, South of Colima;

Herschel and Virginia Way;

Electric Avenue and Camino de la Costa;

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

RESOLUTION NO. 120293, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to execute, for and on behalf of the City, a Recreational Agreement with the City of La Mesa whereby City will contribute its pro rata share of total cost of summer recreational program at site of Rolando Elementary School, under terms and conditions as set forth in agreement on file in office of City Clerk under Document No. 498121, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120294, recorded on Microfilm Roll No. 85, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute agreement with Frank Hynum, owner and operator of Chula Vista Sanitary Service, Chula Vista, California, for collection, removal and disposal of rubbish and garbage in a designated "Basic Area" under terms and conditions set forth in form of Agreement on file in office of City Clerk under Document No. 497983, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120295, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to execute, for and on behalf of The City, a lease with Robert Cordtz Company of portions of Lots 7 and 8 Block G Turnbull's Subdivision, for term of 5 years at annual rental of \$80.00; 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. 498128; property has value of \$100.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120296, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to execute, for and on behalf of The City, a lease with Foster and Kleiser Company of portions of Lots 2, 3, 4, 5 Block 306 San Diego Land and Town Company's South Chollas Addition, for term of 5 years at annual rental of \$176.00; 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. 498130; property has value of \$700.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason

that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120297, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to do all the work in connection with replacement of 320 feet of 6-inch water main with 10-inch water main on Adams Avenue, from 49th Street to Winona Avenue, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution establishing fees for use of Municipal Golf Course, and rescinding a former Resolution, was presented.

Douglas D. Deaper, Deputy City Attorney, asked about the change in the fees, said that monthly ticket holders are not allowed to play under their tickets on Saturdays, Sundays and holidays.

RESOLUTION NO. 120298, recorded on Microfilm Roll No. 85, establishing fees for use of Municipal Golf Course, as recommended by City Manager and Park and Recreation Director:

18-hole golf course,	\$1.20 green fee
9-hole golf course,60 green fee
Monthly ticket	6.00

(said monthly ticket entitles the purchaser to play eighteen holes of golf per day except that said monthly tickets are not valid on Saturdays, Sundays and holidays.)

Student monthly tickets	\$1.20
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(said student monthly tickets entitle students to play a maximum of eighteen holes of golf on school days only, and only after 3:00 p.m.)

Rescinding Resolution No. 104209 adopted October 30, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120299, recorded on Microfilm Roll No. 85, approving Change Order No. 2, dated September 8, 1954, heretofore filed with City Clerk as Document No. 497989, issued in connection with contract between The City and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651, on file in office of City Clerk; changes set forth amounting to decrease in contract price of approximately \$211.50, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120300, recorded on Microfilm Roll No. 85, approving Change Order No. 1, dated August 30, 1954, heretofore filed with City Clerk as Document No. 497991, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic lights and signals at 12th Avenue and E Street, contract contained in Document No. 493271 on file in office of City Clerk, changes amounting to increase in contract price of \$183.99, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120301, recorded on Microfilm Roll No. 85, declaring that public convenience and necessity require additional taxicab service in La Jolla area; granting William E. Miller, doing business as La Jolla Cab, certificate to operate one additional taxicab, as provided by Section 72.01 of San Diego Municipal Code, provided that applicant shall comply with all provisions of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120302, recorded on Microfilm Roll No. 85, granting petition of Tomilly T. Rutherford, Robert N. Hare, Mary Jo Hare, Amelia G. Jaussaud and Nelson M. Adams, for permission to start annexation proceedings for annexation to the City of San Diego, the territory to be referred to as "Grantville-Rancho Mission Tract", was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120303, recorded on Microfilm Roll No. 85, granting permission to Consolidated Vultee Aircraft Corporation to install and maintain a chain link fence on westerly side of California Street, between Quince Street and Vine Street, at locations and in accordance with specifications shown on Convair Drawing No. 4PE-18733,

dated June 29, 1954, contained in Document No. 498142, on terms and conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution directs City Clerk to mail certified copy to Thomas P. Moran, Consolidated Vultee Aircraft Corporation, San Diego 2.

RESOLUTION NO. 120304, recorded on Microfilm Roll No. 85, granting permission to San Diego County Medical Society to install and maintain 3-inch transit conduit under and across Walnut Street east of 4th Avenue, extending from existing telephone company manhole to switchboard in San Diego County Medical Society Building, for purpose of protecting telephone cables - on a revocable basis - and on terms and conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120305, recorded on Microfilm Roll No. 85, approving claim of Alfred Cudlipp on file in office of City Clerk under Document No. 497306 in amount of \$42.82; directing City Auditor and Comptroller to draw warrant in his favor in amount of \$42.82 in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120306, recorded on Microfilm Roll No. 85, approving claim of Harold W. Rickards on file in office of City Clerk under Document No. 496171 in amount of \$62.98; directing City Auditor and Comptroller to draw warrant in his favor in amount of \$62.98 in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120307, recorded on Microfilm Roll No. 85, approving claim of James G. Seveck on file in office of City Clerk under Document No. 495335 in amount of \$114.00; directing City Auditor and Comptroller to draw warrant in his favor in amount of \$114.00 in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120308, recorded on Microfilm Roll No. 85, denying claim of Mrs. Mary A. Addison, on file in office of City Clerk under Document No. 493812, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120309, recorded on Microfilm Roll No. 85, denying claim of Orrel M. Andrew, on file in office of City Clerk under Document No. 496271, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120310, recorded on Microfilm Roll No. 85, denying claim of Boulevard Fotos & Supplies, on file in office of City Clerk under Document No. 494629, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120311, recorded on Microfilm Roll No. 85, denying claim of James M. Brooks, on file in office of City Clerk under Document No. 494627, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120312, recorded on Microfilm Roll No. 85, denying claim of Melvin C. Clayton on file in Office of City Clerk under Document No. 494955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120313, recorded on Microfilm Roll No. 85, denying claim of Delta Donn on file in Office of City Clerk under Document No. 492238, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120314, recorded on Microfilm Roll No. 85, denying claim

120304 = 120314

of Ardath Flynn, on file in Office of City Clerk under Document No. 494628, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120315, recorded on Microfilm Roll No. 85, denying claim of R. E. A. Grayner, on file in Office of City Clerk under Document No. 495787, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120316, recorded on Microfilm Roll No. 85, denying claim of William C. Guthrie, on file in Office of City Clerk under Document No. 494662, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120317, recorded on Microfilm Roll No. 85, denying claim of Hardware Mutual Casualty Company on file in office of City Clerk under Document No. 495786, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120318, recorded on Microfilm Roll No. 85, denying claim of Mrs. Eulah M. Holt on file in office of City Clerk under Document No. 492239, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120319, recorded on Microfilm Roll No. 85, denying claim of Frank D. Inglis on file in Office of City Clerk under Document No. 497116, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120320, recorded on Microfilm Roll No. 85, denying claim of Charles Klarnet on file in Office of City Clerk under Document No. 488482, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120321, recorded on Microfilm Roll No. 85, denying claim of George J. Lapthorne on file in Office of City Clerk under Document No. 495453, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120322, recorded on Microfilm Roll No. 85, denying claim of C. D. Lehw on file in Office of City Clerk under Document No. 492237, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120323, recorded on Microfilm Roll No. 85, denying claim of Mrs. F. W. Mayer on file in Office of City Clerk under Document No. 493057, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120324, recorded on Microfilm Roll No. 85, denying claim of Mrs. Harmon Lee Pierson on file in Office of City Clerk under Document No. 495307, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120325, recorded on Microfilm Roll No. 85, authorizing Paul Seramur, of the Water Department, to attend Western Governmental Research Association Conference in Berkeley, California, and to inspect water meter shops in Bay Area, September 21 through September 25, 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. 120326, recorded on Microfilm Roll No. 85, accepting Quitclaim Deed executed on the 3rd day of September, 1954, by Al V. Carpenter, Jane A. Carpenter, and Joseph D. and Anna M. Morrison, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places either within or without the subdivision named Catoctin Tract Unit No. 3, being sub-

division of portion of Lot 30 and portion of Lot A La Mesa Colony; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution for record in the office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120327, recorded on Microfilm Roll No. 85, accepting Quitclaim Deed executed on 30th day of August, 1954, by Ed Fletcher Co., a corporation, 1020 - 9th Street (Avenue), quitclaiming all water mains and appurtenant structures constructed for its use located in public streets, rights of way, highways and public places, either within or without the subdivision named Cabrillo Heights Business Center, being all of portion of Lots 37 and 40 of Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution for record in office of San Diego County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120328, recorded on Microfilm Roll No. 85, accepting Quitclaim Deed executed on 30th day of August, 1954, by Ed Fletcher Co., a corporation, and Tri-W-Builders, Inc., a corporation, to City of San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Rancho Cabrillo Subdivision, being all of portion of Lots 37 and 40 Rancho Mission 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120329, recorded on Microfilm Roll No. 85, accepting deed of Kate Maxwell, bearing date September 14, 1954, conveying Lot 26 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 Schneider, seconded by Councilman Wincote, 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 written or printed copy.

ORDINANCE NO. 6259, recorded on Microfilm Roll No. 85, incorporating portion of Sunshine Gardens into R-4 Zone as defined by Section 101.0408 of The San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) insofar as it conflicts, was on motion of Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

* (New Series)

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 written or printed copy.

ORDINANCE NO. 6260 (New Series), recorded on Microfilm Roll No. 85, dedicating portions of Pueblo Lot 1773 of the Pueblo Lands of San Diego for street purposes and naming same Electric Avenue and Camino De La Costa, was on motion of Councilman Schneider, 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 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 written or printed copy.

ORDINANCE NO. 6261 (New Series), recorded on Microfilm Roll No. 85, dedicating portion of Pueblo Lot 1773 for street purposes and naming it La Canada, 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 repeals all ordinances or parts of ordinance in conflict.

120327 - 120329
6259 N.S. - 6261 N.S.

On motion of Councilman Godfrey, seconded by Councilman Wincote, 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 final passage a written or printed copy.

ORDINANCE NO. 6262 (New Series), recorded on Microfilm Roll No. 85, dedicating portion of Pueblo Lot 1773 for street purposes and naming it Via Del Norte, was on motion of Councilman Wincote, 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.

The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda. Before consideration, he told Richard Crake, attorney, who had appeared in behalf of the property owners earlier, that it was the intention to act upon the ordinance, but there had not been time to list it on the agenda.

On motion of Councilman Wincote, seconded by Councilman Schneider, Ordinance incorporating portions of Palm Heights and Idyllwild into R-4 Zone, as defined by Section 101.0408 of San Diego Municipal Code and repealing Ordinance No. 12988 adopted October 20, 1930 insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen None.

Communication from Ninth District, Inc., California Congress of Parents and Teachers, dated September 20, 1954, signed by Mrs. J. Allen Hodges, President, was presented. It states that the Executive Board went on record urging the City Council to adopt the resolution regarding sale and distribution of obscene literature, including comic books, at regular meeting of the Board on September 20, 1954.

(There was no action, inasmuch as the Council had adopted the proposed Resolution, earlier in this meeting).

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

It is a communication from Mrs. Zella Crown, Vice Chairman, Democratic State Central Committee, 30th Congressional District, dated September 18, 1954, was presented.

It states that Democratic National Committee is conducting a "Dollars for Democrats" Drive, nationally, and have designated September 22 as Democratic Womens Day, and asks for resolution to permit solicitation.

Councilman Kerrigan said that they have the right to do what is requested. He said that it is covered in the Political Code, and that they don't need a resolution - according to Orin Cope, Assistant to the City Manager.

On motion of Councilman Kerrigan, seconded by Councilman Dail, it was ordered filed. (A.M.W. tried to reach Mrs. Crown by telephone; her line - HI 4-7157 was always busy. Betty Lehner, City Mgr's office, states that Mrs. Crown has been advised by Mgr.'s office that it is O.K., and that City Attorney has verified that).

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:02 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, Calif-
ornia, Thursday, September
23, 1954

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Clairemont Villas, Units 1 through 5, was presented.

RESOLUTION NO. 120330, recorded on Microfilm Roll No. 85, suspending Sections 102.09-1, 102.07-5, 102.1102, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Villas, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Villas, subdivision in Pueblo Lot 1243 immediately northeast of Clairemont Manor Unit No. 3; 447-lot residential subdivision containing small area consisting of 12 lots proposed for business use, was presented. It states that area indicated for business will of necessity have to be subject to future consideration in the rezoning of the area for business uses. Communication recommends approval subject to 10 conditions.

RESOLUTION NO. 120331, recorded on Microfilm Roll No. 85, approving Tentative Map of Clairemont Villas, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map for 2-lot division of Lots 9 and 10 Dass Manor, located at Curry Drive and Catoctin Drive, was presented. It says that final map of Dass Manor has been filed recently and improvements are completed. Report says that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of the property, provided owner is willing to file with Planning Department 2 copies of survey of the property.

RESOLUTION NO. 120332, recorded on Microfilm Roll No. 85, approving Tentative Record of Survey map for division of Lots 9 and 10 Dass Manor, found to comply with Section 11535 of Business & Professions Code, on condition that 2 copies of survey map be filed with Planning Department and zone variance obtained from Board of Zoning Adjustment within 1 year from date of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that commission is willing to recommend zone variance for division of portion of Lot 29 La Mesa Colony, located on westerly side of Catoctin Drive approximately 110 feet south of Roxy Lane - Catoctin Drive recently improved with 36 ft. roadway on right of way varying from 40 feet to 60 feet in width and where there is inadequate sidewalk, was presented. It says owner shall file with Planning Department 2 copies of the survey and is willing to comply with all conditions prior to filing survey map: That street alignment, lot and street design, setbacks and easements shall be provided as shown on tentative map on file in office of City Clerk.

RESOLUTION NO. 120333, recorded on Microfilm Roll No. 85, approving Tentative Map for 1-lot division of portion of Lot 29 La Mesa Colony subject to street alignment, lot and street design, setbacks and easements, to be provided as shown on tentative map on file in office of City Clerk; final subdivision map need not be filed if owner complies with conditions in the Resolution, and within period of 1 year from date of the Resolution files copy of Survey of property with Planning Department and obtains a zone variance for division of land, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending denial of Tentative Map for dividing 50 ft. x 160 ft. parcel, being portion of Lot 37 La Mesa Colony, because it does not comply with standards of development of the neighborhood nor with procedure for filing by method of Record of Survey. In addition to a detailed report, it says that Planning Commission, on recommendation of Planning Department and City Engineer made finding that existing condition of the street is not sufficiently

improved to serve the local neighborhood needs, sanitary sewers are not available to the lot, and correspondingly it does not comply with requirements of Section 11535 Article 6 of Business & Professions Code.

RESOLUTION NO. 120334, recorded on Microfilm Roll No. 85, denying Tentative Map for 1-lot division of portion of Lot 37 La Mesa Colony, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map for division of portion of Lot B Block 3 Magnolia Park, into 2 parcels fronting on Dudley Street easterly of Albion Street, was presented. It states that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division provided owner will file with Planning Department 2 copies of the survey of property and is willing to comply with and complete the 4 conditions enumerated in the communication and Resolution prior to filing Survey Map.

RESOLUTION NO. 120335, recorded on Microfilm Roll No. 85, approving Tentative Map for division of portion of Lot "B" Block 3 Magnolia Park into 2 parcels, subject to the conditions contained in the Resolution; and determining that final subdivision map need not be filed if owner complies with the conditions and within period of 1 year from date of Resolution files copy of survey of property with Planning Department, grants easements as required, and obtains zone variance for division of the land, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of portion of Lot A Block 4 Magnolia Park provided owner will file with Planning Department 2 copies of Survey of the property and is willing to comply with and complete conditions enumerated in recommendation and Resolution, was presented.

RESOLUTION NO. 120336, recorded on Microfilm Roll No. 85, approving Tentative Map for division of portion of Lot A Block 4 Magnolia Park into 1 parcel, subject to the conditions contained in the Resolution; and determining that final subdivision map need not be filed if owner complies with conditions in the Resolution and within 1 year from date of Resolution files copy of Survey of property with Planning Department, grants easements required, and obtains zone variance for division of the land, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of 2-lot division of Lot 1 Orange Grove Tract, into 2 parcels, each approximately 150 ft. x 135 ft. in size - located at southwest corner of Leghorn Avenue and Detroit Avenue in Encanto area, was presented. Also, owner is to file with Board 2 copies of the survey map of the property and is willing to comply with and complete conditions enumerated prior to filing the survey map.

RESOLUTION NO. 120337, recorded on Microfilm Roll No. 85, approving Tentative Map for division of Lot 1 Orange Grove into 2 parcels, subject to conditions in the Resolution; and determining that final subdivision map need not be filed if owner complies with conditions in the Resolution and within 1 year from date of Resolution files copy of Survey of property with Planning Department, grants easements required, and obtains zone variance for division of the land, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of 3-lot resubdivision of Lots 1 through 6 Block 16 Roseville, located at intersection of Talbot Street and Gage Drive, was presented. Also, owner is to comply with conditions in the resolution and recommendation prior to filing Record of Survey.

RESOLUTION NO. 120338, recorded on Microfilm Roll No. 85, approving Tentative Record of Survey Map for resubdivision of Lots 1 through 6 Block 16 Roseville into 3 lots, subject to conditions in the Resolution; and determining that final subdivision map need not be filed if owner complies with the conditions and within period of 1 year from date of Resolution files copy of Record of Survey of property with Planning Department, and obtains zone variance for division of the land, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the City Planning Director, states that for past 20 years Planning Department has been active in administration of certain ordinances pertaining to architectural review, or architectural control, was presented. It states that during the period, areas under supervision grew by petitions of property owners from a single district

Communications
120335 - 120338

created along Pacific Highway, to 40% of the City; that later the City Council upon advice of City Attorney extended Architectural Review to cover entire City. It says that total of over 30,000 sets of plans have been inspected in operation of the ordinances, and none has been taken to Court. It tells of the experiment for the last several months of a new procedure under a new board established by the Council in January, 1954. Among other things, communication states that the Planning Director reluctantly concedes that present ordinance should be repealed. It speaks particularly of glaring and often ugly signs along streets and highways, some of which have been turned down and the sign builders have retaliated, while one has built several signs without permits. It reports that one form of retaliation has been for a certain sign man, after he has lost a sign job to a competitor has tried to influence City officials to deny permit for the competitor. The communication says that some sign people have stated that if a set of standards were approved which would be uniform and knew ahead what to try to sell, they would be satisfied. It points out, however, that the same sign people were the ones who opposed such an ordinance when it was recently proposed.

RESOLUTION NO. 120339, recorded on Microfilm Roll No. 85, referring to Council Conference communication from City Planning Director, on repeal of Architectural Review Ordinance, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from John S. Dale, 1968 Coolidge Street, San Diego 11, dated September 18, 1954, was presented. It requests an ordinance to prohibit or regulate merchandising trucks using sound amplifying systems with mechanical tunes for advertising purposes.

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

Communication from League of Democratic Women of San Diego County, 720 Bank of America Building, San Diego 1, dated Sept. 17, 1954, was presented. It states that the Chamber of Commerce's reception to Senator Kuchel, who is a Republican candidate, was a repudiation of non-partisanship. (Although it states that copy of the letter is sent to Chamber of Commerce, original filed was addressed to Chamber of Commerce.

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

Communication Jack L. Oatman, and others, dated September 17, 1954, re consideration of proposal to extend Clairemont-Mesa Boulevard to east to form connecting link between Clairemont Drive and Highway 395, was presented. It offers to convey roadway across Pueblo Lots 1233, 1234 and 1235, because it will so enhance adjoining properties that it will be to the advantage of all such owners to make such conveyance.

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

Communication from Charles A. Small, 876 Golden Park Avenue, San Diego 4, attaching communication from San Diego County Park Commission, signed by Paul E. Wedgewood, M.D., Chairman, dated September 13, 1954 (which he asks to have returned), was presented. It refers to improvements needed at the Old Mission Dam, and suggests several items.

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

Communication from Joseph Jessop, Chairman, Downtown Improvement Committee, dated September 18, 1954, addressed to the Mayor, members of the Council and members of Planning Commission, was presented. It endorses the Plaza site for construction of a Civic Auditorium-Convention Hall and parking facility, and states that meeting held September 8 by the individuals named, was also adopted as a policy of the Board of Directors on September 13.

RESOLUTION NO. 120340, recorded on Microfilm Roll No. 85, referring to Council Conference communication from San Diego Downtown Association, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communications from Procopio, Price, Cory and Schwartz, 420 San Diego Trust & Savings Building, San Diego 1, California, dated September 21, 1954, signed by A. T. Procopio; The Whitson Company, 3937 Fifth Avenue, dated September 20, 1954, signed by R. D. Whitson, Vice President; Preferred Theatres Corporation, San Diego Office, 1245 -5th Avenue, San Diego 1, dated September 20, 1954, signed by Sidney R. Wieder, Vice

Communications
120339 - 120340

President; Elsie Landon, 6038 Bradford St., San Diego 15, dated Sept. 18, 1954, were presented.

RESOLUTION NO. 120341, recorded on Microfilm Roll No. 85, referring communications from Elsie Laudan, Preferred Theatres Corporation, The Whitson Company, Attorneys Procopio, Price, Cory and Schwartz objecting to convention hall and parking facilities in Horton Plaza, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

It was moved to adopt the next three Resolutions, but it was changed later, after discussion, and action covered, including several other items.

Councilman Godfrey entered -
Councilman Burgener entered - after motions had been made to adoption of the following, but before roll was called on any of them, while the City Manager was reporting on Resolution granting Checker Cab Company of San Diego, Inc. certificate of public convenience and necessity to operate 2 additional cabs.

RESOLUTION NO. 120342, recorded on Microfilm Roll No. 85, approving action of the Chief of Police in the matter of appeal of Mayme Kay Cudd from suspension of license for cabaret known as "Kay's Lucky Strike", 1807 Fifth Avenue; suspension effective from and after 17th day of August, 1954; authorizing Chief of Police to terminate such suspension and reinstate the license when he is satisfied, on basis of assurances of management and actual operation of the cabaret, that future operations thereof are unlikely to be in contravention of the ordinances of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120343, recorded on Microfilm Roll No. 85, approving Rule No. 7 - pursuant to Section 32.14 of San Diego Municipal Code, of the City Treasurer, which states: "Rule No. 7 Effect of Increased Tax on Executory Contracts Sales made pursuant to contracts actually executed in good faith prior to October 1, 1954, and where taxable event occurs prior to December 1, 1954, shall be taxed under The City of San Diego Sales and Use Tax as if the taxable event had occurred prior to October 1, 1954", was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120344, recorded on Microfilm Roll No. 85, approving Change Order No. 6, dated September 8, 1954, heretofore filed with City Clerk as Document No. 498132, issued in connection with contract between City of San Diego and Royal Pipeline Construction Co. for installation of Catalina Street Pipeline (Housing and Home Finance Agency Project Calif. 4-CF-27), contract contained in Document No. 483837; changes amounting to increase in contract price of approximately \$649.21, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Proposed Resolution declaring public convenience and necessity require additional taxicab service by Checker Cab Co., was presented.

Asked for a report, the City Manager told the Council that cab companies are jealous. He declared that it is not too serious a situation.

Councilman Wincote asked what was the advantage to the formerly used zone charges.

The Mayor stated that anyone riding in a Yellow Cab, for instance, can call for and get a receipt, that the company will make a refund if there is an overcharge.

Councilman Wincote said that he had been assured that many things go on in the business over which the licensed cab companies have no control. He said that strangers don't know the City; that 100% of riders should read the meters. He declared that if drivers are not busy, they arrange to hit every stop or drive through heavy traffic, prolonging the metered ride and increasing the fare.

The Mayor said that even in Washington, D.C., there is the zone; that a rider can be clipped more on the zone system than on the meter. He said that it is set up by the ordinance (the San Diego Municipal Code).

The City Manager told the Council that interest lies in 3 directions: rates, equipment, drivers. He spoke of the first 2, plus driver conduct, being checked. He added that investigation of drivers is made by the Police Department.

Councilman Dail asked how it is determined, regarding convenience and necessity. He declared that many cabs, although licensed, are not used. He asked what is public necessity, and how it is established.

The City Manager replied that he has a report. He spoke of there being several companies. He stated that when there are additional requests, the Police investigate the necessity in connection with calls; the department checks the record. He said that relates to the number of licenses. He agreed that company in question did not have operation on a basis of radio calls. He read to the Council a report.

Councilman Dail asked what the law says.

Douglas D. Deaper, Deputy City Attorney, said that the report of the Police Department is effective.

120342-- 120344
Discussion regarding taxicabs

Councilman Dail stated that if there are enough cabs to serve the City, additional licenses should not be given.

Mr. Deaper went over to Councilman Dail, and showed him the San Diego Municipal Code, covering the governing sections.

Councilman Dail read to the Council from the Code. He said that it is the general, overall picture with which he is concerned.

Councilman Wincote referred to the City's leaning having been toward protection of the small operators: La Jolla and Ocean Beach Cab Companies. He declared that it increases the ratio of the Ocean Beach company 33-1/3% when it is given 1 license.

Councilman Dail said that not long ago a bunch of licenses were issued; then another company jumped in for more licenses. He said that is not a good practice. He said that if the companies get additional cabs and then lay them up, it is up to the Council to determine the situation.

Councilman Burgener asked if the business is competitive.

Councilman Schneider's reply was "Yes".

Councilman Burgener then asked about the situation in Washington, D.C. - where there is a great taxicab business.

The Mayor replied that the cabs are individually owned.

Councilman Dail spoke about an effort some time back for a group of veterans to incorporate for the purpose of securing licenses for 1 man; then he would put the others out.

Councilman Burgener asked how that would be done.

The Mayor spoke directly to Councilman Burgener on that point.

Councilman Dail told of the City's control of rates.

Councilman Wincote said that ^{where} ever he has been here, every time 1 company comes in for licenses, others come in - so as not to throw out percentage. He said that operation is on a competitive basis. He stated that he didn't know how it would be handled if a taxicab war, or difficulty, would develop.

Councilman Dail said that he doesn't want to see the situation become competitive - just to get more licenses.

Councilman Schneider spoke of reason for more licenses being based on need.

The City Manager said that effort is made to evaluate on account of demands which cannot be met. He said that the Yellow Cab Company has enough licenses to meet the demand. He pointed out that all pay licenses on their individual cabs.

Councilman Schneider asked if all fares are the same.

The City Manager replied that the maximums are the same.

Councilman Godfrey agreed that there are the same maximums. He pointed out that taxicab drivers pull up to bus stops and make pick ups, now that new bus increases have gone into effect.

There was no action on the lengthy discussion, except for the next Resolution:

RESOLUTION NO. 120345, recorded on Microfilm Roll No. 85, declaring that public convenience and necessity require additional taxicab service by Checker Cab Co. of San Diego, Inc., and grants certificate of public convenience and necessity to operate 2 additional taxicabs as provided by Section 72.01 of San Diego Municipal Code, provided that applicant shall comply with all provisions of Article 2 Chapter VII of the Code, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120346, recorded on Microfilm Roll No. 85, authorizing A. George Fish, Safety Officer to attend National Safety Congress to be held in Chicago, Illinois, October 18th through October 22nd, 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. 120347, recorded on Microfilm Roll No. 85, authorizing John D. Butler, Mayor; Sergeant Mason Ham, of the Police Department, James Reading, Traffic Engineer to attend the Governor's Safety Conference, to be held in Sacramento, California, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Before the Resolution was adopted, Douglas D. Deaper, Deputy City Attorney, requested the Clerk to add the name of the Mayor to the Resolution. He did.

After the Resolution was adopted, the Mayor made the same request. He was informed that his name had been included.

RESOLUTION NO. 120348, recorded on Microfilm Roll No. 85, 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 Contract and Grant of Easement conveying to United States of America, its successors and assigns, easement and right of way for construction, operation, and maintenance of pipe lines or conduits for transportation of water in, under, upon, and across portion of Rancho San Bernardo, in County of San Diego, upon terms and conditions set out in form of Contract and Grant of easement on file in office of City Clerk, was adopted.

Resolution states that United States of America has constructed the "second barrel" of San Diego Aqueduct; that it is necessary that The City enter into and execute

contract and grant of easement with United States of America for right of way for construction, operation and maintenance of the "second barrell" over portion of property situated in vicinity of Super Hodges reservoir basin; City Manager has recommended the contract and grant of easement.

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

ORDINANCE NO. 6263 (New Series), recorded on Microfilm Roll No. 85, appropriating \$1,854.00 from Capital Outlay Fund, for providing funds to pay City's share of cost of improving Alley Block 2 Bartlett Estate Company's Subdivision, and North and South Alley Block 27 H. M. Higgins' Addition, et al., under 1911 Street Improvement Act Proceeding, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

Prior to passage reading was dispensed with, by motion of Councilman Burgener, seconded by Councilman Godfrey, by not less than 4 votes. There was available for consideration of each member of the Council prior to day of passage written or printed copy.

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 in full was dispensed with prior to final passage, but not less than 4 votes. There was available for consideration of each member of the Council prior to day of passage written or printed copy.

ORDINANCE NO. 6264 (New Series), recorded on Microfilm Roll No. 85, appropriating \$365.00 from Unappropriated Balance Fund, for providing funds for purchase of inscribed souvenir keys to The City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 120349, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 69 Guide Signs in accordance with Notice to Bidders, etc., on file in Office of City Clerk under Document No. 498163, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Nicholas J. Haering appeared at the microphone and told the Council that he had 3 vacant apartments, he had taken off his overalls and come down to the meeting. (He came just as the Council was on the point of adjourning). He asked why the Council can't get people down to the meetings.

There seemed to be no answer to the Haering question.

There being no further business to come before the Council, while Mr. Haering continued to talk, the Mayor banged the gavel and declared the meeting adjourned, at 10:25 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

12039

6263 N.S. - 6264 N.S.

Verbal presentation, not listed.

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Tuesday, September
28, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Clark M. Foote, Jr.

The meeting was called to order by the Mayor at 10:07 o'clock A.M.

The Mayor presented Rev. Wilfrid J. Diamond, of Our Lady of The Sacred Heart, East San Diego. Father Diamond gave the invocation.

The Mayor asked that the next 13 items be taken out of order so that Carl Reupsch, representing the Harbor Department, could be heard in explanation of the items listed on the agenda affecting the Harbor Department.

Resolution authorizing Port Director to do all work in connection with contractual assistance in paving roads and parking lots in Shelter Island by City forces, was presented. Mr. Reupsch explained that it is regarding clean up prior to paving under contract. He said that it can't be engineered, to go out to bids.

Councilman Schneider asked if there is something peculiar. He asked if when work is done under force account there is charged into the job charge for equipment.

Mr. Reupsch replied "yes", it is a budgeted item, and applies to the next item. Mr. Reupsch spoke to all as being a \$10,000.00 job. for the construction project.

RESOLUTION NO. 120350, recorded on Microfilm Roll No. 85, authorizing and empowering Port Director to do all the work in connection with Contractual assistance in paving Roads and Parking Lots in Shelter Island, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution says 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 item was explained by Mr. Reupsch, in connection with his preceding statement.

RESOLUTION NO. 120351, recorded on Microfilm Roll No. 85, authorizing and empowering Port Director to do all work in connection with General Development of Shelter Island, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next 4 items, Mr. Reupsch told the Council that all were subleases, and ask for change in sublessor rather than sublessee. He said it was wondered if they should be brought to the Council. He declared them to be routine.

RESOLUTION NO. 120352, recorded on Microfilm Roll No. 85, ratifying, confirming and approving sublease agreement, copy of which is on file in Office of City Clerk as Document No. 498443, between San Diego Lumber Company, sublessor, and Brown-Bewis Industrial Equipment Company, sublessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next item was explained by Mr. Reupsch earlier.

RESOLUTION NO. 120353, recorded on Microfilm Roll No. 85, ratifying, confirming and approving sublease agreement, copy of which is on file in office of City Clerk as Document No. 498446, between San Diego Lumber Company, sublessor, and Peter F. Bullen, sublessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next item was explained by Mr. Reupsch earlier.

RESOLUTION NO. 120354, recorded on Microfilm Roll No. 85, ratifying, confirming and approving sublease agreement, copy of which is on file in office of City Clerk as Document No. 498449, between San Diego Lumber Company, sublessor, and Arthur Defever, sublessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next item was explained by Mr. Reupsch earlier.

RESOLUTION NO. 120355, recorded on Microfilm Roll No. 85, ratifying, confirming and approving sublease agreement, copy of which is on file in office of City Clerk as Document No. 498452, between San Diego Lumber Company, sublessor, and Sperry Gyroscope Co.,
120350 = 102355 (Harbor items, out of order.)

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

In connection with the next 2 items, Mr. Reupsch told the Council that property is on G Street Pier and at Foot of Hawthorn Street, that property had been purchased from Star & Crescent Oil Co. by Tide Water Associated Oil Company.

RESOLUTION NO. 120356, recorded on Microfilm Roll No. 85, ratifying, confirming and approving Agreement for Assignment, copy on file in Office of City Clerk as Document No. 498455, entered into between Star & Crescent Oil Co., a corporation, Assignor, and Tide Water Associated Oil Company, a Delaware Corporation, Assignee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, Mr. Reupsch explained it earlier.

RESOLUTION NO. 120357, recorded on Microfilm Roll No. 85, ratifying, confirming and approving Agreement for Assignment, copy on file in Office of City Clerk as Document No. 498458, entered into between Star & Crescent Oil Co., a corporation, Assignor, and Tide Water Associated Oil Company, a Delaware corporation, Assignee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, Mr. Reupsch told the Council that it has to do with a previously-approved sublease, that a 6 month extension is wanted.

RESOLUTION NO. 120358, recorded on Microfilm Roll No. 85, ratifying, confirming and approving sublease, copy on file in Office of City Clerk bearing Document No. 498461, between Llano D. Briggs, doing business as the San Diego Marine Exchange, as sublessor, and Percy R. Bryant, as sublessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, Mr. Reupsch told the Council that it covers a washrack at Laurel Street and Harbor Drive, and is a change of sublessee.

RESOLUTION NO. 120359, recorded on Microfilm Roll No. 85, ratifying, confirming and approving sublease, copy on file in Office of City Clerk bearing Document No. 498464, between Standard Oil Company of California, sublessor, and Philmore Smith, sublessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, Mr. Reupsch told the Council that there was a prior lease, changed with the death of George Kettenburg. He said that a new lease is wanted, and that it is better, regarding insurance.

RESOLUTION NO. 120360, recorded on Microfilm Roll No. 85, ratifying, confirming and approving lease, copy on file in Office of City Clerk, between The City of San Diego, acting by and through the Harbor Commission, as Lessor, and Paul A. Kettenburg, Charles A. Underwood, William T. Kearns, Morgan L. Miller and George W. Kettenburg, III, co-partners, doing business under name and style of Kettenburg Boat Works, as lessor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next 2 items, Mr. Reupsch told the Council that amendment has to do with removing land near the foot of Scott Street and Harbor Drive, to permit leasing to the adjoining property and the same lessees - and for street purposes.

RESOLUTION NO. 120361, recorded on Microfilm Roll No. 85, ratifying, confirming and approving lease, copy on file in Office of City Clerk, between The City of San Diego and Point Loma Development Corporation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, it was explained by Mr. Reupsch earlier.

RESOLUTION NO. 120362, recorded on Microfilm Roll No. 85, ratifying, confirming and approving lease, copy on file in Office of City Clerk, between The City of San Diego and Point Loma Development Corporation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Mr. Reupsch answered questioning by Councilman Dail, if there is profit on subleases, answered "No" - except to the Harbor Department. He outlined procedure, and the income from subleases. He said that they are primarily office rentals. Councilman Dail said that he wants to avoid trafficking.

There was no action.

Councilman Schneider said that there were people here on the ordinance regulating Liquefied Petroleum Gas (listed as item 201 on today's agenda).

The Mayor said that the hearing had been closed, and that the Council will continue consideration.

Councilman Burgener said that the Council would be ready to act Thursday. Councilman Wincote said that there should be a full Council. The Mayor told those interested that it will be continued to Thursday, of this week.

The Clerk called the Mayor's attention to the fact that minutes had not been approved.

On motion of Councilman Schneider, seconded by Councilman Wincote, the Minutes of the Regular Meetings of Tuesday, September 21, 1954, and of Thursday, September 23, 1954, were approved without reading. 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 Sewage Plant Alterations, the Clerk reported that 8 bids had been received. They were presented to the Council.

James E. Huntley, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of total amount bid, given Document No. 498581;

Fred J. Early Jr. Co., incorporated, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of 10% of amount bid, given Document No. 498582;

Trepte Construction Company, Inc., accompanied by bond written by Fire Association of Philadelphia in the sum of 10% of amount bid, given Document No. 498583;

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. 498584;

W. W. Hoagland and E. M. Lindlay, doing business as Hoagland-Findlay Engineering Co., accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10 percent of the amount of the bid, given Document No. 498585;

Theodore R. Gregory, accompanied by bond written by Anchor Casualty Company in the sum of ten percent of the total amount of the bid, given Document No. 498586;

L. C. Anderson Co., accompanied by bond written by Fire Association of Philadelphia in the sum of 10% of amount of bid, given Document No. 498587;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 498588.

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

Councilman Dail was excused, between the bids of Anderson and Golden

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 Logan Avenue for one year from and including November 16, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council.

Bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$33.90 written by San Diego Trust and Savings Bank, given Document No. 498589.

On motion of Councilman Kerrigan, 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 latest time set for receiving bids for furnishing electric current for lighting ornamental street lights located in Pacific Beach Lighting District No. 1, for one year from and including September 1, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council.

Bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$291.24 written by San Diego Trust and Savings Bank, given Document No. 498590.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, 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 latest time set for receiving bids for furnishing electric current for lighting ornamental street lights located in Roseville Lighting District No. 1 for one year from and including October 15, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council.

Bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$57.00 written by San Diego Trust and Savings Bank, given Document No. 498591.

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

Councilman Dail returned

Minutes approved
Bids (for lighting)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119895, 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 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 Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119896 for paving and otherwise improving Kendall 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 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. 119897 for paving and otherwise improving 29th 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 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 for paving and otherwise improving Alleys in Block 55 Normal Heights, the Clerk reported that written appeal had been received from Melvin T. Harrison and June K. Harrison. It was presented to the Council.

Russell Hall, Acting City Engineer talked to Mrs. Harrison, a new owner. He said that the real estate agent did not mention the improvement to her. He said that she was not satisfied, including the fence repair.

RESOLUTION NO. 120363, recorded on Microfilm Roll No. 85, overruling and denying appeal of Melvin T. Harrison and June K. Harrison from Street Superintendent's Assessment No. 2274 made to cover costs and expenses of work of paving and otherwise improving East and West and North and South Alleys Block 55 Normal Heights, under Resolution of Intention No. 115259; overruling and denying all other appeals thereon; 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 Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment for paving and otherwise improving Dwight Street and Wilson Avenue ~~Drive~~, the Clerk reported that written appeals had been received from Mrs. Walter Lindsay, Crystal L. Hart,, Margaret B. Whiteford and Alexander W. Whiteford, M. Rambaud. They were presented to the Council.

Russell Hall, Acting City Engineer, told the Council that he had analyzed the appeals. which amount to 10.4%. He said that Mr. Rambaud has an area assessment - spread uniformly.

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

Mr. Rambaud asked how it is assessed.

Mr. Hall replied that it is like an intersection.

Willard Olson, of the City Engineer's office, said that all are \$47.41 per lot for the intersection.

Mr. Hall told of there being 9 25-foot lots.

Mrs. Walter Lindsay told the Council that she has a canyon lot; no level property.

Mr. Hall stated that there is no distinction between canyon and level property. Councilman Burgener asked where the front is. Mrs. Lindsay said that she does not know.

Mr. Hall referred to Lots 8 and 9.

Mrs. Lindsay said that she does not own 8; she owns 9. She spoke of sewer being put in and paid for, and that she could not get as much for the lot as the assessment.

Councilman Burgener said that the work has to be paid for by the property owners. He spoke directly to Mrs. Lindsay regarding the method of assessing.

During the Burgener discussion with Mrs. Lindsay, Mr. Hall and several Councilmen had a discussion, not heard by the Clerk.

Crystal L. Hart came to the microphone, and referred to owning portions of Lots 1-6.

Mr. Hall said that when the work was designed, the property was not split. He said that the work done is according to the plan. He said that it is possible to get a car over the sump, that driveway could be widened. He said that perhaps the drain grade could be cut down.

Councilman Schneider spoke to Mrs. Hart about her house, and about getting access before the work. He wondered if the City could give assistance.

Mr. Hall replied that assistance could not be given "out of the job", but that maybe the City Manager can.

RESOLUTION NO. 120364, recorded on Microfilm Roll No. 85, referring to the City Manager for appropriate action, the matter of drain cover constructed in front of driveway serving Lots 1 through 6 (exc. E 125') Block 88 City Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Mayor said that there is no basis for holding up the assessment.

Mr. Hall said that he will look at it. He stated, again, that work was done according to plans.

Councilman Wincote told Mrs. Hart that the Council is trying to help her.

Councilman Schneider referred to Councilman Wincote having cast a doubt, which he felt was not justified.

Councilman Wincote pointed out that there is no assurance that Mrs. Hart will receive the assistance she seeks.

Mrs. Hart told of the drain and the cost being too much, until corrected.

Councilman Wincote said that Mr. Hall could make a statement, and the City Manager could state what he could do.

Councilman Burgener pointed out that the job can't be changed.

Councilman Wincote spoke to Mrs. Hart regarding effect of City's attempt to help.

Mrs. Hart said that the drain is right in the driveway. She told of boys having lifted grate, and that as a result, it was necessary to get a crane to get her car out.

RESOLUTION NO. 120365, recorded on Microfilm Roll No. 85, overruling and denying appeals of Mrs. Walter Lindsay, Crystal L. Hart, Alexander W. Whiteford and Margaret B. Whiteford, M. Rambaud from Street Superintendent's Assessment No. 2275 made to cover costs and expenses of work of paving and otherwise improving Dwight Street and Wilson Avenue, under Resolution of Intention No. 113492; 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 him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing of appeals on Assessment No. 2276 made to cover cost and expenses of paving and otherwise improving Linda Rosa Avenue and La Jolla Mesa Drive, under Resolution of Intention No. 115494, 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. 120366, recorded on Microfilm Roll No. 85, confirming and approving Street Superintendent's Assessment No. 2276 made to cover cost and expenses of paving and otherwise improving Linda Rosa Avenue and La Jolla Mesa Drive, under Resolution of Intention No. 115494; 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 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. 2277 made to cover cost and expenses of paving and otherwise improving North and South Alley Block 119 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 appeals were presented.

RESOLUTION NO. 120367, recorded on Microfilm Roll No. 85, confirming and approving Street Superintendent's Assessment No. 2277 made to cover cost and expenses of paving and otherwise improving North and South Alley Block 119 University Heights; authorizing and directing him 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2278 for paving and otherwise improving Udall Street, 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. 120368, recorded on Microfilm Roll No. 85, confirming and approving Assessment No. 2278, made to cover cost and expenses of paving and otherwise improving Udall Street under Resolution of Intention No. 113886; 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 office of Street Superintendent 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 furnishing electric current for lighting Pacific Highway Lighting District No. 1, for period of one year from and including November 5, 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.

RESOLUTION NO. 120369, recorded on Microfilm Roll No. 85, confirming Engineer's Report and Assessment for Pacific Highway Lighting District No. 1, filed in office of City Clerk August 20, 1954; adopting the report as a whole, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing Ordinance adopting amendment to Major Street and Highway Plan of the Master Plan for the City of San Diego, affecting realignment and widening of Market Street between 43rd Street and Euclid Avenue - ordinance introduced September 14, 1954, the Clerk reported that there were no written protests.

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

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

On motion of Councilman Godfrey, seconded by Councilman Wincote,

ORDINANCE NO. 6265 (New Series) adopting amendment to Major Street and Highway Plan of Master Plan for City of San Diego, as adopted by Ordinance No. 13116 approved January 26, 1931, particularly affecting re-alignment and widening of Market Street between 43rd Street and Euclid Avenue (City Clerk's Document No. 497023), was adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

RESOLUTION NO. 120370, recorded on Microfilm Roll No. 85, accepting bid of Taylor & Sloan for construction of sanitary sewers in 42nd Street, Copeland Avenue, Monroe Avenue, Van Dyke Avenue, Madison Avenue, Alder Drive and Hilldale Road in Kensington Park Area, for \$20,491.35; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120371, recorded on Microfilm Roll No. 85, accepting bid of William H. Clint for construction of sanitary sewer in Midway Drive across Block 8 Drucker's Subdivision, for \$4,932.00; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120372, recorded on Microfilm Roll No. 85, accepting bid of California Electric Works for Airplane Crossing Sign Lighting on Harbor Drive at Coast Guard Crossing, for \$1,669.00; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120373, recorded on Microfilm Roll No. 85, accepting bid of Finnell Systems Inc., for furnishing 1 Finnell Combination Scrubbing Machine at \$2,035.00 plus State Sales Tax; 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 Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120374, recorded on Microfilm Roll No. 85, accepting bid of Mission Pipe and Supply Co. for furnishing Galvanized T & C Pipe: 504' - 1/2" @ \$10.03

C. Ft; 3024' - 3/4" @ \$13.09 C. Ft.; 508' - 1 1/4" @ \$25.16 C. Ft; 6048' - 2" @ \$39.90 C. Ft., total \$3,0142, including State Sales Tax, terms 2% 30 days; 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 Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120375, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 4 Fire Apparatus in accordance with Notice to Bidders, etc., on file in office of City Clerk bearing Document No. 498378, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

(Although Resolution does not so state, it consists of Combination Pumping Engines, Hose Carriers and Water Tanks).

RESOLUTION NO. 120376, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals for furnishing Fire Hose in accordance with Document No. 498380 on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120377, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals for furnishing 7 3-Wheel Servicar Motors in accordance with Document No. 498382, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120378, recorded on Microfilm Roll No. 85, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of culvert in 51st Street, 116 feet north of Orange Avenue, bearing Document No. 498353; authorizing and directing Purchasing Agent to publish in accordance with law, notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Acting City Engineer, recommending amendment to proceedings for improvement of 40th Street between Ocean View Boulevard and "T" Street, to include drainage structures, gutters and cut-off walls, as required, and that limits extend on 40th Street between easterly prolongation of southerly line of Ocean View Boulevard and "T" Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120379, recorded on Microfilm Roll No. 85, authorizing amendment to proceedings for improvement of 40th Street, as recommended by the Acting City Engineer under Document No. 498116, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Acting City Engineer, recommending that the Council order a 1911 Act district formed for installation of storm drainage system in San Diego University Area, which includes Cushman Street branch and Azusa Street branch, part of cost to be assessed against property owners, balance of cost to be paid from 1952 Storm Drain Bond Fund, was adopted, on motion of Councilman Burgener, seconded by Councilman Kerrigan.

RESOLUTION NO. 120380, recorded on Microfilm Roll No. 85, authorizing creation of a 1911 Act district for installation of storm drain system in San Diego University area, including Cushman Street branch and Azusa Street branch, part to be assessed to be assessed against property owners, balance of cost to be paid from 1952 Storm Drain Bond Fund, as recommended by the Acting City Engineer under Document No. 498114, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, recommending granting petition to close "The Northerly 540 feet of Alley Block A Wells and Lane's Tecolote Heights, lying westerly of and adjacent to Lots 1 to 9 inclusive, except portion lying between northerly and southerly lines of proposed easterly extension of Milton Street, subject to filing of Final Map satisfactory to the City, which subdivides adjacent area and dedicates adequate streets to serve the area, was presented.

RESOLUTION NO. 120381, recorded on Microfilm Roll No. 85, granting petition for closing portion of Alley Block A Wells and Lane's Tecolote Heights, contained in Document No. 494493, in accordance with recommendation of 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager, dated September 2, 1954, making a detailed report and recommendation on Document No. 496329, being petition dated August 3, 1954, signed by owners of property in College Manor and Oakmere Subdivisions, requesting that City acquire necessary right of way for extension of Rose Street from west line of College Manor Subdivision to College Avenue, was presented. It states that it is similar to request made by Fred Kaufman in March of 1953, at which time he filed tentative map of College Manor Subdivision. Report states that Manager's communication dated March 20, 1953, recommended that the Tentative Map be approved and subdivider be advised that City would not accept dedication of Arosa Street west of the subdivision unless arrangement had been made for improvement of street according to City standards. It says that recommendation was approved by the Council and work in the subdivision has now been substantially completed. Report states that Assistant Planning Director under date of September 1, 1954, pointed out that while it would be desirable that the street be opened from standpoint of traffic circulation in area covered by petition, it would be most difficult to justify use of City funds either for acquisition of right of way or for improvement of street of purely local significance. It says cost of improvement between College Avenue and west of College Manor Subdivision would probably be in neighborhood of \$10,000 and it is doubtful whether adjoining property owners would be willing to participate in the cost. It reports, also, that if the church were willing to grant necessary right of way, perhaps interested property owners in College Manor and Oakmere Subdivisions would be willing to petition for a 1911 Act Project for its improvement. Communication says that if "they" wish to investigate possibility it is suggested that they get in touch with the City Engineer.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the City Manager's recommendation, contained in Document No. 498386, was adopted, and it was filed.

RESOLUTION NO. 120382, recorded on Microfilm Roll No. 85, filing communication from City Manager re extension of Rose Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Clairemont Terrace Unit No.; tentative map previously approved by Resolutions 112905 and 112906, was presented. It states that departmental recommendations are all favorable, and the Commission recommends that the Tentative Map be reapproved subject to above-mentioned resolutions, with minor amendments.

RESOLUTION NO. 120383, recorded on Microfilm Roll No. 85, reapproving Tentative Map of Clairemont Terrace Unit No. 2, approved by Resolutions 112906 and 112905, subject to those Resolutions, with amendments to conditions 3 and 8, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Record of Survey Map of portion of Lot 17 C. M. Doty's Add., was presented.

RESOLUTION NO. 120384, recorded on Microfilm Roll No. 85, suspending Sections 102.07-2, 102.12-4 of San Diego Municipal Code, in connection with Tentative Subdivision Map of portion of Lot 17 C. M. Doty's Addition, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Planning Commission was willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of westerly 50 feet of Lot 17 C. M. Doty's Addition into a parcel 50 ft x 100 ft., located at southeast corner of Malden & Kendall Streets, provided owner is willing to file with Planning Department 2 copies of survey map and is willing to comply with and complete conditions enumerated, was presented.

RESOLUTION NO. 120385, recorded on Microfilm Roll No. 85, approving Tentative Map for division of westerly 50 feet of Lot 17 C. M. Doty's Addition, by method of Record of Survey, subject to conditions set out in Resolution, and to final subdivision map not needing to be filed if owner complies with conditions, and within one year from date of Resolution files copy of survey with Planning Department, grants easements as required, and obtains zone variance for division of land, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Planning Commission was willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of north 75 feet of east 125 feet Lot 124 Morena, on Illion Street approximately 800 feet south of Milton Street across street from lower portion of Clairemont Heights Unit No. 1 near new Catholic Church, provided owner is willing to file with Planning Department 2 copies of survey of property and is willing to comply with and complete conditions enumerated in the recommendation prior to filing of survey map, was presented.

RESOLUTION NO. 120386, recorded on Microfilm Roll No. 85, approving Tentative Map for 1-lot subdivision located on north 75 feet of east 125 feet Lot 124 Morena, subject to 4 conditions; final subdivision map need not be filed if owner complies with

conditions and within 1 year from date of Resolution files copy of survey of property with Planning Department and obtains zone variance for division of land, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission reporting on Tentative Record of Survey Map for 2-lot division of portion of Pueblo Lot 104, recommending denial, was presented. Recommendation was adopted, but Resolution was not numbered here, inasmuch as it was brought up again later in the meeting under reconsideration, and will be found again on page 147 of these Minutes.

Communication from Planning Commission, signed by Glenn A. Rick, forwarding copy of his letter of August 30 to City Attorney and his written opinion dated September 10, was presented. It states that in view of the opinion it is recommended that Ordinance 1177 be repealed and that another ordinance be adopted by the Council if it is of the opinion that lots less than 2,000 square feet in area should be given an additional 10% lot coverage. (Although the communication does not say so, other papers in the file refer to property in the Mission Beach area).

Councilman Schneider asked "What is it?"

RESOLUTION NO. 120387, recorded on Microfilm Roll No. 85, referring communication from City Planning Director recommending repeal of Ordinance No. 1177 New Series adopted June 29, 1937, re lot coverage for Mission Beach area to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by P. Q. Burton, forwarding communication which is request for ruling by Planning Commission and/or City Council as to whether or not small refrigerator repair shop in RC Zone at 1125 30th Street is business similar to and not more obnoxious than other permitted uses in same zone and same vicinity. It states that Planning Commission instructed Planning Department to inform Shelby Heck, petitioner, that proper procedure would be to apply to Board of Zone Adjustment for variance to RC Zone, which has been done.

P. Q. Burton, of the Planning Department, told the Council that it is a question of procedure rather than one of merit. He said that the Commission could not rule that it is a similar use.

RESOLUTION NO. 120388, recorded on Microfilm Roll No. 85, making a finding that use by Shelby Heck of property at 1125 - 30th Street in RC Zone, for small refrigerator repair shop is not a business similar to other permitted uses in RC Zone, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from La Mesa, Lemon Grove and Spring Valley Irrigation District, dated September 22, 1954, signed by M. J. Shelton, General Manager and Chief Engineer, was presented. It asks if the City would or would not consent to occupancy of portions of City's right of way as Director of Water Department would approve, in connection with construction of major transmission line from Lakeside Control Station of San Diego County Water Authority, to the District's Grossmont Reservoir and another line from that reservoir through Alvarado Canyon to area of City of La Mesa.

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

Communication from Westgate-California Tuna Packing Company, Harbor Drive at 28th Street, San Diego 12, dated September 20, 1954, signed by Wayne Frickett, Plant Engineer, was presented. It suggests location for a new sewer disposal plant for San Diego at Ream Field, where there is plenty of room for a new disposal plant and future development - also formation of sewer district to include National City, Chula Vista, Palm City and other areas that might be interested in clearing up pollution.

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

Communication from Ruth and S. K. Saunders, 4670 Jutland Drive (in Clairemont) San Diego 7, relative to the noise created by the frequent ice cream trucks on the streets, was presented. It states that others in her block join in asking if something can be done about the nuisance, mentioning the request for elimination of the mechanical tunes.

RESOLUTION NO. 120389, recorded on Microfilm Roll No. 85, referring communication from Mr. and Mrs. Kenneth Richardson, under Document No. 498400, asking for legislation to control ice cream trucks traveling City streets, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120390, recorded on Microfilm Roll No. 85, directing notice of filing Assessment and of time and place for hearing - No. 2285 - made to cover costs and expenses of work done upon paving and otherwise improving Curtis Street and Poinsettia Drive, under Resolution of Intention No. 113751, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 120391, recorded on Microfilm Roll No. 85, accepting bid of Callahan Bros., a co-partnership, and awarding contract, for paving and otherwise improving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, under Resolution of Intention No. 119094, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 6.4% above estimate.

RESOLUTION OF AWARD NO. 120392, recorded on Microfilm Roll No. 85, accepting bid of Callahan Bros., a co-partnership, and awarding contract, for paving and otherwise improving Alley Block 31 University Heights, under Resolution of Intention No. 119095, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 2.7% above estimate.

RESOLUTION OF AWARD NO. 120393, recorded on Microfilm Roll No. 85, accepting bid of R. E. Hazard Contracting Co., and awarding contract, for paving and otherwise improving Udall Street, under Resolution of Intention No. 119097, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 15.0% below estimate.

RESOLUTION OF AWARD NO. 120394, recorded on Microfilm Roll No. 85, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current for lighting 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120395, recorded on Microfilm Roll No. 85, approving plans and plat of assessment district for paving and otherwise improving Alley Block 3 La Mesa Colony; approving Plat No. 2631 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120396, recorded on Microfilm Roll No. 85, approving plans and plat of assessment district for paving and otherwise improving Carleton Street, Flum Street and Dickens Street; approving Plat No. 2576 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120397, recorded on Microfilm Roll No. 85, approving plans and plat of assessment district for storm drains in Weeks Avenue, Naples Street, Svaannah Street, Knoxville Street and Public Rights of Way ("Tecolote Creek Storm Drain System"), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 120398, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 3 Ocean Beach, under Resolution of Intention No. 119786, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 120399, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, Alley Block 76 Ocean Beach, and Bacon Street, under Resolution of Intention No. 119651, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 120400, recorded on Microfilm Roll No. 85, for grading and sidewalking on 49th Street, Elm Street, Fir Street, Tilden Street, 48th

Street, Brookline Street, Duval Street and Date Street, under Resolution of Intention No. 119652, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 120401, recorded on Microfilm Roll No. 85, for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way under Resolution of Intention No. 119500, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 120402, recorded on Microfilm Roll No. 85, 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, under Resolution of Intention No. 119653, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 120403, recorded on Microfilm Roll No. 85, for grading and sidewalking Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Nubner Road, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120404, recorded on Microfilm Roll No. 85, for paving and otherwise improving E Street, F Street, 28th Street and 29th Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120405, recorded on Microfilm Roll No. 85, for sewer main and appurtenances in Gregory Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120406, recorded on Microfilm Roll No. 85, for paving and otherwise La Jolla Hermosa Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120407, recorded on Microfilm Roll No. 85, for paving and otherwise improving Quimby Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120408, recorded on Microfilm Roll No. 85, for change of grade of Morrell Street, between south line of Hornblend Street and south line of Grand Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120409, recorded on Microfilm Roll No. 85, for furnishing electric current for lighting ornamental street lights located in Eighth Avenue Lighting District Number One, for one year from and including January 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120410, recorded on Microfilm Roll No. 85, for furnishing electric current for lighting ornamental street lights located in Garnet Street Lighting District Number One, for one year from and including January 30, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120411, recorded on Microfilm Roll No. 85, for furnishing electric current for lighting ornamental street lights located in Presidio Hills Lighting District Number One, for one year from and including February 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120412, recorded on Microfilm Roll No. 85, for furnishing electric current for lighting ornamental street lights in Seventh Avenue Lighting District Number One, for one year from and including January 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 120413, recorded on Microfilm Roll No. 85, for furnishing electric current for lighting ornamental street lights in Sunset Cliffs Lighting District Number One, for 11 months and 17 days from and including January 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120414, recorded on Microfilm Roll No. 85, for paving and otherwise improving Alley Block 3 La Mesa Colony, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120415, recorded on Microfilm Roll No. 85, for paving and otherwise improving Carleton Street, Plum Street and Dickens Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120416, recorded on Microfilm Roll No. 85, for Tecolote Creek Storm Drain system in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street, Public Rights of Way in Lots 1, 2, 47, 48, 49, 50, 85, 86, 87, 88, 112 and 113 Boulevard Gardens; Lots 11, 12, 13, 14 Gardena Home Tract; portion Lot 1 in plat showing Lots 1 and 2 in southwesterly portion of Pueblo Lot 256, and in portions of Pueblo Lots 264 and 265, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120417, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 30 Park Villas, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120418, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving Banks Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120419, recorded on Microfilm Roll No. 85, ascertaining and declaring wage scale for paving and otherwise improving Oliver Avenue and Pacific Beach Drive, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120420, recorded on Microfilm Roll No. 85, approving diagram of property affected or benefited by work of paving and otherwise improving Wunderlin Avenue, and 60th Street, under Resolution of Intention No. 116721, 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 so certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120421, recorded on Microfilm Roll No. 85, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving Alley Block I Montecello, under Resolution of Intention No. 118154, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120422, recorded on Microfilm Roll No. 85, directing City Engineer to furnish Council with diagram of property affected and benefited by work and

improvement on paving Alleys Blocks 3 and 4 Ocean Front, under Resolution of Intention No. 118394 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120423, recorded on Microfilm Roll No. 85, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving Alley Block 67 Park Villas, Public Right of Way and Villa Terrace, under Resolution of Intention No. 116398 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120424, recorded on Microfilm Roll No. 85, granting petition contained in Document No. 498066 for installation of sewers to serve Lots 18, 19, 23, 24 Soledad Terrace; 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 thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(Resolution includes Lots 12 and 13 Soledad Terrace - if required).

RESOLUTION NO. 120425, recorded on Microfilm Roll No. 85, granting petition contained in Document No. 496327 for paving and otherwise improving Tourmaline 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 thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 120426, recorded on Microfilm Roll No. 85, for storm drains and appurtenant work 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 Schneider, seconded by Councilman Godfrey, adopted.

The several items listed on agenda at this point, affecting Harbor Dept. considered at beginning of meeting.

RESOLUTION NO. 120427, recorded on Microfilm Roll No. 85, declaring following streets to be through highways:

Torrey Pines Road between east line of Gerard Street and west line of Pacific Highway;

Munda Road, between south line of Paradise Valley Road and north line of Alleghany Street;

declaring following intersections of streets to be "Intersection Stops":

Paradise Valley Road and Munda Road, affecting Munda Road;

Morena Boulevard and Huxley Street, affecting southbound traffic on Morena Boulevard and northbound, straight-through traffic on Morena Boulevard;

Afton Road and Hurlbut Street, affecting Hurlbut Street;

Avenida de la Playa and Calle de la Plata, affecting Calle de la Plata;

Evergreen Street and Xenophon Street, affecting eastbound traffic on Xenophon Street;

Presidio Drive and Arista Street, affecting Arista Street;

authorizing and directing installation of necessary signs and markings on said streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120428, recorded on Microfilm Roll No. 85, creating and establishing Taxicab Stands on following streets:

East side of Fifth Avenue between points 11 feet and 31 feet north of Island Avenue;

North side of C Street between 12 feet and 32 feet east of Sixth Avenue;

East side of Fifth Avenue between points 31 feet and 52 feet south of F Street;

North side of Broadway, between points 9 feet and 29 feet east of Front Street;

North side of Broadway, between points 5 feet and 23 feet east of Columbia Street;

authorizing and directing installation of necessary signs and markings - abolishing following Taxicab Stands and signs and markings to be removed:

South side of C Street between points 16 feet and 35 feet west of Sixth Avenue;

South side of C Street between points 76 feet and 96 feet west of Fourth Avenue;

West side of Fourth Avenue between points 116 feet and 136 feet north of F Street;

North side of Broadway between points 55 feet and 75 feet west of Seventh Avenue,

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

In connection with the next Resolution, Councilman Schneider asked what it is about.

The City Manager told Councilman Schneider that it is for clarification, for benefit of Federal attorneys. He told of having written a letter, but that was declared to be not enough.

RESOLUTION NO. 120429, recorded on Microfilm Roll No. 85, clarifying by a re-statement of Council, of ambiguities contained in Resolution No. 119559, of intention of the Council in connection with authorization to occupants of Units 3 to 8 inclusive of Linda Vista Subdivision to occupy the units without immediately making plumbing systems comply with requirements of San Diego Municipal Code, upon condition that in event of deterioration or other failure or replacement, remodeling, alteration, or change of such plumbing systems, such plumbing systems will be made to conform to requirements of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. It states that language therein stated and quoted as follows: "Said units are replaced, remodeled, altered, or changed or when a soil, waste, or vent lines of said plumbing systems deteriorate or otherwise fail or for any other reason replacement is required" was not intended to include normal maintenance requirements of plumbing systems and that in event of such normal maintenance it is not intended to require that entire plumbing systems be made to comply with requirements as imposed by Resolution No. 119559.

RESOLUTION NO. 120430, recorded on Microfilm Roll No. 85, authorizing and empowering City Attorney to execute, for and on behalf of The City of San Diego, a Disclaimer disclaiming any right in or to the compensation payable by United States of America for condemnation and taking of Parcel 7 in matter of the "United States of America vs. Certain Lands in the County of San Diego, State of California, etc., et al.," United States District Court, Southern District of California, Southern Division, No. 1546-SD Civil, and to file disclaimer with Clerk of the Court, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Resolution states that United States of America has filed complaint to acquire easements and rights of way for underground pipe line across property in the City, that easement crosses portion of property described in Complaint as Parcel on which The City of San Diego owns 2 easements for public purposes, that easement as required by United States does not in any manner interfere with easements owned by the City, that City Manager has recommended that City of San Diego file disclaimer disclaiming any right in or to compensation payable by United States for condemnation and taking of Parcel 7.

RESOLUTION NO. 120431, recorded on Microfilm Roll No. 85, authorizing City Manager to accept work on behalf of The City of San Diego in Catoctin Tract No. 3 Subdivision, and to execute Notice of Completion and have same recorded, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Resolution states that City Engineer has certified that public work and improvement required to be done in Catoctin Tract Unit No. 3 Subdivision (Agreement Document No. 486783) has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 120432, recorded on Microfilm Roll No. 85, authorizing City Manager to accept work on behalf of The City of San Diego in Don Terrace Unit No. 2 Subdivision and to execute Notice of Completion and have same recorded, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Resolution states that City Engineer has certified that public work and improvement required to be done in Don Terrace Unit 2 Subdivision (Agreement Document No. 471037) has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 120433, recorded on Microfilm Roll No. 85, authorizing City Manager to accept work on behalf of The City of San Diego in Glenclift Subdivision and to execute Notice of Completion and have same recorded, was on motion of Councilman Godfrey,

seconded by Councilman Wincote, adopted. Engineer

Resolution states that City has certified that public work and improvement required to be done in Glencleft Subdivision (Agreement Document No. 465873) has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 120434, recorded on Microfilm Roll No. 85, authorizing City Manager to accept work on behalf of The City of San Diego in Rancho Hills Unit No. 6 Subdivision, and execute Notice of Completion and have same recorded, on motion of Godfrey, seconded by Councilman Wincote, adopted.

Resolution states that City Engineer has certified that public work and improvement required to be done in Rancho Hills Unit No. 6 Subdivision (Agreement Document No. _____), has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 120435, recorded on Microfilm Roll No. 85, authorizing City Manager to accept work on behalf of The City of San Diego in Tingley Estates Subdivision, and execute Notice of Completion and have same recorded, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Resolution states that City Engineer has certified that public work and improvement required to be done in Tingley Estates Subdivision (Agreement Document No. 482098) has been completed to the satisfaction and approval of the City Engineer.

RESOLUTION NO. 120436, recorded on Microfilm Roll No. 85, authorizing City Manager to execute agreement with Lomita Homes, Inc., Cardiff Homes, Inc., and Sweetwater Homes, Inc., California corporations, providing for leasing (with option to purchase) of Water System serving Lomita Village Subdivisions at rental of \$20,075.41 on or before October 6, 1955; \$20,075.41 on or before October 6, 1956; and \$20,075.41 on or before October 6, 1957, with option to purchase said System, until October 6, 1957, for sum of \$100,377.06, less any rental theretofore paid, all in accordance with terms and conditions as set forth in form of agreement heretofore filed in office of City Clerk as Document No. 498667, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120437, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to execute, for and on behalf of City an Amendment to Supplementary Agreement, Supplementary Agreement filed in office of City Clerk as Document No. 485810, with James T. Mitchell and John C. Ray, for operation of Mission Beach Amusement Center; more particular terms and conditions set forth in form of Amendment to Supplementary Agreement filed in office of City Clerk as Document No. 498671, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of the Resolution, the City Manager explained that it has to do with expenditures, extending to December, that there are no other changes.

RESOLUTION NO. 120438, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to do all work in connection with installation of electrical load centers on Laurel Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution states that City Manager has recommended the work, to be used in conjunction with Christmas tree lighting, 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. 120439, recorded on Microfilm Roll No. 85, approving Change Order No. 22, dated September 16, 1954, heretofore filed with City Clerk as Document No. 498488, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$700.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120440, recorded on Microfilm Roll No. 85, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations:

34th and Polk	Dawes Street at Beryl
21st and G	Dawes Street at Chalcedony
Lemona at Sterling	Dawes Street at Law
51st at Sterling	Dawes Street at Missouri
Lemona at Landis	Ada at Franklin
E. Overlook Drive E/O Corinth Drive	50th at Wightman
Bayard Street at Emerald	Winona at Wightman
Bayard Street at Felspar,	

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

RESOLUTION NO. 120441, recorded on Microfilm Roll No. 85, 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 Lots 17 to 20 inclusive Block 7 Spring Garden Tract, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120442, recorded on Microfilm Roll No. 85, authorizing and directing City Manager, for and on behalf of the City, to make application to Board of Supervisors of County of San Diego, State of California, and to take all necessary steps to acquire from the State of California Lot 1 Block 2 The Dells Park; Lots 7, 8, 9, 10, Block 92 E. W. Morse's Subdivision of P. L. 1150, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120443, recorded on Microfilm Roll No. 85, granting revocable permit to Maria Mello Bettencourt, 3622 Oliphant Street, San Diego 6, to install 4-inch cast iron sewer line to be placed 1 foot outside property line and run in north-easterly direction, parallel to northwesterly line of Lot 12 Block 38 Roseville Subdivision, to point of intersection with public sewer; to serve property at southwest 60 feet of Lots 11 and 12 Roseville, 1300 Block of Clove 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 Burgener, adopted.

RESOLUTION NO. 120444, recorded on Microfilm Roll No. 85, granting permission to Ross G. Fenn and Doris L. Fenn to occupy a frame residence moved to 6347 Tooley Street, without removing lath and plaster and changing dry vent system from galvanized iron pipe to cast iron pipe; 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.

RESOLUTION NO. 120445, recorded on Microfilm Roll No. 85, granting permission to E. R. Strong, 3360 Bean Street, on a revocable basis, to install 4-inch cast iron sewer line between property line and sidewalk; to be placed 1 foot outside property line and run in a southerly direction, parallel to easterly line of Lot 6 Block 169 Middletown Subdivision, to point of intersection with public sewer, to serve property at 3360 Bean Street, 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 Burgener, adopted.

RESOLUTION NO. 120446, recorded on Microfilm Roll No. 85, granting permission to San Diego Unified School District to install 4 flat vents with 4 drum traps for 4 instrument tables set out from wall in Building No. 5 (Class Room #2, Science Rooms #1, 2 and 3); also 2 loop vents to install sinks out from wall in building No. 9 (Art Rooms #1 and 2); 2 indirect drains in Girls Drying Room and 2 indirect drains in Boys Drying Room in Building #11 (Shower and Locker Room) at Samuel L. Gompers Junior High School, 905 - 47th Street; 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 Burgener, adopted.

RESOLUTION NO. 120447, recorded on Microfilm Roll No. 85, granting permission to D. J. Spinali (E. T. Admire, Plumbing Contractor), 5570 University Avenue, San Diego, to run floor drain line in new boiler room across property to connect with main sewer line in newly constructed cleaning establishment, part of Lot 29 Lemon Villa; 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 Burgener, adopted.

RESOLUTION NO. 120448, recorded on Microfilm Roll No. 85, granting permission, subject to recommendation of the City Manager, to St. Rita's Church (Rev. John F. Gallagher, J.C.D., Pastor), 5124 Churchward Street, San Diego 13, to erect and

maintain for 6 days, commencing October 6, 1954, a tent on grounds of the Church, near Euclid and Imperial Avenues, for conducting annual church bazaar; to be erected and maintained in accordance with all rules, regulations and ordinances of the City, and shall be subject to inspection and approval of the Building Inspection and Fire Departments, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

In connection with the next Resolution, Councilman Godfrey said he was wondering about authorization for Roy E. Butler, Assistant Director of Civil Defense, to attend annual U. S. Civil Defense Conference, to be held in Memphis, October 28 through 30, 1954; and authorizing the necessary expenses. He spoke of policy decision to be made regarding civil defense. He asked what the policy is.

The City Manager asked Councilman Godfrey upon what point.

Councilman Godfrey said that his question has to do with indecision, and information on what can be done. He asked how the policy is to be approached.

The Mayor replied that the program has been reviewed.

Councilman Godfrey asked "what is the program"?

The Mayor spoke of there being a national policy, and doing a fair average. He mentioned there being a number of areas in which Roy Butler is working.

Councilman Godfrey said that it seems that the policy level policies should be made before there can be any determination.

The Mayor told about the policy being made, changed, a re-survey - based on the military.

Councilman Godfrey referred to change from day to day. He spoke of there being a lot of money involved, and agreed that the proposed trip is recommended by the City Manager.

The Mayor spoke of there being a question regarding governmental civil defense, which he declared to be voluntary, started in Chicago; not part of the Federal set up.

Councilman Godfrey read from a paper he had (but did not file) regarding statement made by Dr. Askew (Health Officer). He told of having a City program which does not mean much. He said that it is County wide.

The Mayor said that if it is to be reviewed, it should be referred to Conference for report from Roy Butler and from Admiral Sherman.

Councilman Godfrey asked to be brought up (to be brought up) to date on what the program is.

RESOLUTION NO. 120449, recorded on Microfilm Roll No. 85, referring to Council Conference for review of policy and program regarding Civil Defense, including proposed resolution authorizing Roy E. Butler, Assistant Director of Civil Defense to attend annual U.S. Civil Defense Conference to be held at Memphis, Tennessee October 28 to and including October 30, 1954, was adopted.

In connection with Resolution authorizing Howard Ogden, Property Supervisor, and Ben Hagar, of the Property Division, to attend 50th Annual Conference of California Real Estate Association to be held in San Francisco, October 11 to and including October 14, and authorizing necessary expenses, Councilman Dail asked what is involved. He said that the individual (Hagar) is under the City Engineer.

The City Manager said that the department is now under the Director of Finance.

Councilman Dail said that Mr. Ogden is entitled to go on the trip, but asked about the man under him (Hagar) being authorized to go also. He asked how far the Council proposes to go in its authorizations.

The City Manager said that John McQuilken, Director of Finance, felt that it would be helpful because of the education which would result.

Councilman Dail pointed out that there is the expense, too. He spoke about department head to go, and passing on those underneath him. He said that maybe the City should go "down".

Councilman Schneider said that Mr. Hagar is the man who negotiates leases, and makes purchases.

Councilman Dail said that the Council should look at this. He said that it is a matter of expense.

There was discussion between Councilmen Schneider and Dail, not through the Chair, regarding merits and where to draw the line, and how far down the department to go.

Councilman Schneider then spoke to Councilman Dail, not through the Chair, regarding the department head being affected.

Councilman Dail maintained that it is "below Ogden".

Councilman Wincote said that he does not care where employees go, if justified, to improve City departments. He spoke of not being in close enough contact to decide who should go.

John McQuilken, Finance Director, answering the Mayor's request if it was his recommendation, answered "yes".

Councilman Dail said that it is going to blow wide open if a policy is not set.

Councilman Wincote said that Mr. Quilken could answer.

Councilman Dail said that he is going to look at authorizations for trips with critical eye, below the level of department manager. He said that this going further; it can go too far.

The Mayor said that inter-state is by recommendation of the City Manager; outside the State the Council sends. He declared that there must be a justification to the question. He said that there have been no excesses.

Councilman Burgener and Councilman Wincote said that there is no written-policy. Councilman Wincote said that he would like to see one.

RESOLUTION NO. 120450, recorded on Microfilm Roll No. 85, authorizing Howard Ogden, Property Supervisor, and Ben Hagar, of the Property Division, to attend the 50th Annual Conference of the California Real Estate Association, to be held in San Francisco October 11 to 14, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120451, recorded on Microfilm Roll No. 85, referring to Council Conference the matter of a written policy on trips taken by City Employees, was on Councilman Burgener, seconded by Councilman Schneider, adopted.

Councilman Dail told the Council that he wants a report on trips for the last 5 years.

The City Manager asked if there is such a file.

John McQuilken said that it would take a while to compile it; but that the information is available.

The Mayor asked Mr. McQuilken to furnish the information.

RESOLUTION NO. 120452, recorded on Microfilm Roll No. 85, denying claim of Charles H. Brunkow on file in office of City Clerk under Document No. 497183, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120453, recorded on Microfilm Roll No. 85, denying claim of California Highway Patrol, on file in office of City Clerk under Document No. 496903, was on motion of Councilman Schneider, adopted.

RESOLUTION NO. 120454, recorded on Microfilm Roll No. 85, denying claim of First National Bank, on file in Office of City Clerk under Document No. 497236, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120455, recorded on Microfilm Roll No. 85, accepting deed of Esther Armstrong, bearing date September 21, 1954, conveying Lots 1 and 2 Block 7 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed to City Properties Department together with certified copy of the Resolution, for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120456, recorded on Microfilm Roll No. 85, accepting deed of Thelma Lee Benson, bearing date September 10, 1954, conveying Lot 2 Block 24 Campo Del Dios Unit 2 and Lot 12 and Northerly 10 feet of Lot 13 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 Kerrigan, adopted.

RESOLUTION NO. 120457, recorded on Microfilm Roll No. 85, accepting deed of Gena Berg and Katherine Gross, bearing date September 8, 1954, conveying Lot 1 Block 52 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 Kerrigan, adopted.

RESOLUTION NO. 120458, recorded on Microfilm Roll No. 85, accepting deed of M. Evelyn Holland and Mable G. Holland, bearing date September 14, 1954, conveying Lot 3 Block 58 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 Kerrigan, adopted.

RESOLUTION NO. 120459, recorded on Microfilm Roll No. 85, accepting deed of LaJolla Presbyterian Church, bearing date September 10, 1954, conveying Lot 6 Block 57 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 Kerrigan, adopted.

RESOLUTION NO. 120460, recorded on Microfilm Roll No. 85, accepting deed of Carl H. Oppenheimer and Marie Oppenheimer, bearing date September 15, 1954, conveying Lot 1 Block 48 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 Kerrigan, adopted.

RESOLUTION NO. 120461, recorded on Microfilm Roll No. 85, accepting deed of Melvin Sachs, bearing date September 14, 1954, conveying Lot 3 Block 75 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 Kerrigan, adopted.

RESOLUTION NO. 120462, recorded on Microfilm Roll No. 85, accepting deed of George Axenty and Grace B. Axenty, bearing date September 9, 1954, conveying Lot 9 Block 48 Campo Del Dios Unit 3 and Lot 6 Block 9 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 Kerrigan, adopted.

RESOLUTION NO. 120463, recorded on Microfilm Roll No. 85, accepting deed of Mrs. Peggy Lou Neary McDaniel, bearing date September 8, 1954, conveying Lot 4 Block 5 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120464, recorded on Microfilm Roll No. 85, accepting deed of Avonelle Dool Clancy, bearing date September 8, 1954, conveying Lot 1 Block 89 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 Kerrigan, adopted.

RESOLUTION NO. 120465, recorded on Microfilm Roll No. 85, accepting deed of Edith Stewart, bearing date September 10, 1954, conveying Lot 1 Block 114 Campo Del Dios Unit 6; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120466, recorded on Microfilm Roll No. 85, accepting subordination agreement executed by The Cotton Mortgage Company, bearing date September 15, 1954, subordinating right, title and interest in and to portion of Lot 2 Block 6 Bird Rock City by the Sea; authorizing and directing City Clerk to transmit subordination agreement to office of County Recorder of San Diego County, together with certified copy of the Resolution, for recording, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120467, recorded on Microfilm Roll No. 85, accepting subordination agreement executed by W. H. Nichols and Geneva M. Nichols, bearing date September

17, 1954, conveying portion of Lot 22 The Highlands; authorizing and directing City Clerk to transmit deed to Alan M. Firestone, Deputy City Attorney, for recording when certain conditions in consideration of exchange of real property have been fulfilled, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120468, recorded on Microfilm Roll No. 85, accepting deed of James M. Griffis and Minnie M. Griffis, bearing date September 17, 1954, conveying portion of Lot 1 Block 6 Homeland Villas; 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 Kerrigan, adopted.

RESOLUTION NO. 120469, recorded on Microfilm Roll No. 85, accepting deed of Virgil J. Park and Alta M. Park, bearing date September 17, 1954, conveying portion of Lot 1 Block 6 Homeland Villas; 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 Kerrigan, adopted.

RESOLUTION NO. 120470, recorded on Microfilm Roll No. 85, accepting deed of Daley Corporation, bearing date September 10, 1954, conveying portion of Lots 6 and 7 Block 27 Rosedale; authorizing and directing City Clerk to file deed of record in office of the County Recorder of San Diego County, California, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120471, recorded on Microfilm Roll No. 85, accepting deed of George Colclough and Mabel Colclough, bearing date September 17, 1954, conveying portion of Lot 1 Block 6 Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Balboa 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120472, recorded on Microfilm Roll No. 85, accepting deed of Earl V. Pickett and Edith P. Pickett, bearing date September 16, 1954, conveying Lot 1 Block 6 Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Balboa 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120473, recorded on Microfilm Roll No. 85, accepting deed of Elvin Thomas, bearing date September 16, 1954, conveying portion of Lot 1 Block 6 Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Balboa 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120474, recorded on Microfilm Roll No. 85, accepting deed of David M. Ward, bearing date September 16, 1954, conveying portion of Lot 1 Block 6 Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Balboa 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120475, recorded on Microfilm Roll No. 85, accepting deed of San Diego Unified School District of San Diego County, bearing date September 7, 1954,

conveying portion of Lots 26 and 27 Block A Starkey's Prospect Park; setting aside and dedicating land to public use as and for public street and naming it Fay 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 Kerrigan, adopted.

The next matter was taken up out of order, at this time.

Ordinance amending Section 86.04 of San Diego Municipal Code "Section 86.04 Physically Disabled Persons - Parking of Automobiles.....", was presented.

The Mayor said, for the benefit anyone here interested in the ordinance, that it is proposed as recommended by the Chief of Police. He reviewed the Ordinance, and said that it was up for introduction, although hearing was not set for this time; hearing is to be set.

L. C. Vinson, representing a Governor's committee, spoke. He stated that there is objection to the proposed ordinance having to do with loss of use of both lower extremities.

The Mayor asked how many who have lost 1 leg would be affected.

Councilman Schneider spoke to Mr. Vinson regarding answering the "lady's letter", which had been referred to by Mr. Vinson but not filed.

Mr. Vinson said that if she were to lose the parking privilege she would lose her work. He told of having 3 amputees in his office.

Councilman Schneider wondered if she could walk a half block.

Mr. Vinson said no, but that he was not up here to defend "her" (the woman referred to was never identified). He told of talking to dozens every day.

Chief of Police A. E. Jansen told the Council that he would be guided by police surgeon's decision, in that it is a matter of medical determination.

Councilman Burgener said that it might be necessary to broaden language of the ordinance.

The Mayor said that the Chief would be guided by the police surgeon; that he wants to rule out people who are not entitled to the parking privilege.

Councilman Schneider said that those who need it should have it; others should not.

Mr. Randall, who identified himself as DAV officer, spoke. He said that he thought that a hearing would be set, and he had a feeling that it would be. Mr. Randall said "it was written up for both...."

The Mayor said that if a doctor examines a single amputee, and it is found to be substantially same as 2, permit could be granted.

Councilman Schneider spoke of the Council and the Police Chief being open minded.

Mr. Randall said that an amputee can walk "good" sometimes; in the morning he can be good, but might not be good in the afternoon.

Councilman Schneider spoke of many abuses.

Chief Jansen said that there are any number of abuses.

Mr. Randall said that there should be real disability, and should not have to do with starting an automobile. He said that loss gives a hardship.

Councilman Schneider spoke about being interested in helping people to help themselves.

Councilman Schneider moved to set a hearing 1 week from today. There was no second. Then he moved to set a hearing 2 weeks from today.

On motion of Councilman Schneider, seconded by Councilman Burgener, ordinance amending San Diego Municipal Code regarding parking of automobiles by Physically Disabled Persons, and hearing set for 10:00 o'clock A.M., Tuesday, October 5, 1954, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

An unidentified man, who was learned later, after being asked his name by the Chairman at the request of the clerk, stated that he was Mr. Knight, asked for reconsideration of the Council's action in adopting Planning Commission denial for permit to divide portion of Lot 104 Pueblo Lands into 2 lots, was heard.

Harry C. Haelsig, Assist. Planning Director, spoke of the 2 parcels, owned by Mr. Knight and Mr. Bailey, in the Oldfield property. He told of Mr. Oldfield having had a variance.

Councilman Burgener spoke directly to Mr. Haelsig about the proposed cul de sac.

Mr. Haelsig's reply was that Mr. Oldfield divided the property into 4 parcels, and sold 2: to Bailey and Knight. He told of the finds to be made, and said that reduced lot size would be to the point that they would not be permitted.

Councilman Kerrigan spoke of property being left in zone which would not permit development.

Councilman Schneider said that it is developed.

Mr. Haelsig said that there was a tentative map. He said that property is down to minimum size, with no dedicated street frontage.

Mr. Knight said that Mr. Oldfield gets the benefit; he (Knight) gets 3,000 square feet cut off his property. He said that there is a 40 foot bulldozed road, now.

Amendment to Municipal Code re parking by physically handicapped persons (unscheduled hearing)

Reconsideration re property split in P.L 104 (unscheduled hearing)

Councilman Wincote asked why a 56-foot street?

Mr. Haelsig referred to being 36 feet between curbs, and that 1/2 width street could be permitted.

Mr. Knight said that Mr. Oldfield sold the property as building lots; he pays \$120.00 per month.

Councilman Kerrigan stated that Mr. Oldfield should have deeded the street.

Councilman Burgener asked "what's wrong with a cul de sac"?

Mr. Haelsig said that it becomes a problem with City trucks. He said that 2 have to be coordinated together (property in question, and Machinske's).

Mr. Knight said that his lot goes around the corner, and that it would be hurt more than anybody's. He stated that he bought the lot with a Tentative Map, that they have to have a road, which is not dedicated.

Councilman Wincote said that there was not a dedicated street.

Councilman Schneider said that the buyers have recourse in law if they had been misled.

Mr. Haelsig said that it is not satisfactory to dead-end a street.

There was discussion between Councilman Wincote and Mr. Haelsig regarding a first map, having to do with proposed development.

Councilman Wincote said that Mr. Machinske had stated that he would cooperate; and the Council was delighted, but that Mr. Oldfield would not cooperate.

Mr. Haelsig said that it is not up to the City government to determine what should be done. He spoke of granting local streets in subdivisions.

Councilman Godfrey said that it is an unfortunate position.

Councilman Kerrigan was excused

Councilman Godfrey said that City requirements can't be revised on account of a bad situation.

Councilman Wincote pointed out that the Oldfield situation came up before Mr. Machinske decided to subdivide.

Councilman Godfrey recalled that it came up as a zoning matter, and that there was then decision made to chop up the property. He said that discussion regarding street was beside the point of zoning.

Mr. Knight spoke of wanting to build

Councilman Wincote said that Oldfield has 2 10,000; 20,000; and 40,000 ft size parcels.

Mayor Butler left the meeting, and Vice Mayor Wincote took the Chair.

Mr. Knight said it "would make a nice little hide away".

Mr. Haelsig showed Councilman Burgener a map of the Oldfield variance, which he said had expired. He said that it was bad, regarding not being revied by the Planning Commission. He pointed out that an error was made in buying, when there was no frontage and access.

Councilman Wincote said that 2 men were in, and told that they would take care of the situation. He said first there was the Oldfield property; then Mr. Machinske came into the picture. He declared that change should not be made. He said that there could be condemnation through the Oldfield property.

Mr. Haelsig said that reinstating the variance would not solve the problem; it was for only 1 parcel.

Councilman Godfrey said that it got into zoning; Machinske would cooperate; Oldfield would not.

Councilman Wincote stated that there could be a condemnation.

Councilman Godfrey asked who would pay.

Councilman Wincote spoke of a letter.

Councilman Godfrey stated that effort was made to help people out of trouble.

Councilman Wincote charged that Planning is interfering in the plan.

Councilman Kerrigan returned

Councilman Wincote, as Vice Mayor, said that property is unuseable.

Councilman Godfrey said that there could be a variance.

Councilman Burgener said that it is totally different from the original idea.

Mr. Knight told the Council that easement is in the deed.

The Vice Mayor said that it is unsatisfactory to property owners; Council is trying to protect them.

There was discussion between the Vice Mayor and Mr. Haelsig over an understanding.

Vice Mayor Wincote stated that Mr. Machinske had said he would cooperate.

Councilman Schneider moved to postpone the matter 1 week.

Councilman Godfrey said that lack of planning created the original problem.

The Vice Mayor said that he was willing to go back to the "old status".

Mr. Knight spoke to Councilman Godfrey spoke directly to Councilman Godfrey regarding not being able to build, when he buys.

Councilman Godfrey said that he would investigate.

Allan Firestone, Deputy City Attorney, said that it was not an illegal sale.

Councilman Godfrey said that the 2 had thought they purchased building sites.

Recommendation re property split in P.L. 104 (unscheduled hearing)

Mr. Firestone pointed out that the City is not a party to the contract between the buyer and the seller.

There was discussion between the Vice Mayor and Councilman Godfrey regarding building sites.

Councilman Godfrey seconded the motion to continue the Planning Commission's report 1 week - to Tuesday, October 5, 1954. The roll was called, and the item continued. The item is shown on page 135 of these Minutes, also.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full prior to final passage was dispensed with by 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. 6266 (New Series), recorded on Microfilm Roll No. 85, incorporating portions of Palm Heights and Idyllwild into R-4 Zone as defined by Section 101.0408 of San Diego Municipal Code and repealing Ordinance No. 12988 adopted October 20, 1930, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Burgener, 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 Burgener, the next ordinance was introduced.

On motion of Councilman Schneider, 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. 6267 (New Series), recorded on Microfilm Roll No. 85, appropriating \$22,500.00 from Capital Outlay Fund for providing funds for replacement of sewer in 42nd Street, Copeland Avenue, Monroe Avenue, Van Dyke Avenue, Madison Avenue, Alder Drive and Hilldale Road, in Kensington Park area, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, 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, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, reading of the 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. 6268 (New Series), recorded on Microfilm Roll No. 85, appropriating \$5,400.00 from Capital Outlay Fund for providing funds for construction of sanitary sewer in Midway Drive across Block 8 Drucker's Subdivision, and in Jupiter Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, 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 Kerrigan, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading of the 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. 6269 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Sea Breeze Drive between line parallel to and distant 113.41 feet southerly from westerly prolongation of northerly line of Lot 7 Block 3 La Huerta, and line parallel to and distant 213.41 feet southerly from said parallel line, 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.

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

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading of the 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. 6270 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Calle Gaviota, between line parallel to and distant 30.95 feet southerly from easterly prolongation of northerly line of Lot 13 Block 13 La Huerta and a line parallel to and distant 130.95 feet southerly from said parallel line, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Recom re property split in
P.L. 104 cont 1 wk
6266 N.S. - 6270 N.S.

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. 6271 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Moanoke Street, between easterly line of Sea Breeze Drive and westerly line of Calle Gaviota Street, 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.

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. 6272 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Camino de la Costa, between line drawn southerly at right angles to northerly line of Camino de la Costa from point of intersection of northerly line with northwesterly line of Electric Avenue, and radial line bearing S 16° 35' 31" E. through point on northerly line of Camino de la Costa distant therealong 97.81 feet easterly from southwesterly corner of Lot 13 Block 27 La Jolla Hermosa Unit No. 2, 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--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. 6273 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Via del Norte, between radial line bearing north 28° 15' 19" west through point on northwesterly line of Lot 1 Block B La Jolla Hermosa Unit A, distant therealong 19.11 feet southwesterly from most northerly corner Lot 1, and radial line bearing south 15° 44' 41" west through point on southerly line of Lot 2 Block 24 La Jolla Hermosa Unit 2, distant 21.36 feet easterly from southwesterly corner of said Lot 2, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Godfrey, 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. 6274 (New Series), recorded on Microfilm Roll No. 85, establishing grade of La Canada, between line drawn parallel to and distant 42.63 feet northeasterly from northeasterly line of La Jolla Hermosa Avenue and line parallel to and distant 80.13 feet northeasterly of said parallel line, 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.

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

On motion of Councilman Burgener, seconded by Councilman Godfrey, 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. 6275 (New Series), recorded on Microfilm Roll No. 85, establishing grade of Alleys Block 2 Ocean View, and Block 5 Ocean Beach Park, between northwesterly line of Guizot Street and southeasterly line of Froude Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, 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 Dail, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Dail, 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. 6276 (New Series), recorded on Microfilm Roll No. 85, establishing grades of East and West Alley Block 4, West Teralta, between west line of 32nd Street and northeasterly line of Boundary Street, North and South Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta between north line of East and West Alley said Block, and the south line of Meade Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Mayor Butler returned, but did not take the Chair
Vice Mayor Charles B. Wincote continued to act as Chairman to the end of the meeting.

Ordinance amending San Diego Municipal Code regulating Storage, Use, Transfer and Transportation of Liquefied Petroleum Gas, was listed on the agenda to be introduced - hearing having been held on September 23 at which time it was referred to Conference.

The Mayor stated that Councilman Kerrigan asked for a briefing regarding distances. He said that Penrose prefers to have Chief Courser here on that point.

A. C. Penrose, Assistant Fire Chief, suggested that he would be back about October 19.

Councilman Burgener said that the subject had been under discussion for 2 or 3 years. He stated that the Fire Department and Mr. Dowdy (S.D. Liquid Gas & Appliance Co.) are miles apart. He expressed the belief that they will never get together. He spoke of distances set up: The State of California has detailed use; San Diego County is operating under them. He told the Council that bulk storage record is satisfactory. Chief Penrose said that Los Angeles has an ordinance more strict than that of the State. He spoke of San Diego adopting portion of the Los Angeles ordinance. He said that distances should be modified, if not eliminated. He spoke of various views on the subject. Chief Penrose said that he wants the ordinance more severe than the State, less severe than Los Angeles.

The Mayor stated that the City has to look at the picture over the United States. He declared that the LPG is more dangerous or explosive than gasoline.

Councilman Burgener spoke to Sydney Franklin (Fire Marshal), Battalion Chief, Fire Department, regarding distances.

Councilman Schneider spoke to Chief Penrose about the difficulty of 5 years ago in connection with difficulty over the self-service gasoline stations proposed at that time, in connection with various hearings on a regulatory ordinance. He asked about the effect.

Chief Penrose answered that there has been very little trouble from self-service of Gasoline.

Discussion followed between Councilmen Godfrey and Schneider regarding the then-proposed regulation on self-service gasoline.

Councilman Wincote spoke about it having been going over a long period of time. He contended that the Council should decide today. He said that the Chiefs' view would be no different. He wanted a plot plan of the Dowdy property.

Councilmen Dail and Burgener felt the Council should go ahead with the regulation.

Councilman Burgener moved that the proposed ordinance be amended, to change the 25-foot distance to be reduced to 20 feet; the 50-foot distance to be reduced to 25 feet; the 75 foot distance to be reduced to 50 feet; 20,000 gallons and above to be 75 feet. (The motion also included omission of the streets and alleys in the distances, but there was discussion on that point, and when the Clerk asked the Mayor if it was in the motion when the roll was called later he said that it was not).

Phillip Lawlor, Budget Officer, who had worked on the ordinance earlier, said that it is in the Los Angeles ordinance. Dowdy

Councilman Wincote asked Mr. Dowdy for a plot plan.

Mr. Dowdy said that there are other plants involved, and does not want the issue to become personal. He added that several others would come under the regulation.

The Mayor said that they would be by variance.

Councilman Kerrigan contended that there is no provision for variance in the proposed ordinance.

Mr. Dowdy reviewed the adjoining properties, at the request of Councilman Burgener.

Councilman Wincote said that he wanted to carry out the State law, with minor adjustments regarding fences, size limitation, and mobile equipment.

Councilman Burgener expressed the belief that distances are fair.

Councilman Burgener spoke to Chief Franklin regarding Division 2 - tanks.

Chief Franklin referred to them as storage.

Mr. Dowdy said that Griffith Construction Co. has a tank, and spoke of putting in under the State Code.

Councilman Wincote said that Solar Aircraft had LPG stored close to the railroad right of way, if he was not mistaken.

Chief Franklin said that it was 88'6" from the roadway; he measured it. He did not say anything about the railway right of way.

Councilman Wincote said he thinks it is not more than 25 feet (from the railroad).

Chief Franklin replied that spur track does not count.

Councilman Wincote seconded the motion made by Councilman Burgener to amend the distances as proposed in the Ordinance presented.

At this point, when Walter Schwarz tried to speak, the Mayor said that the hearing was closed.

Councilman Wincote then spoke to Mr. Schwarz.

Mr. Schwarz stated that distances proposed in the Ordinance would eliminate his plant. He spoke of being 15 feet from walkway, approximately 20 feet from the street - 4,000 gallon tank - 50 feet from other property lines.

There was discussion between several Councilmen and Mr. Schwarz.

Mr. Schwarz told the Council that he failed to see the difference between distances of 15 and 20 feet.

Discussion continued between several.

Councilman Kerrigan spoke of going with the State in isolated areas, and being left for municipal government to control where dangerous.

Councilman Godfrey stated that the State does not regulate in densely populated areas.

The Vice Mayor said that the Fire Department started the idea on distances regarding fire fighting purposes. He said that the regulation would hit Mr. Schwarz, Griffith, Solar, maybe American Products, and others whom he did not name.

Mr. Lawlor said that American Products would not be affected.

Councilman Schneider spoke to Mr. Schwarz regarding time limit.

Mr. Schwartz's reply was that there is set up for storage in the County, for operation in San Diego, Chula Vista and Coastal areas.

Councilman Dail spoke of interest in distances. He said that the Council is getting away from the overall value to the Fire Department. He said that if the distances get into the ordinance, there will be a division among Councilmen.

Councilman Godfrey observed that time will have to be given to re-arrange properties.

Vice Mayor Wincote said that the Council could argue all day and next week on the issue. He said that he wants to talk with various people, and have plots on all installations in San Diego. He wondered if in offering assistance it is known what is being done.

Mr. Schwarz suggested recommendation on distances by the Fire Department, over the State code.

Councilman Godfrey recalled that somebody was going to put LPG tank on Imperial (Avenue), but that property owners objected.

Councilman Schneider stated that 5 or 10 feet would make little difference.

Councilman Godfrey said that the Council would not be adopting the ordinance, just amending provisions.

Vice Mayor Wincote said that the Schwarz suggestions on eliminating streets and sidewalks would be O.K.

The question was called for on the motion, regarding distances. Councilmen Burgener and Wincote voted yea; Councilmen Schneider and Kerrigan voted nay. Before the roll call could be completed Vice Mayor Wincote said that his was a qualified vote, regarding distances of streets and alleys.

The roll call was interrupted - and not completed.

Councilman Godfrey spoke to Chief Franklin.

Chief Franklin spoke regarding a fire in Los Angeles, and regarding street width through the area. He said that they always get hung up.

Vice Mayor advocated forgetting about the issue, and going along with the State Code.

Councilman Schneider said that it has been in use for 20 years, and all of a sudden a change is discovered.

Councilman Godfrey said that plumbers are satisfied.

Mr. Lawlor said that Mr. Rudolph had said they have....(he did not continue the comment, which was interrupted).

An unidentified man in the audience said that most all plumbers would have more (distance) than required. He said that it would affect virtually all.

Councilman Kerrigan moved to continue the ordinance 1 week.

The motion, on which vote was called, partially, was withdrawn.

Councilman Godfrey said that Council should determine regarding quantities on mobile equipment.

Councilman Schneider moved that not more than 100 gallons be allowed, for Section 55.06.2 of the Ordinance. Motion was seconded by Councilman Burgener, but roll was not called. Instead, there was another motion.

Councilman Kerrigan moved to table the ordinance 1 week.

Vice Mayor Wincote said that small deliveries are under 100 gallons, on the average, according to Mr. Dowdy.

Councilman Godfrey moved to adjourn.

City Attorney DuPaul said that increasing from 50 to 100 gallons, the regulatory ordinance makes it more liberal than for gasoline.

Councilman Wincote moved to table.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the ordinance was continued, and the item referred to Conference.

Ordinance amending San Diego Municipal Code, regulating Subdivisions, was presented.

George Forbes told the Council that it had been heard that the Ordinance had been postponed indefinitely, then heard yesterday that it was to be brought up today. He asked for continuance of 2 weeks. He said he wanted it defined what is a legal building site. He agreed with Councilman Kerrigan that sale could not be stopped.

Councilman Kerrigan spoke to Mr. Forbes over the effect.

It was moved by Councilman Schneider that it be continued 2 weeks. There was no second, so he moved continuance for 4 weeks.

Councilman Wincote, as Vice Mayor, said that practice which is being followed, is out of line.

Councilman Godfrey moved to set the ordinance for introduction in 3 weeks.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the Clerk was directed to list the ordinance on the agenda for 3 weeks from this date - October 19, 1954.

John Griffith told the Council he wanted to be advised. He did not clarify on what he wanted to be advised.

On motion of Councilman Dail, seconded by Councilman Burgener, ordinance authorizing City Manager to execute lease covering portion of Pueblo Lot (with W. J. Peavey) 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 Dail, seconded by Councilman Burgener, Ordinance accepting and consenting to assignment of Pueblo Lands Lease (in P/L 1311) executed by Star and Crescent Oil Company, Assignors, and Tide Water Associated Oil Company, Assignees, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Vice Mayor Wincote requested, and was granted, unanimous consent to present the next item, which was read by the Clerk:

RESOLUTION NO. 120476, recorded on Microfilm Roll No. 85, being opinion of the Council that best interests of the City require that City refuse to serve water to consumers residing outside the political boundaries of the City, except in following instances: Where obligated by law or contract; where the water is to be served to governmental or public agencies for direct benefit of the public; temporary service to contractors for construction of public improvements from which the City derives a direct or indirect benefit; and in other instances by bulk sale of limited amount of water for limited time when the Council feels that because of unusual circumstances the interests of the City will be served by permitting such service, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Mayor Butler, who had returned to the Council meeting but who had not resumed chairmanship of the meeting, stated that the Council ought to decide regarding 3 sewer resolutions:

1. The hiring of 3 engineers;
2. Participation in sewer project by others than City of San Diego;
3. Enlarging of the committee.

The Mayor stated that the Council should have a conference on the subject on Thursday.

RESOLUTION NO. 120477, recorded on Microfilm Roll No. 85, authorizing Mayor Butler to invite representation at a conference to be held Thursday, September 30, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 12:18 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

Ord amending Municipal Code re
subdivisions cont to Oct 19
Ords introduced
120476 & 120477 (U. C.)

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 30,
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 rezoning from R-4 to RC of the westerly 50 feet of Lot 2 Block 6 Roseville, and Lots 5 and 6 Block 4 New Roseville, Harry C. Haelsig showed members of the Council a map of the property. He told of petition of property owners for variance, for business to the north.

RESOLUTION NO. 120478, recorded on Microfilm Roll No. 85, requesting City Attorney to prepare and present necessary ordinance for rezoning portion of Block 6 Roseville and portion Block 4 New Roseville, from R-4 Zone to RC Zone in accordance with recommendation of the City Planning Commission in Document No. 498654; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Prior to roll being called on the Resolution, Councilman Schneider and the Mayor said that there is to be a hearing.

The Clerk said that this is the hearing.

Councilman Godfrey entered

A woman, who did not identify herself, other than she is the petitioner for the rezoning, said she is in favor of such action. She said that she assumed the ordinance to rezone would be passed.

The Mayor advised her to assume nothing.

At this time the roll was called on the motion, to request the Ordinance, and set the hearing.

The hour of 10:00 o'clock A.M. having arrived, the time set for appeal of Emma M. and John J. Rakich and others from decision of Board of Zoning Adjustment granting permission to F. A. Lula E. Richison to construct single family residence and maintain kitchen in existing apartment above garage on Lot L Block 321 Horton's Addition, and portion of Block 321 Horton's Addition, incl. portion of Palm and Albatross Streets closed adjacent - at 2870 Albatross Street - Zone R-1, under certain conditions, the report was read by the Clerk. Next, the appeals were read by the Clerk.

George W. Fishburn, M.D., asked by the Mayor if he wished to say anything, said that it would be the same as the written protest.

The Mayor said that the item had been considered in conference.

Harry C. Haelsig, Asst. Planning Director, reported relative to an agreement in connection with the apartment being not rented separately, but that it would be for use of servants quarters. He said that agreement would run with the property, and restrictions would be included in connection with any conveyance.

Councilman Wincote stated that use for servants is in one sense a form of rental.

Councilman Wincote moved to sustain the appeal, and overrule the Commission. Motion was seconded by Councilman Kerrigan.

F. A. Richison, Capt. USN, was heard. He referred to having filed a letter (it must have been with Planning, since it was not in the Clerk's file), to the effect that premises will not be rented separately.

The Mayor said, again, that the Council has considered the item in Conference. He stated that if the variance is granted by the Council it cannot deny the same thing to others in the neighborhood. He said that would result in a zone change.

Councilman Kerrigan spoke directly to Capt. Richison regarding resulting effect.

Capt. Richison said that he would not leave his home open 3 or 4 months open for servants, so kitchen quarters for them would be needed.

Councilman Wincote pointed out that the City does not allow kitchens in rumpus rooms.

Councilman Schneider said that one can have servants without separate kitchens for them.

Councilman Burgener spoke directly to a large group of opponents in the audience.

RESOLUTION NO. 120479, recorded on Microfilm Roll No. 85, sustaining appeal of Emma M. and John J. Rakich and others from the decision of the Board of Zoning Adjustment in granting by Resolution No. 8447 permission to F. A. and Lula E. Richison to construct single family residence and maintain the kitchen in existing apartment above garage, on Lot L Block 321 Horton's Addition and portion of Palm and Albatross Streets closed adjacent - at 2870 Albatross Street - Zone R-1, with condition included,

Hearings
120478 - 120479.

overruling the Board's action, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The Mayor requested, and was granted, unanimous consent to present the question of fire insurance. He spoke to Sam Loftin, of Farmers' Insurance.

Mr. Loftin said that he does not know what has transpired, but that bid of his company for the City insurance is low.

The Mayor replied that there has been no decision made.

Several Councilmen spoke directly to Mr. Loftin.

Mr. Loftin said that he was not notified about the meeting.

Councilman Godfrey told Mr. Loftin that he was called, but that he did not attend the Conference.

Mr. Loftin answered that he knew nothing of it.

Councilman Wincote spoke to Mr. Loftin about the Council having questioned rating and reciprocal carrying excesses. He said that the Fire Commissioner of California recommends that the reciprocal be not used by municipalities. Councilman Wincote said that the bidder was low on account of the last Charter change. He declared that the services of the Insurance Committee had been helpful. He said that the City should accept, or vote to delay for 30 days, and pick up a binder to make determination.

The Mayor spoke about original determination when the City was not required to go to bid. He said that 5-A rating was put in regarding history. He stated that the insurance has been handled by companies, as a service, not as a business. He declared that bids could be thrown out and advertised under new specifications.

Councilman Dail said that there is a question of the specifications.

Councilman Wincote said that the City has leeway regarding where getting greatest service and values.

Mr. Loftin said that he and the Purchasing Agent have a letter regarding his authority, which he read in part. Mr. Loftin contended that he has as efficient claim service as any in San Diego; that it is completely, adequately staffed. He said that in the last 12 months, banks have honored over \$800,000.00 checks. He told of offices in the County. Mr. Loftin said that he had been in the office for 18 years, as manager.

Councilman Dail said that the Council is interested in the past status quo, stock company, and interest of people of City of San Diego. He told of the City having had advice of most of insurance services in the City. He said that there is a public policy regarding distribution.

Mr. Loftin pointed out to the Council that he will not be invited to join the Insurance Agents Association. He stated that he would be as popular as a skunk at a lawn party. He told of triple A coverage. Then Mr. Loftin read a paragraph regarding notice "to get at surplus of both". He said that his company has both. The speaker said that the City has a good committee, but that it should not be closed to members of the Insurance Agents Association.

Councilman Burgener spoke of not being familiar with the situation, and not being prepared to decide today.

Councilman Dail said that the Council has to set a policy.

The Mayor said that the Purchasing Agent may request a policy rider.

Councilman Wincote said that it has to be acted on today, or be thrown out.

City Attorney DuPaul's answer to that was "No".

Councilman Schneider said that the question has risen on account of the Charter change, has to do with advertising for bids, on the same basis as "this", except 1 year. He said that Charter could be changed.

The Mayor said that the City would purchase one fifth every year.

George Murch was requested by the Mayor to make a statement. He stressed the point that there is no element of personality or company involved. He said that he has the idea that the insurance does not lend itself to lump sum bidding. He felt that there should be negotiation. He spoke of no freeze regarding negotiation. He told of having negotiated himself out of the business with the City. He said that the bidding idea got into the Charter change as a fluke. Mr. Murch stated that the matter was called to the attention of the authorities at the time it went on the ballot. He mentioned that the Charter says it is not right to negotiate. Mr. Murch pointed out that he and his office are not in business with the City. He stated that negotiation is the best thing in the long run. He took the position that over a period of years the City has bought less expensively on negotiation. He said that it is a bad mistake (the bidding); it is not done in private industries and municipalities. Mr. Murch said that the subject is important regarding promise to pay, and the service.

Councilman Schneider spoke directly to Mr. Murch about re-submitting, with a 1 year stipulation. He said that he can see Mr. Murch's point, but that the proposal was in accordance with the Charter. He said that Mr. Loftin might bid.

Councilman Wincote said that he would then give the insurance on the low bid on 5 year basis, then consider for the future.

Mr. Murch spoke of having a pattern of various phases of better coverage under a basic program.

Councilman Wincote asked if it had been tried, under the Charter requirements.

The Mayor said "No"; they can be thrown out, and advertised under new specifications.

Fire insurance question - hearing
(not scheduled; under unanimous consent)

Mr. Murch said that there is wide difference of opinion on types. He said that organized agents did not espouse the idea regarding capital stock theory. He said that the clause could have been inserted in the specifications. He said that the only alternative would be to re-draw the specifications.

Councilman Burgener said that it is an interesting question, that it should continue the present insurance for 30 days, and hear more from that familiar with the problem.

RESOLUTION NO. 120480, recorded on Microfilm Roll No. 85, directing the Purchasing Agent to secure a 60-day extension on the present City fire insurance, and continue the matter for 60 days from date of this Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120481, recorded on Microfilm Roll No. 85, referring to Council Conference for consideration in 4 weeks from date of this Resolution, the question of Fire Insurance for the City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120482, recorded on Microfilm Roll No. 85, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Bookmobile in accordance with Document No. 498657, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120483, recorded on Microfilm Roll No. 85, accepting bid of San Diego Pipe & Supply Co. for furnishing 8 tons Calking Lead at \$2,761.60 plus State sales tax, terms 2%, 30 days; 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120484, recorded on Microfilm Roll No. 85, accepting bid of Griffith Company for Improvement of Yacht Harbor Drive and Tyron Street, Shelter Island, for Harbor Department, for \$25,985.00; 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 Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, recommending approval of the Final Map of Catoctin Tract Unit No. 4, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 120485, recorded on Microfilm Roll No. 85, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Al V. Carpenter and Jane A. Carpenter, for installation and completion of unfinished improvements and setting of monuments required for Catoctin Tract Unit No. 4 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. 120486, recorded on Microfilm Roll No. 85, adopting Map of Catoctin Tract No. 4, being portion of Lot 30 La Mesa Colony, and portion of Lots 30 and 31 Catoctin Tract Unit No. 2; accepting on behalf of the public Alumni Place, Roxy Lane and unnamed easements shown thereon for public purposes; declaring them to be public streets and unnamed easements and dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that streets and unnamed easements are accepted on behalf of the public; directing Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Lahoud Terrace, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 120487, recorded on Microfilm Roll No. 85, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with George J. Lahoud and Elizabeth L. Lahoud, and Arthur J. Wullich and Dorothy H. Wullich, for installation and completion of unfinished improvements and setting of monuments required for Lahoud Terrace 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 Wincote, adopted.

RESOLUTION NO. 120488, recorded on Microfilm Roll No. 85, adopting Map of Lahoud Terrace Subdivision, a subdivision of Lots 17 to 32 inclusive Block 17 First

Communications
120480 - 120487

Addition to Asher's Cloverleaf Terrace, together with portion of Lot 5 in Pueblo Lot 255 ; accepting portion of Asher Street, portion of Lieta Street and portion of Tonopah Avenue, and unnamed easement; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that portions of streets and portion of avenue and unnamed easement 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, California, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 120489, recorded on Microfilm Roll No. 85, authorizing and directing City Manager to execute for and on behalf of The City of San Diego a contract with La Jolla Mesa Lands, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Vista Unit No. 1; directing the City Engineer to present ordinance establishing official grades of all ~~all~~ streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120490, recorded on Microfilm Roll No. 85, adopting Map of Muirlands Vista Unit No. 1, subdivision of portion of Southerly half of Pueblo Lot 1774; accepting on behalf of the public Rutgers Road, Colgate Circle, Citadel Circle and Clemson Circle, portion of Bescano Road and portion of La Jolla Scenic Drive, together with unnamed easements for public purposes; directing them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that streets, portions of public streets, together with 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120491, recorded on Microfilm Roll No. 85, granting permission to Richard H. Ames to conduct cabaret with paid entertainment at The Algiers, 6205 El Cajon Boulevard, where liquor is sold; subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120492, recorded on Microfilm Roll No. 85, granting permission to Frank A. Balistrieri to conduct cabaret with paid entertainment at "Lobby Cafe", 820 Broadway 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.

RESOLUTION NO. 120493, recorded on Microfilm Roll No. 85, granting permission to Fitzall Enterprises to conduct cabaret with paid entertainment at Club Bali, 6179 University Avenue, where liquor is sold; subject to regular license fee, and compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120494, recorded on Microfilm Roll No. 85, granting permission to Vera M. Graham to conduct cabaret with paid entertainment at the "Hollywood", 3112 University Avenue, where liquor is sold; subject to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120495, recorded on Microfilm Roll No. 85, referring to Council Conference communication from Sam S. Shapira, 4661 Cherokee Avenue, re need of Convention Hall, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120496, recorded on Microfilm Roll No. 85, authorizing City Manager to accept work on behalf of The City of San Diego in Bellevue Heights Unit No. 6 Subdivision, and execute Notice of Completion and have same recorded, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution refers to Agreement Document No. 439548 which City Engineer has certified that work and improvement required to be done has been completed to his satisfaction.

Communications
120489 - 120496

RESOLUTION NO. 120497, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with J. B. Howell Plumbing & Heating Co., leasing to City a store building located at 3827 Ray Street for North Park Branch Library, for term of 3 years commencing October 1, 1954 at monthly rental of \$175.00, under terms and conditions set forth in lease agreement filed in office of City Clerk as Document No. 498776, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120498, recorded on Microfilm Roll No. 85, authorizing and empowering City Manager to accept on behalf of the City the permit to construct and maintain City sewer line across portion of Public Housing CAL.4257 (Bayview Terrace) upon terms and conditions contained in letter dated September 14, 1954 received from Public Housing Administration Housing and Home Finance Agency, and the City Engineer shall indicate such acceptance by endorsing the letter, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that by letter dated September 14, 1954, Public Housing Administration Housing and Home Finance Agency has indicated that it will grant permission to City of San Diego, subject to terms and conditions contained in said letter, to construct sewer across portion of property occupied and used by United States Government Housing Project CAL.4257, sewer for purpose of serving Kate Sessions Elementary School, that City Engineer has recommended acceptance of permission under terms and conditions contained in said letter.

RESOLUTION NO. 120499, recorded on Microfilm Roll No. 85, approving Change Order No. 4, dated July 6, 1954, heretofore filed with City Clerk as Document No. 498674, 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 on file in office of City Clerk; changes amounting to increase in contract price of \$1,097.91, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120500, recorded on Microfilm Roll No. 85, approving request of Griffith Company, dated September 23, 1954, contained in Change Order No. 1, for extension of 15 days, to and including October 15, 1954, heretofore filed with City Clerk as Document No. 498676, in which to complete contract for resurfacing 54th Street, University Avenue to El Cajon Avenue, et al., contract contained in Document No. 498087 on file in office of City Clerk; extending completion time to October 15, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120501, recorded on Microfilm Roll No. 85, 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 Lots 12, 13, 14, 15, 17 Block 2 Tres Lomas, 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. 120502, recorded on Microfilm Roll No. 85, 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 Lots 11, 12, 13, 14, 15, Block 9 Tres Lomas, 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. 120503, recorded on Microfilm Roll No. 85, 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 Lots 22, 23, 24, 25, 32, 34, 36, 37, 38 Block 10 Tres Lomas, 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. 120504, recorded on Microfilm Roll No. 85, 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 Lots 38, 29, 30 Block 10 Tres Lomas, 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. 120505, recorded on Microfilm Roll No. 85, 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 28 Point Loma Terrace Unit 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; 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. 120506, recorded on Microfilm Roll No. 85, 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 Lots 21, 22, 23, 24 Block 21 Western Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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. 120507, recorded on Microfilm Roll No. 85, 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 Lots 26, 27, 33, 35 Block 10 Tres Lomas, 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. 120508, recorded on Microfilm Roll No. 85, 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 1 Block 33 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 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. 120509, recorded on Microfilm Roll No. 85, 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 northwesterly half of Lot "C" Pueblo Lot 262, excepting Northeasterly 330 feet, 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. 120510, recorded on Microfilm Roll No. 85, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against strip of land 50.0 feet wide in South One-half of Lot 16 Ex Mission Lands, 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. 120511, recorded on Microfilm Roll No. 85, 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 Northly 20.00 feet of Southerly 145.00 feet of Westerly 290.00 feet of Acre Lot 48 Pacific Beach, 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. 120512, recorded on Microfilm Roll No. 85, denying claim of Harold C. Fredricks, on file in Office of City Clerk under Document No. 494626, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120513, recorded on Microfilm Roll No. 85, 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 Robert LeRoy Shrum and Leases Shrum, all real property being easement for right of way for construction, operation and maintenance of storm drain, or drains and appurtenances in portion of Pueblo Lot 1788; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantees, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Resolution states that owners of portion of Pueblo Lot 1788 granted to The City of San Diego easements and rights of way for storm drains and appurtenances across portion of the property, that subsequent to acquisition of easements by the City it was determined that easements would no longer be required because project for which acquired had been abandoned; that City has no present or prospective use for easements and City Manager recommends that City quitclaim its interest therein to owners thereof.

RESOLUTION NO. 120514, recorded on Microfilm Roll No. 85, accepting subordination agreement, executed by George Bennett and Grace M. Bennett, beneficiaries and Union Title & Trust Company, trustee, bearing date September 22, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lots 6, 7 and 8 Block 11 Bungalow Park Addition, to 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 of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120515, recorded on Microfilm Roll No. 85, accepting deed of Herbert J. McChrystal, bearing date September 21, 1954, conveying Lot 7 Block 4 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 Wincote, adopted.

RESOLUTION NO. 120516, recorded on Microfilm Roll No. 85, accepting deed of Lillian Newton Clark, bearing date September 27, 1954, conveying Lot 1 Block 41 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120517, recorded on Microfilm Roll No. 85, accepting deed of Nick Glaviano and Alice Glaviano, bearing date September 21, 1954, conveying Lot 4 Block 57 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 Wincote, adopted.

RESOLUTION NO. 120518, recorded on Microfilm Roll No. 85, accepting deed of Walter L. Hoesly and Jessie M. Hoesly, bearing date September 24, 1954, conveying Lot 6 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120519, recorded on Microfilm Roll No. 85, accepting deed of John Carl McCain and Calar Adele McCain, bearing date September 24, 1954, conveying Lot 3 Block 41 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 Wincote, adopted.

RESOLUTION NO. 120520, recorded on Microfilm Roll No. 85, accepting deed of Margaret Kohn Schulhof, bearing date September 10, 1954, conveying Lot 14 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 Wincote, adopted.

RESOLUTION NO. 120521, recorded on Microfilm Roll No. 85, accepting deed of Thomas J. Pugmire and Pearl A. Pugmire, bearing date September 3, 1954, conveying portion of Lot 2 Block 2 Longview Acres; 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 Wincote, adopted.

RESOLUTION NO. 120522, recorded on Microfilm Roll No. 85, accepting deed of Nora E. Jennings, bearing date August 27, 1954, conveying easement and right of way for street purposes in portion of Lot 20 La Mesa Colony, setting aside and dedicating to public use as and for public street and naming it Acorn 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120523, recorded on Microfilm Roll No. 85, accepting deed of Albert Benjamin Rothbrock and Lelah Alice Rothrock, bearing date August 27, 1954, conveying easement and right of way for street purposes in portion of Lot 20 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it Acorn 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 Wincote, adopted.

RESOLUTION NO. 120524, recorded on Microfilm Roll No. 85, accepting deed of Frank Manescalchi and Tommasa Manescalchi, bearing date September 23, 1954, conveying easement and right of way for street purposes in portion of Lot 28 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it Catocin 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120525, recorded on Microfilm Roll No. 85, accepting deed of Walter M. Musgrave, bearing date April 20, 1954, conveying easement and right of way for street purposes in portion of Lot 35 La Mesa Colony; setting aside and dedicating land 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120526, recorded on Microfilm Roll No. 85, accepting deed of Ellen M. Butler, bearing date June 4, 1954, conveying easement and right of way for street purposes in portion of Lot 31 La Mesa Colony; setting aside and dedicating land 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120527, recorded on Microfilm Roll No. 85, accepting deed of Victor E. Carlson and Elsie Lenora Carlson, bearing date May 3, 1954, conveying easement

and right of way for street purposes in portion of Lot 35 La Mesa Colony; setting aside and dedicating land 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120528, recorded on Microfilm Roll No. 85, accepting Deed of William J. Moore and Dessie Moore, bearing date May 13, 1954, conveying easement and right of way for street purposes in portion of Lot 31 La Mesa Colony; setting aside and dedicating land as and for public and naming same 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120529, recorded on Microfilm Roll No. 85, accepting Deed of John B. O'Brien and Irene F. O'Brien, bearing date May 13, 1954, conveying easement and right of way for street purposes in portion of Lot 35 La Mesa Colony; setting aside and dedicating land 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120530, recorded on Microfilm Roll No. 85, accepting Deed of David V. Quinby and Evalyn L. Quinby, bearing date May 13, 1954, conveying easement and right of way for street purposes in portion of Lot 35 La Mesa Colony; setting aside and dedicating land 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120531, recorded on Microfilm Roll No. 85, accepting Deed of William H. Stevens and Ruth M. Stevens, bearing date April 28, 1954, conveying easement and right of way for street purposes in portion of Lot 35 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it 67th 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 Wincote, adopted.

RESOLUTION NO. 120532, recorded on Microfilm Roll No. 85, accepting Deed of Frank Vultaggio and Margaret Vultaggio, bearing date May 21, 1954, conveying easement and right of way for street purposes in portion of Lot 31 La Mesa Colony; setting aside and dedicating land 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120533, recorded on Microfilm Roll No. 85, accepting Deed of Roy A. Cook and Virginia R. Cook, bearing date September 23, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 42, 43, 44, 45 Pacific View Homestead Lots; 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 Wincote, adopted.

RESOLUTION NO. 120534, recorded on Microfilm Roll No. 85, accepting Deed of Iona Belle Jones, bearing date September 24, 1954, conveying easement and right of way for water main in portion of Lot 272 Talmadge Park 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 Wincote, adopted.

Ordinance amending San Diego Municipal Code regulating Storage, Use, Transfer and Transportation of Liquefied Petroleum Gas was listed on the agenda as a continued item, with hearing shown as having been held and the item referred to Conference for this date, was presented.

RESOLUTION NO. 120535, recorded on Microfilm Roll No. 85, referring to

Council Conference proposed Ordinance amending San Diego Municipal Code regulating storage, use, transfer and transportation of liquefied petroleum gas, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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

Application of Juan A. Vargas and Elizabeth C. Vargas, 904 Silverado Street, La Jolla, for Cabaret License at El Sombrero Cafe, was presented, together with recommendation of interested City departments for granting.

RESOLUTION NO. 120536, recorded on Microfilm Roll No. 85, granting permission to Juan A. Vargas and Elizabeth C. Vargas to conduct cabaret with paid entertainment at El Sombrero Cafe, 904 Silverado, La Jolla, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Councilman Godfrey requested, and was granted unanimous consent to present petition of New Palace Hotel, 480 Elm St., et al, addressed to Councilman Godfrey, appealing for assistance in securing twice weekly collection of trash and refuse in the business area consisting of about 4 blocks bounded by Date, Fir, 6th and 4th Avenues.

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

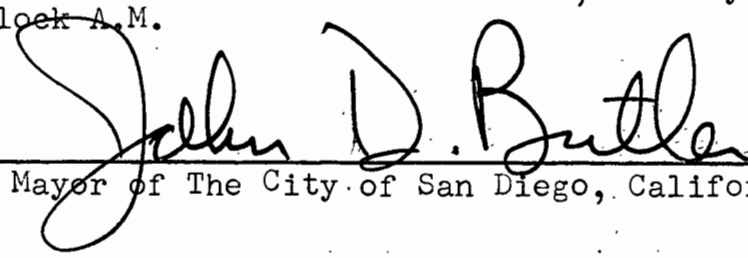
There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:44 o'clock A.M.

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, Calif-
ornia, Tuesday, October 5, 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 10:03 o'clock A.M.

The Mayor asked all to rise. He presented Rabbi Morton Cohen, of the Temple Beth Israel. Rabbi Coenn gave the invocation.

The Minutes of the regular meetings of Tuesday, October 21, 1954, and of Thursday, October 23, 1954, were approved by the Council, after which they were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been received October 1, 1954, at 10:00 A.M. for paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, from the following bidders: H. C. Dennis, T. B. Penick & Sons, Al E. Riley, Inc.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider, that bids were publicly opened, examined and declared, that the Purchasing Agent's report thereon be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received October 1, 1954, at 10:00 A.M. for paving and otherwise improving Long Branch Avenue and Spray Street, from the following bidders: H. C. Dennis, T. B. Penick & Sons, Al E. Riley, Inc.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 No. 120095 of Preliminary Determination for improvement of Orange Avenue, 51st Street, Trojan Avenue and Altadena 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. 120537, recorded on Microfilm Roll No. 85, determining that proposed improvement of Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue under Resolution No. 120095 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120005 for paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, the Clerk reported that no written

Invocation
Minutes approved
Hearings
Bids report
120095

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 Godfrey, 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. 120006 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.

On motion of Councilman Schneider, 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. 120007 for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Lane, Sycamore Drive, Snowdrop Street, Pepper Drive, Tulip Street, Shamrock Street, Alley Block 26 Lexington Park, and ~~Alley Block 26 Lexington Park~~ and Public Rights of Way, the Clerk reported that written protest had been received from D. A. Bendinelli and Mrs. Leona M. Bendinelli. It was presented to the Council.

Russell Hall, Assistant City Engineer, told the Council that there was a protest of less than 1/2% - regarding dip in front of the house.

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

Graham Kelley, co-owner of portion of Lot 5 Mission Lands, protested any assessment. He contended that the only benefit would be paved access to end of property.

The Mayor stated that there would be an area assessment.

Mr. Hall said that access to the Kelley property would be over a street at the end; would be area assessment.

Councilman Kerrigan said that there would be a frontage street on portion.

Mr. Kelley said that he could build a house and destroy the access, or build a road. He said that Lexington Park would not share cost of the improvement; he should not pay for improvement in Lexington.

Councilman Kerrigan said that in order to make a change, the Council would have to abandon proceedings, and make a new district.

Mr. Kelley protested assessment inclusion of his property.

Mr. Hall told the Council that he knows of no difference from others.

John Thornton, of the City Attorney's office, stated that Mr. Kelley's property would get an area benefit.

Mr. Kelley said that it is down-hill, and would have to have props regarding the sewer.

J. F. DuPaul, City Attorney told the Council that property would be assessed for the benefits. He said that it would pay for benefits on the access.

Herb Kelley, Jr., stated that assessment includes sewer, for which there would be no benefit. Questioned on the property size, he said it was 1.64 acres.

There was discussion between Councilman Kerrigan and Herb Kelley.

Mr. DuPaul said that he doubts it would be \$400.00, as had been said.

Herb Kelley said that they would have to go to Home Avenue, and would be doing more for Lexington Park when improved than Lexington Park would do for them.

Councilman Schneider said that the City Engineer thinks the area assessment on Kelley might be \$50.00.

Herb Kelley said that it is the principle.

Graham Kelley said that he is interested in pavement under 1911 Act, which should be by the Lexington Park property.

Herb Kelley told the Council that it is regarding normal drainage from Shamrock.

Councilman Schneider stated that Mr. Hall says that the area now gets drainage.

Graham Kelley said that when water flows faster it cuts dirt.

While action was taken on the protests, it is not shown here, inasmuch as it was reconsidered later, at request of Councilman Kerrigan.

Communication of protest from John T. Cooper was presented.

Mr. Cooper stated that he owns property at Violet and Hollywood. He told of having paid assessment close to \$1,000.00. He declared that existing paving is in good shape, and that there is little traffic. He stated that there is no necessity to tear up the street; the new improvement would cost \$600.00 more.

Mr. Olson, from the Engineer's office, talked to Mr. Cooper. He told of sidewalk and grading put in 2 or 3 years ago. He said that the paving is not on his street; all is shown in the notices.

The Mayor spoke to Mr. Cooper regarding improvements, with no paving.

Councilman Dail said that there was an oil surface; no paving.

Mr. Olson said that it was a "dust coat".

Mr. Cooper replied that it looks good, after 2 years. It is not necessary to tear up, and pave, according to him.

Hearings.

Councilman Godfrey spoke to Mr. Cooper about the present improvement being not a permanent street. He told of a majority petition, that neighbors want the improvement.

Mr. Hall spoke of 99% desire for the improvement.

The first action to overrule, was written to include this latest protest, and resulted in

RESOLUTION NO. 120538, recorded on Microfilm Roll No. 86, overruling and denying protest of D. A. Bendinelli and Leona M. Bendinelli, John T. Cooper, Graham Kelly and Herbert Kelley, Jr., against improvement of Manzanita Drive, Poppy Place, Violet Street, Pepper Drive, Tulip Street, Shamrock Street, Alley Block 26 Lexington Park, Public Rights of Way, under Resolution of Intention No. 120007, overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Dail, seconded by Councilman Wincote, 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 paving Soto Street, Castelar Street, under Resolution of Intention No. 120008, 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, 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 Resolution of Intention No. 120009 for sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, Alleys in Blocks 16, 18, 19, 31 Mission Bay Park Tract Showing Resubdivision of Blocks 16, 18, 19, 28, 29, 30, 31 and Blocks 20 to 27, inclusive, et al, 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 City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current for El Cajon Boulevard 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. 120539, recorded on Microfilm Roll No. 86, confirming and adopting as a whole Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1, 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 electric current for Montemar Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 120540, recorded on Microfilm Roll No. 86, confirming and adopting as a whole Engineer's Report and Assessment for Montemar Lighting District No. 1, 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 Assessment No. 2279, made to cover cost and expenses of paving and otherwise improving Alley Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, the Clerk reported 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 presented.

RESOLUTION NO. 120541, recorded on Microfilm Roll No. 86, confirming and approving Street Superintendent's Assessment No. 2279, made to cover costs and expenses of paving and otherwise improving Alley Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific

Hearings

120538 - 120541

Beach; 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2280 made to cover costs and expenses of paving and otherwise improving Rhode Island Street, and Madison Avenue, the Clerk reported that no written appeals had been presented.

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

Bailey Warren told the Council that he owns the west 45 feet of Lots 14 through 18 (block 32):

Mrs. Alma Metzger appeared also, but did not speak at this time.

Mr. Warren said that he wants a clarification, declaring that the assessment is exorbitant. He told the Council that he had an estimate - not in writing of \$100.00 - and now has assessment of \$211.95. He stated that he has no occasion to use the improvement.

Looking at his files, Russell Hall, Acting City Engineer, stated that he had no record of estimate.

Councilman Dail, speaking to Mr. Warren, said that the Council is constantly confronted by the same situation.

Mrs. Metzger stated that her assessment is \$1484.84, and identified property as Lots 4 through 8 (it is Lots 4 through 8, exc. E 75' in Block 31).

Mr. Hall stated that the bid was 18.6% below the estimate.

Mr. Warren said that he wanted to know how the City is assessed, and how the property owners in turn are assessed.

Councilman Dail pointed out that petition had been circulated in the district.

Mrs. Metzger declared that 54.6% of the owners were against the work.

Councilman Dail told Mrs. Metzger that the Council does not overrule a majority.

Mr. Hall stated that there was a 77.3% petition, that on the Resolution of Preliminary Hearing there was a 47.7% protest.

The Mayor stated that the Council went along with the majority.

Mr. Warren said that he signed the petition, regarding a \$100 estimate given to his wife.

Willard M. Sarsfield told the Council he owns Lots 1, 2, 3 Block 31. He asked how the assessment is divided up.

Mr. Hall told of the work, and how the assessment was levied. He stated that he has it broken down on the work sheet.

The Mayor stated that the Engineer is willing to show how assessment was spread.

Councilman Wincote pointed out that work has been done, and has to be paid for. He said that if it is wanted to see a difference, the Engineer should show. He as well as some other Councilmen went up to look over work sheets with Mr. Hall, and Willard Olson, of the Engineer's office.

After long discussion by the several over various papers, the Mayor rapped for order.

RESOLUTION NO. 120542, recorded on Microfilm Roll No. 86, overruling and denying appeals of Bailey Warren, Mrs. Alma Metzger, Willard M. Sarsfield from the Street Superintendent's Assessment No. 2280 made to cover costs and expenses of work of paving and otherwise improving Rhode Island Street, and Madison Avenue intersection with Rhode Island Street, under Resolution of Intention No. 114361; 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 Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2281 made to cover costs of paving and otherwise improving Alley Block 50 Ocean Beach, under Resolution of Intention No. 116055, the Clerk reported a written appeal from Maud Arden. It was presented.

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

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

RESOLUTION NO. 120543, recorded on Microfilm Roll No. 86, overruling and denying appeal of Maud Arden, from Assessment No. 2281 made to cover costs and expenses of paving and otherwise improving Alley Block 50 Ocean Beach, overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment No. 2281; 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. 2282 made to cover cost and expenses of paving and otherwise improving

Wrelton Drive under Resolution of Intention No. 115393, 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 protests were filed.

RESOLUTION NO. 120544, recorded on Microfilm Roll No. 86, confirming and approving Street Superintendent's Assessment No. 2282 made to cover cost and expenses of paving and otherwise improving Wrelton Drive, under Resolution of Intention No. 115393; 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2283 made to cover cost and expenses of paving and otherwise improving Santa Cruz Avenue under Resolution of Intention No. 114061, 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 protests were filed.

RESOLUTION NO. 120545, recorded on Microfilm Roll No. 86, confirming and approving Street Superintendent's Assessment No. 2283 made to cover cost and expenses of paving and otherwise improving Santa Cruz Avenue under Resolution of Intention No. 114061; 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance amending Section 86.04 of San Diego Municipal Code prescribing parking requirements of Physically Disabled Drivers, the Mayor reviewed the proposed Ordinance.

Tom Smith, Chairman of the Safety Committee of the Jr. Chamber of Commerce, was heard. He spoke of a proclamation regarding physically handicapped persons. He said that the ordinance is discriminatory. Mr. Smith said that there were several persons here, more qualified than he, to offer testimony. He referred to representatives from the VFW, DAV and Sheltered Workshop. Mr. Smith said that he would like to call Walt Ferguson, Mr. Randall, Adm. McIntyre, Mr. Vincent, Mr. Myers, Mr. Sacco, Mr. Townsend, and Mr. Renfield.

As he called each of the individuals, who spoke in turn.

Herbert Randall, of DAV, said that it is a question regarding amount of persons who have lost or lost the use of both lower extremities.

The Mayor asked how many would not qualify under the proposed ordinance.

Mr. Randall replied that he knows of one, who is an amputee and sometimes needs the parking permit. He mentioned being here the other day, and knowing the feeling of an amputee. He stated that determination should be on individual merits.

Councilman Kerrigan stated that the Ordinance is now being abused. He said that the Chief of Police wants an ordinance to provide for stopping of the abuse, and wanting to correct the situation.

Mr. Randall said that the Chief and the Councilmen are interested, but that the ordinance does not qualify.

Councilman Schneider told Mr. Randall that the Council can't put in every case in the ordinance. He pointed out that it can be modified.

The Mayor stated that a single amputee could qualify, regarding loss of use of both, if recommended by the Chief of Police. He declared that the Ordinance is not harsh.

Councilman Schneider referred to a letter from a woman who has lost 1 limb, and is a diabetic.

The Mayor said that "2 amputees" could be struck.

Adm. McIntyre asked how about 1. He agreed that the attitude of the Council and the Chief is fair, and added that it is good business making people available for work. He referred to the question of fatigue resulting from walking a distance, and as a result employee would become less valuable. He read a letter from the Veterans' Administration, handed to him by Mr. Randall, regarding criterion the Administration uses in establishing compensation.

The Mayor stated that objections would be met, if the Ordinance were amended, regarding loss of use of limbs. He said that as an attorney he takes that view.

Adm. McIntyre stated that would be much fairer. He stated that many times an individual is paralyzed, which is loss of use. He spoke of the ordinance as set up being restrictive on the Police surgeon.

The Mayor pointed out that it is a simple process to amend an ordinance. He said that if it does not prove workable, it can be amended.

Councilman Godfrey stated that all are pretty much in agreement. He said that it is regarding interpretation in the second portion. He suggested amendment in the proposed ordinance regarding impairment.

120544 - 120555

Hearing (re amendment to Municipal Code
to cover parking of automobiles
by physically disabled persons)

Adm. McIntyre said that it would be getting into too broad a field, and that abuse could result.

The Mayor said that is the trouble.

Adm. McIntyre wondered how restrictive the Police surgeon would feel.

Councilman Dail said that there is need to clarify the situation. He pointed out that the Police surgeon is well qualified.

The Mayor suggested striking out "loss or".

Chief of Police A. E. Jansen, said it would make no difference. He spoke to Adm. McIntyre. He said that an individual would also have to be qualified to operate an automobile. He said that there is only 1 case - a lady who works for the employment office. He stated that she lost 1 leg; the other is impaired. He said that doctors agree that loss of use of both exists, and that constitutes loss of use.

Ad. McIntyre said that he knows the Council is fair, and interested in the wording of the ordinance. He spoke of wanting the people to "come fairly".

Chief Jansen pointed out that he will be the first to hear if the ordinance is not administered properly.

Mr. Smith stated that his driver license is restricted, being paralyzed on 1 side. He said that it is a funny situation.

Councilman Schneider stated that the Council is not at cross purposes.

Mr. Renfield (or Renfell) told the Council that he fits prosthetics.

The Mayor said that it is up to the State, regarding drivers.

Mr. Renfield said that he has many cases where there is 1 leg amputated; causing the other to be impaired. He stated that they have 1 good leg, and get around on crutches.

Councilman Wincote spoke to Mr. Renfield. He related that he has arthritis in 1 leg, and does not want to walk 2 blocks. He stated that an amputee can be too bad to do so.

Mr. Renfield stated that fittings can't be worn at all times.

Councilman Godfrey said that legislative intent is important, that the ordinance will be administered under the Chief of Police. He said that wording would probably suffice regarding loss of use of both. He said that it would work as is. Councilman Godfrey said that the Chief of Police has studied out the situation and the ordinance carefully. He withdrew suggested wording.

Mr. Smith told of difference between permanent and temporary use.

Chief Jansen said that is contemplated; it can be temporary.

Mr. Smith spoke of wanting to keep a rein on the thing.

Chief Jansen pointed out that no ordinance can guarantee any parking place.

Councilman Wincote stated that when the ordinance was written, the interpretation will be the same as it is worded. He stressed that it should be kept right.

Councilman Dail pointed out that there is no appeal provided in the ordinance. He said that it could be interpreted 1 way, and not get to the Council. He stated if there is put in the appeal to the Council, it would probably be all right.

Then, according to Councilman Schneider, Councilmen would make the decision, and they are not qualified.

Councilman Kerrigan spoke of being well represented.

Adm. McIntyre said that the objection is regarding wording, as extreme. He said that he would be willing to go ahead on a trial basis.

Councilman Wincote maintained that a few words would clarify the ordinance.

Mr. Smith stated that he has proposed them.

Councilman Wincote moved to refer the Ordinance to Conference, and determine if the Council wants to change the wording. Motion was seconded by Councilman Dail.

Councilman Godfrey asked what would be wrong in including all, as set out in an insurance policy.

Councilman Wincote said that it could be written out, to understand.

J. F. DuPaul, City Attorney, said that the Ordinance seems to cover the situation. He said that Mr. Wincote's "man" might not be entitled to a permit. He added that the Council might not be here in 6 months, and that it can't bind a future Council.

Councilman Wincote said that a man in the Land Title Building can sometimes get to the garage, sometimes not, for his ride.

Mr. DuPaul said that the Police surgeon could grant him a permit.

Councilman Godfrey moved to adopt the ordinance, and give it a trial. He said it can be amended.

The Clerk handed the Mayor a note stating it was understood there was a motion. The Mayor replied "no".

Mr. Smith said that he was informed by representative of the VFW that they do not go along. He said that Mr. Sacco, representative of the Sheltered Work Shops is here.

Walter Ferguson, of VFW, said that regulation is open to interpretation. He said that it would be so wide open that it will never get a trial. He said that it is going to restrict, and spoke of interpretation being broad.

The Mayor said that the City has to see how it works.

Councilman Dail spoke to Mr. Ferguson about his seconding of the motion.

Councilman Schneider referred to a question of it should apply to all, or only to those employed.

Mr. Ferguson said it is regarding the employed.

Councilman Godfrey spoke to Mr. Ferguson, expressing the belief that it is worthy of a trial.

Mr. Ferguson contended that the situation should be written into the Ordinance.

Hearing (re amendment to Municipal Code to cover parking to automobiles by physically disabled persons)

Councilman Wincote said that at times the other limb will be sound.
 Mr. Sacco, from Sheltered Work Shop, was heard. He said that he was told he would only have to go to the Police Station for a permit. He recounted his experiences when he went for a permit, and learned that he did not qualify. He said he thinks people don't want to see requirement for 2 limbs off.
 Councilman Schneider asked Mr. Sacco if he is employed.
 The answer was "no".
 Councilman Godfrey moved to adopt the ordinance.
 Councilman Schneider said that there is difference of opinion. He said that he wanted a showing of hands of those who approve the ordinance.
 Councilman Wincote asked for a showing of hands by those in the audience, interested, approving the ordinance.
 There were none.
 The Mayor wondered how many were in favor of a trial, and can come back.
 Adm. McIntyre told the Council that he was willing to go along; others want the condition spelled out in the ordinance.
 Councilman Schneider wanted a report on the Godfrey proposal.
 Councilman Godfrey read a proposal, which the Clerk did not see. He said that it can broaden to the point of becoming a problem. He said that the Police Chief and the Police surgeon are not monsters. He said that only 1 has been held up on a permit request, and that person would qualify.
 Councilman Wincote said that he is talking of the person who has 1 perfect leg, but whose condition changes on account of other difficulty.
 Mr. DuPaul read from the Ordinance. He said that he drew the Ordinance, with the help of the Police Department. Mr. DuPaul stated that if the City goes beyond the Ordinance, it will give every handicapped person a permit.
 Councilman Wincote stated that he does not want to discriminate.
 Councilman Dail said that the Council makes a mistake regarding its desire for unanimity of opinion - including that of the Liquefied Petroleum Gas. He called for the question.
 Councilman Godfrey said that Mr. Smith is close to the thing, and that he is willing to go along. He stated that interested persons can come back to the Council.
 (Throughout the hearing reference was made to Adm. McIntire, except by Councilman Godfrey who called him doctor. Communication is signed Ross T. McIntire, Vice Admiral (MC) USN Ret.)
 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. 6277 (New Series), recorded on Microfilm Roll No. 86, amending Section 86.04 of the San Diego Municipal Code prescribing parking requirements of physically disabled drivers, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Wincote, Schneider. Absent--Councilman Burgener.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance rezoning from Zone R-4 to RC portion Lot 2 Block 6 Roseville and portion Block 4 New Roseville (hearing had been held on September 30, 1954), it was reported that no protests had been received.
 On motion of Councilman Wincote, seconded by Councilman Schneider, ordinance incorporating Lots 5 and 6 Block 4 New Roseville and northwest 50 feet Lot 2 Block 6 Roseville into R-4 Zone as defined by Section 101.0409 of San Diego Municipal Code, and repealing Ordinance No. 32 (New Series) insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

Petition of M. W. Morris, 3503 Bayonne Drive, for sewer mains, water mains and grading in American Park, was presented.
 On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was referred to the City Manager.
 (Later in the meeting, after other items had been considered, Council reconsidered action on the petition. It will be found again on page 171 of these Minutes).

RESOLUTION NO. 120546, recorded on Microfilm Roll No. 86, accepting bid of Drake Steel Supply Company for furnishing 2,625 feet of 24" Galvanized Steel Pipe @ \$60.45 per C Ft., terms 2% plus State Sales Tax or net price of \$1,601.72, 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 Kerrigan, seconded by Councilman Wincote, adopted.

Hearing (re amendment to Municipal Code to cover parking of automobiles by physically disabled persons)
 Petition
 120546
 6277 N.S.

RESOLUTION NO. 120547, recorded on Microfilm Roll No. 86, accepting bid of Mission Pipe & Supply Company for furnishing 1 8" centrifugal pump for \$1277.19 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 plans and specifications on file in office of Purchasing Agent, was on motion of Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120548, recorded on Microfilm Roll No. 86, accepting bid of The General Pacific Corporation for furnishing 4 Mine Safety Appliance, Air Pak Respiratory Protective Device at \$250.00 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120549, recorded on Microfilm Roll No. 86, accepting bid of Wilshire Power Sweeper Company for furnishing 1 gasoline engine driven multiple purpose power sweeper for \$2525.22, including 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120550, recorded on Microfilm Roll No. 86, accepting bid of Western Metal Supply Company for furnishing 12,000 ft. 3/4" Copper Tubing @ \$36.40 per C. Ft.; 500 - 3/4" Couplings @ \$0.70 each; 30 - 2" Couplings @ \$9.30 each plus State Sales Tax, terms 2% - 30 days; awarding contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120551, recorded on Microfilm Roll No. 86, accepting bid of Ace Welding & Trailer Works for furnishing 3 special demountable bodies for Animal Regulation Division Trucks, for \$1008.13; 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 Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120552, recorded on Microfilm Roll No. 86, authorizing and directing Purchasing Agent to purchase from Econolite Corporation 1 Radar Speed Meter with Tripod and graphic record at \$1,099.05 plus State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

(Request for Council action states that attempt has been made for past 45 days to locate additional sources of the supply, without avail).

The Council referred back to the item on page 170, which was petition of M. W. Morris for improvements in American Park, was reconsidered when 2 unidentified men appeared at the rail. One of them was, presumably Mr. Morris, who signed the petition. He spoke of having asked only for sewer, and trouble that resulted from the City Engineer.

Russell Hall, Assistant City Engineer, referred to the property as being steep. He said that it would erode.

Councilman Dail spoke to the man who addressed the Council regarding regrading in Encanto, which he said would be a waste of money if there was not a surface put on.

The reply was that there are no washed out streets. Property owners want just sewer and water - and "scratch out" grading.

Councilman Dail said that the City would be helping the property owners.

Mr. Morris said that it had been estimated at \$1400 for a 50-foot lot.

Councilman Kerrigan spoke to him.

Another man, who did not give his name, spoke of the City holding up permits, and that they might as well give up attempts to build.

Mr. Morris asked how many signers are needed. He spoke of having opposition to the improvement.

The City Manager said that the City Engineer had recommended to the Council a complete job.

Councilman Schneider was excused.

There was discussion between Councilmen Wincote and Dail, not through the Chair.

120547 - 120552

Ret. to pet. for improvements
in American Park

Mr. Morris said that 12 are sitting ready to build.

The Mayor said that the only way to find out, is to go ahead.

The unidentified man said that City trucks oiled the street last year.

Mr. Morris said that it could be held up 2 to 10 years. He told the Council about already having had a 58% petition - not including paving and curbs. He said that in Muirlands sewer had been put in, the City put in the paving. He asked why not in the little American Park?

Councilman Dail said that the Council has to depend on the City Engineer.

Councilman Kerrigan said that a lot more water runs in the street, after houses are built, inasmuch as the ground upon which they stand don't take up the water.

The unidentified man said that he graded his street, himself.

Councilman Dail said that the City can't possibly surve all streets.

The unidentified man said that no ceptic tanks have given trouble.

Mr. Hall replied that trouble arises when the areas are built up.

Councilman Dail spoke about a U.S. Public Health Determination on another project.

Mr. Morris said that the Telephone Company laid a line, which created no problem in connection with its big ditch.

Councilman Dail asked why not refer the item to the City Manager.

Councilman Godfrey said that this is an appeal; it had been sent to the City Manager for review.

Mr. Morris told the Council that it skipped through the agenda pretty fast, including reference to the petition to the City Manager. He told about having not been able to get in to see the City Manager. He stated that he had lost 1 month of work to get the project through.

Councilman Wincote recommended that the City initiate the project, and then see what happens.

Councilman Godfrey spoke of having seen the lots before, and of having bitter experience.

The City Manager stated that it is going to be discussed.

Mr. Morris repeated that he can't get in to see the City Manager.

Councilman Dail said that the City Manager's recommendation is clear to the Council.

Councilman Wincote said that the City Manager does not try to avoid people.

The City Manager said that they can bring in the proposal any time.

RESOLUTION NO. 120553, recorded on Microfilm Roll No. 86, referring to City Manager matter of sewer mains, water mains and other improvements in American Park Subdivision for resolutions to initiate 1911 Improvement Act proceedings for all improvements, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Councilman Wincote moved that Mr. Slater be here at the Council meeting at the time of initiation of the American Park improvement. Motion was seconded by Councilman Dail, and carried. (City Manager's office was notified 9/6/54 re Council's desire for Mr. Slater's presence).

Councilman Godfrey requested unanimous consent. It was granted, for a man in the audience to speak to the Council.

A man, who did not identify himself, spoke about the paving of Hensley Street, and work being done ahead of the rains.

Councilman Godfrey advised him to go to the City Engineer's office.

There was no action.

The Mayor declared a recess at 12:15 o'clock Noon, until 2:00 o'clock P.M., this date.

Upon reconvening, at 2:03 o'clock P.M., the roll call showed the following:

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

Absent---Councilmen Burgener, Schneider, Godfrey.

Communication, continued from September 28, 1954, being report from City Planning Commission on tentative Record of Survey Map for 2-lot division of portion of Pueblo Lot 104, was presented.

Harry Haelsig, Asst. Planning Director, told the Council that Glenn A. Rick, City Planning Director, has a meeting coming up on the subject in 1 week.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the subject was continued 1 week - to October 12 (it will be October 13 in this case, inasmuch as October 12 is a holiday).

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, for 4-lot subdivision of portion of Lot 29 La Mesa Colony, by means of Record of Survey, was presented.

RESOLUTION NO. 120554, recorded on Microfilm Roll No. 86, suspending Section

Communications

120553 - 120554

U.S. re time for paving Hensley St.

102.13-3 of San Diego Municipal Code in connection with Tentative Map for 4-lot subdivision of portion of Lot 29 La Mesa Colony, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending finding by the Council in connection with Tentative Record of Survey Map - portion Lot 29 La Mesa Colony (Homesley), stating that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of property provided owner files with Planning Department a Record of Survey Map in compliance with Chapter 15 Division 3 Business & Professions Code, and complete conditions which include dedication of 5 feet of Catoctin Drive and 8 feet on La Dorna Drive and provide easements and setbacks indicated on map filed in office of City Clerk, was presented.

RESOLUTION NO. 120555, recorded on Microfilm Roll No. 86, approving Tentative Record of Survey Map for division of portion of Lot 29 subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending finding by the Council in connection with Tentative Record of Survey Map - portion Lot 4 Block 520 Old San Diego, for 2 parcels fronting on First Avenue adjacent to intersection of Trias, stating that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of property provided owner files with Planning Department a Record of Survey Map in compliance with conditions in the Resolution which include street alignment, lot and street design, setbacks and easements be provided as shown on Tentative Map on file in office of City Clerk showing 5-foot dedication for widening Juan Street, was presented.

RESOLUTION NO. 120556, recorded on Microfilm Roll No. 86, approving Tentative Map for division of Lot 4 Block 520 Old San Diego subject to conditions in the Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending finding by the Council in connection with Tentative Record of Survey Map - portion Lot 66 Point Loma Villas, excepting northerly 46 feet, 2 parcels to be approximately 70' x 180' and 70' x 165' in size, stating that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of property provided owner files with Planning Department a record of Survey Map pursuant to Chapter 15 Division 3 of Business & Professions Code, and complies with and completes conditions enumerated, was presented.

RESOLUTION NO. 120557, recorded on Microfilm Roll No. 86, approving Tentative Map for division of Lot 66 Point Loma Heights (excepting northerly 46 feet) into 2 parcels subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Rodefer Hills, Mergho Division, was presented.

Mr. Haelsig said that the letter before the Council is regarding recommendation of the Planning Commission, not as recommended by the City Engineer in Bandini Street. He said that was deleted by the Commission. He stated that matter has to do with possible requirement by the Council of an access road. He stated that in a number of subdivisions, requirement has been made for access road. Mr. Haelsig referred to the area as being 200 feet long.

C. M. Rodefer said that it is 120' x 80'.

Mr. Haelsig said that there would be a center moving lane, as in Allied Gardens #4, Clairemont #16 and #17, and Vista Park.

Mr. Roder asked which one?

Mr. Haelsig replied "in order".

Councilman Dail said that Allied Gardens had no access, and referred to the freeway. He said that lots of subdivisions don't have.

Councilman Kerrigan said that has been deleted.

Councilman Kerrigan moved to approve the Resolution suspending portions of the Code.

Mr. Rodefer told the Council that because of his treatment over 25 years or more he is watching every point, as advised by his attorney. He asked why an excess of 7% grade.

Mr. Haelsig said that Bandini is more than 7%.

The Mayor asked if it had been engineered.

Mr. Rodefer replied "yes"; there is no Congress or Wither Street (one little end) touches.

Councilman Godfrey entered

Mr. Rodefer said that Congress Street is closed; there is no quarrel on the Resolution proposed under the recommendation. He asked in connection with the next

recommendation and resolution about street names. He said that if item 4 in that Resolution is in question, he wants it as he wants it. He read about double frontage. Mr. Rodefer spoke about its reference to being in Middletown Addition; he said it is not; it is in Middletown.

Mr. Haelsig stated that the Ordinance said that property shall not have double frontage lots.

Mr. Rodefer said that he wants situation declared, to avoid a point. He referred to lot numbering. He spoke about leaden discs, instead of monuments. He said he was in accord. Mr. Rodefer said that he doesn't want to be tripped. He asked for Linwood Way.

Mr. Haelsig said that the naming has to be subject to department approval, regarding street names.

Mr. Rodefer said that he won't walk into that trap.

Councilman Kerrigan said there is no argument.

Councilman Wincote spoke to Mr. Haelsig about Linwood Street.

Mr. Haelsig said that might be appropriate.

RESOLUTION NO. 120558, recorded on Microfilm Roll No. 86, suspending 8 sections of San Diego Municipal Code in connection with Tentative Map of Rodefer Hills, Mergho Division, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission recommending approval of Tentative Map of Rodefer Hills, Mergho Division, for 31-lot subdivision of portion of Middletown, adjacent to the View Point Division of Rodefer Hills, which has been filed as a final map, was presented. It states that in a lengthy discussion with Mr. Rodefer before the Planning Commission the Commission deleted matter of improvement of Bandini Street between westerly boundary of the subdivision and West California Street in that it was felt it was matter of policy to be decided by the Council whether or not the street should be required for access to the unit of the subdivision. It says that Mr. Rodefer objected to improving presently dedicated portion of Bandini Street as it was adjacent to other ownerships. Communication says that it has been policy of the Council to require development of access streets to provide proper access to new subdivisions; for example access street to Navajo Road to Allied Gardens No. 4; Moraga Avenue, access street to Clairemont Units 16 & 17; Ashford Street, access street to Vista Park. It says that City Engineer has recommended that center 36 feet of Bandini Street between subdivision line and West California Street be graded, and area paved with 24 feet of pavement. The report states that Mr. Rodefer insisted that he be permitted to improve portion of Linwood Way between Linwood Street and its termination, at Lots 34 and 35. Communication recommends approval of the Tentative Map, subject to the conditions set out.

In opening discussion of the recommendation, the Mayor told Mr. Rodefer that the recommendation has nothing to do with an access road.

C. M. Rodefer told the Council that the subdivision business is serious. He spoke regarding record of survey on 1 lot. He said that he drew lines and divided it in 31 parcels; now the land is assessed \$51,600.00 - assessed value only; not the actual value. He told of increasing revenue to the City about 3 times. He said that he thinks he will put on another subdivision. Mr. Rodefer referred to his previous letter to the Civil Service Commission, and that his life had been made more difficult because of it, while others' had been made easier. He contended that paragraph 1 is not correct. He stated that Mergho Impasse is not adjacent to the subdivision; it is in the subdivision. He asked to have that deleted; to call for all streets in the subdivision.

Councilman Dail added to the comment regarding the streets "full width".

Mr. Haelsig said no.

Mr. Rodefer referred to the matter having been set by the Superior Court.

Mr. Haelsig said that practically 6 lots are being served. He stated that the Commission allowed narrower roadway development.

Councilman Wincote asked if there was no argument.

According to Mr. Haelsig, there is not.

Mr. Rodefer spoke of his having called attention, but no attention was paid to him.

Russell A. Hall, Acting City Engineer, referred to an interdepartment understanding of the term. He said it is in the subdivision, on the edge.

Mayor Butler left the meeting. Vice Mayor Charles B. Wincote took the Chair.

Mr. Rodefer told of having no choice.

J. F. DuPaul, City Attorney, suggested that it might be well to adopt a check with the Court. He said that it must be in the stipulation. If it is important, he can go through it, Mr. DuPaul said.

Councilman Wincote said that language is different on the map. The Council is not playing with Mr. Rodefer, as he had charged, according to Councilman Wincote.

Mr. Rodefer referred to Mr. Rick and Mr. Haelsig having approved.

The Mayor returned

Councilman Godfrey asked Mr. Rodefer what he was worried about.

Mr. Rodefer answered that he had checked with his attorney. He said that he would pass the sewer. He said that he is reserving a \$20,000.00 item regarding sewer. Mr. Rodefer said that he would pass a), b), and c) regarding curbs on Linwood Way. He showed the Council a map.

Mr. Haelsig said that the Engineer recommended improvement of Linwood Way. He said that Rodefer wants to improve. He stated that Mr. Hall did not object to the improvement, if done as per specifications. *He told of portion of closing having been made. He asked for 3 to 5 minutes - without interruption.

*(Mr. Rodefer speaking). Mr. Rodefer continued, and said that he wants a paper spread on the table. He charged that it is a reflection on Rodefer.

The Mayor said that if it meets with the approval by the Engineer, Mr. Rodefer can approve.

Bernard Eckenrode, from the City Engineer's office, appeared with a document. He did not speak.

Mr. Rodefer asked "why the barricade". He said that it is on account of the City Engineer's desire to have a place for his friends to have a poinsettia bed. He stated that he wants to control storm water through a pipe to the Bay. He said that if he does what the City Engineer wants, it will erode his bank. He said he wants a standard curb, and portion so that jeep won't get stuck. He asked how utilities would be served.

The Mayor asked who made decisions.

Mr. Hall told the Council that the last Tentative Map changed the subdivision regarding Linwood Way at the back of the Rodefer lots. He pointed out that cost of the work would be a considerable amount.

Mr. Rodefer said \$9,000.00.

Mr. Hall said that Beryl Phelps, his engineer, came in to see him regarding street and drain. He spoke about cars backing over. Mr. Rodefer said that it is a dead-end street - a detriment to the subdivider and to the City. He said that Mr. Phelps agreed. He stated that the City Engineer did not change. Mr. Rodefer told the Council that Mr. Phelps (who is his engineer) had no right to speak to Mr. Hall.

Councilman Godfrey said that Mr. Fogg had nothing to do with it.

Mr. Rodefer said that Fogg's side-kick is Col. Dutton. He stated that Dutton assaulted him with a club. He showed a map, again. He said that there had been agreement to Linwood Way, for which he gave thanks.

The Mayor and Councilman Wincote said "no"; the proposed naming would have to be approved by City Departments.

Mr. Rodefer said that Jeff Townsend is an important citizen, who wants to live in isolation, and wanted 5 acres. He said Col. Dutton helped sell land to Mrs.-----, and told of cost of \$1,800 for a retaining wall. Mr. Rodefer contended that there is not need for 1 foot of retaining wall.

Councilman Wincote discussed with Mr. Rodefer the statement regarding no need for retaining wall.

Mr. Rodefer said that water comes from Mission Hills, and that he wants to take care of it. If stated that if the City drops discussion of Linwood Way, except the naming, he will discuss the situation with anyone.

Mayor Butler pointed out that the naming is not before the Council; that is an ordinance which would follow.

Mr. Rodefer said that it is Linwood, now.

Councilman Wincote spoke about a change for a misunderstanding.

Councilman Godfrey told of the procedure referring the street name matter to interested and affected departments.

Mr. Haelsig said that the matter of clarification of street name has to clear through many. He said that the Commission, alone, has no authority to name the street. It is the way Mr. Rodefer put it on the Tentative Map, he stated. He added that Linwood Street is dedicated; Linwood Way is proposed on the map.

Councilman Wincote said that the street may be named Linwood Way.

Mr. Rodefer said that he has evidence here.

Mr. Eckenrode said that he had a file regarding the drainage problem on Rodefer's first subdivision. He said that he wrote up a report to the City Manager in 1954 regarding existing conditions, and recommendations. He said Mr. Rodefer came in regarding drainage. He showed Mr. Rodefer a copy. He said that it was written on paper by Captain Fogg. He pointed out that copies are not sent to Mr. Rodefer.

Mr. Rodefer referred to having spent \$9,000.00. He said that Capt. Fogg, the City Engineer, doesn't send anything to Rodefer. He contended that it is discriminatory against him. He said that he paid for the sewer system - \$3,800.00 by telegram. He said at that time Mr. Phelps was an engineer with the City. He declared that the sewer is 35 or 40 feet deep. He told the Council that he is going to put in a new, second system, at "normal depth". He said that the Council closed Titus and Bandini, and that the City forgot to retain the sewer rights. Mr. Rodefer said that when the situation was discovered, he went to Howard Ogden (properties director), regarding the City forgetting to retain the sewer rights. He spoke of wanting to give it back. He said that Mr. Ogden sent to the Engineer for a picture regarding the \$22,000 sewer. Mr. Rodefer said that he saw ostensibly Mr. Cole, who turned out to be someone else. He stated that the substitute for Mr. Cole said that Mr. Rodefer had no credit in San Diego, and would not draw a picture until paid \$18.00. He said that he then made his own picture. He asked the Planning Department regarding the 30 - 40 foot sewer. He said that one third of Mission Hills is going through it. He stated that he had said to Mr. Haelsig that he will give an easement for the sewer. Mr. Rodefer said that he watches the fine points with the City. He contended that it is small to have to pay \$18.50 for a picture.

Councilman Kerrigan said, on the other hand, nobody has the right to give away labor.

Councilman Godfrey said that Mr. Eckenrode prepared (apparently the letter) after going out. He said that it is involved, and gets into policy. He spoke about broad coverage. He said that it is not mysterious that copy was not sent to Mr. Rodefer. He said that Blom (Asst. City Manager) sent a memo. to the Engineer, pointing out the storm drain matter, and that Capital Outlay makes no provision for it. He declared that it is proper not to give out until a decision is made.

Councilman Dail was excused

Continuing, Councilman Godfrey read another pencil note to the Engineer.

The Mayor referred to recommendation of department heads, upon which decision has to be made by the Council.

Mr. Rodefer said that at the beginning of 1954 it was a free hand proposition regarding drains for proper drainage in deep canyons, when property owners pay 1/2 of the cost.

The Mayor said that it is not that easy.

Councilman Wincote pointed out that Mr. Rodefer is partially right, partially wrong. He said that it had been discussed by the Council. He said that if all the propositions went through, there would be no money left.

Mr. Rodefer asked if 4(c) can be changed.

Mr. Hall said he is hoping to have submitted what is wanted, but he couldn't tell.

Mr. Rodefer said he is asking....(he went no further with the remark).

Mayor Butler said that if Mr. Rodefer wants clarification, the whole thing can be continued.

To the Mayor's comment, Mr. Rodefer said yes.

Mr. Hall spoke of not wanting a road; it is to serve surface drain only, he said.

Mr. Rodefer said that property abuts the street.

Councilman Dail returned

Mr. Hall spoke of not wanting to accept a liability for the City. He stated that road had been graded illegally by the City.

Mr. Rodefer contended that was not so.

Mr. Hall spoke directly to Mr. Rodefer, not through the Chair.

The Mayor said that there is no proposal to go on, yet.

Mr. Rodefer asked if 5 is required. He said that he will put in if everybody does.

Councilman Wincote said that some subdivisions are put in without sidewalks, but that has resulted in trouble. He said that it has been decided that all shall have sidewalks.

Councilman Dail said that it refers only to rural subdivisions.

Mr. Haelsig said that about a year ago, that had been done - on large lots.

Councilman Rodefer asked if he violated the rule in View Point, Rodefer Hills.

Councilman Dail said that the subdivision has been in for 10 years.

Mr. Rodefer said that if he violated the law, he is sorry.

Mr. Rodefer said that if he is in violation of the law, he is sorry. He stated that 5), 6), 7), 8), 9). He stated that he is in a law suit on the last one.

Councilman Dail spoke regarding law suit being a matter of record. He pointed out that Council remarks are not evidence.

Mr. Rodefer charged that the Council cast him out of the Council Chamber.

Asked about that point, Mr. Rodefer said that it was 20 years ago.

Councilman Schneider pointed out that the Council is interested in protecting Mr. Rodefer's interests.

The Mayor read 10) regarding street naming. He said that the Council can't make any guaranty on that point.

Mr. Rodefer said that Mergho Impasse is under attack, and informed the Council that he will fight for it. He said that Mergo Impasse is recorded, and told of the process involved. He said that the street was named after kith and kin - first letters of names - and his wife is involved. He said that he thought there was a trick. He said that is cleared up, except for strip of paved streets.

The Mayor referred to approving, except for improvement of 2 streets and the access street.

Councilman Dail said that one can't get up Bandini Street from "this" side, pointing to Mr. Rodefer's map.

The Mayor said that there is access from the top, down.

Mr. Hall referred to its not having been said that there is another way in.

Mr. Rodefer said that it is a steep street; Benny Margolis ought to pave his own street. Why does the City say Rodefer should pay, he asked.

The Mayor asked if Mr. Margolis is ready to pay.

Mr. Rodefer replied that he is ashamed to ask him. He said that the subdivision won't be put on, if he has to pave the access street.

Several talked over a plat, not seen by the Clerk.

Mr. Rodefer asked for a committee to go out and look at the property, with him.

Councilman Wincote said that on the access, Mr. Rodefer has a good point.

Mr. Rodefer said that West California Street is 18 feet lower than the subdivision line. He referred to there being 11 houses. He said that he gave Mergho Impasse, to get out on the level.

Councilman Dail said that a 1911 Act could be set up.

Councilman Kerrigan said that it would be cheaper if Mr. Rodefer and Mr. Margolis make the improvement. He asked about the law on percentage of signatures.

Councilman Dail replied 60%.

Councilman Wincote said that is the percentage the city likes.

Mr. Rodefer said that he is restraining himself on that point; Mr. Margolis owns 1 foot more than on the other side. He identified the individuals Roberts.

Mr. DuPaul said that when Mr. Rodefer and Margolis approved, it was one third.

Hearing re Rodefer Hills, Mergho Division

Mr. Rodefer stated that the owner had sold. He stated that if he has to pay, he won't put on the subdivision.

The Mayor advised Mr. Rodefer to bring in a proposition. He asked if it could be next week.

Mr. Rodefer's reply was yes.

Councilman Kerrigan stated that Mr. Rodefer should agree to a 1 week continuance.

Mr. Rodefer said that there is no real objection to that.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the City Planning Commission's recommendation submitting Resolution approving Tentative Map of Rodefer Hills, Mergho Division, was continued one week (That would normally be October 12, but it will be October 13 since the 12th is a holiday).

Communication from Acting City Engineer, with City Manager's stamp of approval, transmitting petition for grading and paving Alley Block "C" Belmont, signed by owners of 58.5% of property frontage, was presented. It recommends that it be granted and that in addition sewer laterals be installed if required.

RESOLUTION NO. 120559, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 498328 for paving and otherwise improving Alley Block C Belmont; 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 sewer laterals if required, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Acting City Engineer, with City Manager's stamp of approval, reporting on petition to install sewers to serve portions of Blocks 16, 20, 21 The Muirlands, portion of Burgener's Holly Glen Unit No. 1 and portion of Pueblo Lot 1256 - signed by owners of approximately 36% of area to be served. Attached was communication from Director of Public Health stating that septic tanks in the area are causing trouble. It recommends that Council pass resolution ordering district formed to install the sewers.

The City Manager called the Council's attention to the 36% petition.

RESOLUTION NO. 120560, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 492916 for installation of sewers to serve portions of Blocks 16, 20, 21 The Muirlands, portion of Burgener's Holly Glen Unit No. 1 and portion of Pueblo Lot 1256; 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 The Muirlands, portion of Burgener's Holly Glen Unit No. 1, portion of Pueblo Lot 1256 and portion of Muirlands Terrace Unit No. 1, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Acting City Engineer, with City Manager's stamp of approval, recommending that Council order a 1911 Act district formed for installation of storm drainage system in Talbot Street Area; part of cost to be assessed against owners, balance to be paid from 1952 Storm Drain Bond Fund, was presented.

RESOLUTION NO. 120561, recorded on Microfilm Roll No. 86, adopting recommendation of City Engineer, contained in Document No. 498887 to order district formed to install drainage system in Talbot Street area approximately on Talbot Street between southerly prolongation of easterly line of Evergreen Street (and southerly prolongation of easterly line of Evergreen Street) and southerly prolongation of westerly line of Lot 37 Block 10 Roseville Heights, and on Gage Drive between Talbot Street and southerly prolongation of westerly line Lot 37 Block 10 Roseville Heights; part of cost to be assessed against property owners, balance to be paid from 1952 Storm Drain Bond Fund; requesting City Engineer and City Attorney to prepare and present papers and proper resolutions therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Application of Howard R. Dukett for Class "C" Dine & Dance License, at 6246 University Avenue, was presented together with recommendations of City departments for approval.

RESOLUTION NO. 120562, recorded on Microfilm Roll No. 86, granting application of Howard R. Dukett for Class "C" License to conduct public dance at "The Rolando Club", 6246 University Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from DeGraff Austin, 3909 El Cajon Boulevard, referring to letter of May 18 containing about 600 names, requesting installation of suitable signal traffic

Hearing re Rodefer Hills,
Mergho Division
Communications
120559 - 120562

control at intersection of Washington, Lincoln and Richmond Streets, University Heights, was presented. It refers to item having been sent to City Managers Office for study and recommendation, but that no report has been accomplished. It makes further observations regarding the traffic condition in the area. The communication asks attention be given to the study, and advice be given of progress made to relieve present bad situation.

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

Communication from Thos. T. Crittenden, attorney at law, 301 Orpheum Building San Diego 1, dated 28 September, 1954, was presented. It makes suggestions relative to 15-minute parking zones at various locations, for a trial period.

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

Communication from Douglas R. Giddings, attorney at law, U.S. National Bank Building, San Diego 1, dated September 23, 1954, was presented. He writes as chairman of the Citizens' Committee for study of sewerage disposal problem of the City of San Diego, and invites the Mayor and members of the Council to attend meetings of the Committee, etc.

RESOLUTION NO. 120563, recorded on Microfilm Roll No. 86, referring to Conference communication from Douglas R. Giddings, re sewerage disposal problems, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

A mimeographed sheet from Capt. G. C. Weldin, U.S.N. (Ret.) - entitled "Will It Replace American Little Red Schoolhouse Ideals In San Dieguito? San Dieguitos' Big ?Pink? Pink? School House!", was presented. The lengthy document was filed on motion of Councilman Godfrey, seconded by Councilman Dail, it being referred to in the meeting as being a Board of Education matter.

RESOLUTION NO. 120564, recorded on Microfilm Roll No. 86, directing notice of Filing of Assessment and of time and place of hearing thereof - No. 2286 - was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

It covers Alleys Block 45 W. P. Herbert's Subdivision, under Resolution of Intention No. 115391.

RESOLUTION OF AWARD NO. 120565, recorded on Microfilm Roll No. 86, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights located in Logan Avenue Lighting District No. 1, for period of 1 year from and including November 16, 1954, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 120566, recorded on Microfilm Roll No. 86, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights located in Pacific Beach Lighting District No. 1, for period of 1 year from and including September 1, 1954, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 120567, recorded on Microfilm Roll No. 86, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights located in Roseville Lighting District No. 1, for period of 1 year from and including October 15, 1954, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120568, recorded on Microfilm Roll No. 86, approving plans and specifications, drawings, typical cross-sections, profiles, for paving and otherwise improving Alley Block 18 La Mesa Colony, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted. It approves Plat No. 2654 of assessment district, and directs City Clerk to file plat in office of City Engineer.

RESOLUTION NO. 120569, recorded on Microfilm Roll No. 86, approving plans and specifications, drawings, typical cross-sections, profiles, for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 235 and 236 Mission Beach, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted. It approves Plat No. 2604 of assessment district, and directs City Clerk to file plat in office of City Engineer.

Communications
120563 - 120569

RESOLUTION NO. 120570, recorded on Microfilm Roll No. 86, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 255 Pacific Beach; approving Plat No. 2626 showing exterior boundaries 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 Dail, adopted.

RESOLUTION NO. 120571, recorded on Microfilm Roll No. 86, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way; approving Plat No. 2633 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 Dail, adopted.

RESOLUTION NO. 120572, recorded on Microfilm Roll No. 86, approving plans, drawings, typical cross-sections, profiles and specifications for grading and sidewalking Tipton Street, Rincon Street and Ewing Street; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120573, recorded on Microfilm Roll No. 86, for paving and otherwise improving Franklin Avenue and 49th Street, under Resolution of Intention No. 119895, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120574, recorded on Microfilm Roll No. 86, for paving and otherwise improving Kendall Street, under Resolution of Intention No. 119896, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120575, recorded on Microfilm Roll No. 86, for paving and otherwise improving 29th Street, under Resolution of Intention No. 119897, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 120576, recorded on Microfilm Roll No. 86, for furnishing electric current for lighting ornamental street lights in Pacific Highway Lighting District No. 1, for one year from and including November 5, 1954, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120577, recorded on Microfilm Roll No. 86, 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 Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120578, recorded on Microfilm Roll No. 86, for paving and otherwise improving Alley Block 30 Park Villas, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120579, recorded on Microfilm Roll No. 86, for paving and otherwise improving Banks Street, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120580, recorded on Microfilm Roll No. 86, for paving and otherwise improving Oliver Avenue and Pacific Beach Drive, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120581, recorded on Microfilm Roll No. 86, for furnishing electric current for lighting of Crown Point Lighting District Number One, for 11 months and 16 days from and including February 15, 1955, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120582, recorded on Microfilm Roll No. 86, for

furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District Number One for one year from and including March 1, 1955, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120583, recorded on Microfilm Roll No. 86, for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District Number Two for one year from and including March 1, 1955, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120584, recorded on Microfilm Roll No. 86, for paving and otherwise improving Alley Block 18 La Mesa Colony, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120585, recorded on Microfilm Roll No. 86, for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission Beach, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120586, recorded on Microfilm Roll No. 86, for paving and otherwise improving Alley Block 255 Pacific Beach, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120587, recorded on Microfilm Roll No. 86, for sewers in 47th Street, Aurora Street, Uvas Street, Market Street, and Public Right of Way, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120588, recorded on Microfilm Roll No. 86, for grading and sidewalks in Tipton Street, Rincon Street and Ewing Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120589, recorded on Microfilm Roll No. 86, approving diagram of property affected or benefited by work of improvement to be done on paving Catoctin Drive, under Resolution of Intention No. 114249; directing Clerk of the City to deliver at same time of approval diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120590, recorded on Microfilm Roll No. 86, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 66 Ocean Beach, under Resolution of Intention No. 115493; directing Clerk of the City to deliver at same time of approval diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120591, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 498097 for installation of sewers to serve portions of Block 1 Buena Vista Tract; 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 the improvement, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120592, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 496179 for paving and otherwise improving Alley Block 72 City 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 the improvement, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120593, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 495186 for paving and otherwise improving Alley Block 6 Ocean 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 for the improvement, including sewer laterals and retaining walls if needed, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120594, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 493792 for paving and otherwise improving Alley Block 80 Point Loma 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 improvement, including sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120595, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 497129 for paving and otherwise improving Alley Block 2 F. T. Scripps 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120596, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 496180 for paving and otherwise improving Birch 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120597, recorded on Microfilm Roll No. 86, granting petition contained in Document No. 498327 for paving and otherwise improving Deauville 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, sewers, water mains, etc., as required, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120598, recorded on Microfilm Roll No. 86, granting petition contained in Document Nos. 496792, 496793, 497312, for paving and otherwise improving Landis 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120599, recorded on Microfilm Roll No. 86, granting petition for paving and otherwise improving Silvergate 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, including other improvements if required, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120600, recorded on Microfilm Roll No. 86, granting petition for sidewalks on Thorn Street; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by the improvement, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120601, recorded on Microfilm Roll No. 86, granting petition for improvement of streets in Tres Lomas Subdivision, contained in Document No. 498326; 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 as required in Calle Volver, Calle Tres Lomas, Calle Trepadora, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120602, recorded on Microfilm Roll No. 86, prohibiting parking of automobiles every day, except Sundays, between 2:00 A.M. and 6:00 P.M. on both sides of Broadway between 5th Avenue and 6th Avenue; authorizing and directing installation of necessary signs and markings; rescinding any existing Resolutions in conflict, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120603, recorded on Microfilm Roll No. 86, prohibiting parking of automobiles every day, except Sundays, between hours of 4:00 P.M. and 6:00 P.M., on west side of 30th Street between G Street and C Street; on east side of 30th Street between G Street and alley south of C Street; authorizing and directing installation of necessary signs and markings; rescinding provisions of existing Resolutions Nos. 117590 and 92040 in conflict, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120604, recorded on Microfilm Roll No. 86, acknowledging receipt of Notice of Intention to circulate petition for annexation to City of San Diego of territory to be known as "Grantville-Rancho Mission Tract", and giving approval for circulation of the petition, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120605, recorded on Microfilm Roll No. 86, authorizing City Manager to employ M. H. Golden Construction Co. to do work on 67th Street and Montezuma Road, shown on Drawing 11259-L, and on Drawing 11262-L; cost not to exceed \$262.95, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Resolution states that City of San Diego has heretofore entered into contract with the Co. for improvement of 67th, 68th, Mohawk Streets and Bowman Lane under 1911 Street Improvement Act proceedings; and that drawings show work to be done by City forces; that contractor has offered to do the work at the price stated, and City Manager has recommended that offer be accepted and work be done.

RESOLUTION NO. 120606, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager, for and on behalf of The City of San Diego, to execute agreement with J. C. Hendricks dba Business Extension Bureau, for exchange of information as to new businesses, business transfers and related data, in accordance with terms and conditions contained in Document No. 499048 on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120607, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement between the City and Old San Diego Chamber of Commerce, filed as Document No. 460776 under terms and conditions set forth in amendment to lease agreement filed in office of City Clerk as Document No. 499049, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120608, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with San Diego Historical Days of portion of Lot 4 Block 436 for period of years, 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. 499050, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120609, recorded on Microfilm Roll No. 86, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations:

Thor at Cottonwood; Cumberland at Calle Aquadulce;
was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120610, recorded on Microfilm Roll No. 86, approving Change Order No. 3, dated September 24, 1954, heretofore filed with City Clerk as Document No. 498940, issued in connection with contract between The City of San Diego and L. B. Butterfield for installation of Redwood Village Pipeline (Housing and Home Finance Agency Project Calif. 4-CF-18), contained in Document No. 488480 on file in office of City Clerk, changes amounting to increase in contract price of approximately \$2,769.60; approving request for extension of 60 days to and including December 5, 1954, in which to complete contract for the installation; extending contract completion to December 5, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120611, recorded on Microfilm Roll No. 86, approving Change Order No. 2, dated September 21, 1954, heretofore filed with City Clerk as Document No. 498942, issued in accordance with contract between City of San Diego and H. C. Dennis for improvement of 45th Street, South of Market Street, contained in Document No. 495743 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$46.62, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120612, recorded on Microfilm Roll No. 86, approving Change Order No. 2, dated September 28, 1954, heretofore filed with City Clerk as Document No. 498944, issued in connection with contract between The City of San Diego and Teyssier & Teyssier for construction of College Heights Branch Library, contract contained in Document No. 487737 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$75.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120613, recorded on Microfilm Roll No. 86, approving Change Order No. 3, dated September 28, 1954, heretofore filed with City Clerk as Document No. 498946, issued in connection with contract between The City of San Diego and Teyssier & Teyssier for construction of College Heights Branch Library, contract contained in Document No. 487737 on file in office of City Clerk, changes amounting to increase in contract price of \$30.57, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120614, recorded on Microfilm Roll No. 86, approving request of Teyssier & Teyssier, dated September 28, 1954, contained in Change Order No. 4, for extension of 21 days to and including October 15, 1954, heretofore filed with City Clerk as Document No. 498948 in which to complete contract for construction of College Heights Branch Library, contained in Document No. 487737 on file in office of City Clerk, extending contract to October 15, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120615, recorded on Microfilm Roll No. 86, granting permission to William J. Burke and Minerva B. Burke, owners, to install sewer connection on Lots 1 and 2 Block 4 Paradise Hills Subdivision, with grade of 1/8" to the foot on soil line to City sewer connection for reason that City sewer is so near surface of street ~~near-surface-of-street~~ that it is impossible to get the 1/4" grade; subject to approval of Chief Plumbing Inspector and City Manager of City of San Diego, and upon express condition that City shall be held free and clear of claims, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120616, recorded on Microfilm Roll No. 86, granting revocable permit to Dr. Ralph W. Otterstrom, 1070 Missouri Street, San Diego, to install 4-inch ceramic-weld sewer line across Encelia Drive from northwesterly corner of Lot 8 Block F to northeasterly corner of Lot 7 Block E Country Club Heights, thence continues northwesterly in private easements to point of intersection with public sewer; to serve Lot 8 Block F Country Club Heights; 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 Kerrigan, adopted.

RESOLUTION NO. 120617, recorded on Microfilm Roll No. 86, authorizing and directing City Auditor and Comptroller to make refund of fee in amount of \$6.00 for Building Permit No. 20642 on grounds that duplicate permit No. 26471 for same work was issued contractor performing the work, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, reading of the next ordinance in full was dispensed with by not less than 4 votes of the Council. New series ORDINANCE NO. 6278, recorded on Microfilm Roll No. 86, consenting to lease assignment covering portion of Pueblo Lot 1311, executed by Star and Crescent Oil Company, Assignors, and Tide Water Associated Oil Company, Assignees, of lease filed in office of City Clerk as Document No. 415613 covering the property; authorizing City Manager to evidence such consent and acceptance by signing the assignment, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen-Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent-Councilmen Burgener, Schneider.

120611 - 120617
6278 N.S.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, reading of 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 written or printed copy.

ORDINANCE NO. 6279 (New Series), recorded on Microfilm Roll No. 86, authorizing City Manager to execute lease with N. J. Peavey in Pueblo Lot 1240, 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. 499081, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted by the following vote: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener and Godfrey.

Councilman Godfrey suggested reference to the City Manager for discussion with the Civil Service the matter of vacations for City employees.

RESOLUTION NO. 120618, recorded on Microfilm Roll No. 86, requesting City Manager and City Attorney to have prepared for presentation the necessary Ordinance to amend Civil Service Rules on annual vacation allowances to City Employees, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Godfrey asked about water skiing in Mission Bay.

The City Manager said that the Recreation Department is going into the subject with the skiers. He said that there was a newspaper story on account of his saying that they would be banned.

Councilman Godfrey said that there is an effort being made to fit them into the picture.

The City Manager stated that Mr. Jessop wrote the original letter regarding skiing on Mission Bay.

Councilman Godfrey said that when someone drives along the highway and sees water skiers all over Mission Bay it looks good.

There was no action.

The Mayor told the Council that he had asked Mr. Willis (Assistant to the Mayor) to do work with Civic Clubs regarding liaison. He said that if the Council had no objection, he will go ahead with the plan.

Apparently there was agreement by members of the Council. There was no action.

Councilman Godfrey moved to adjourn the October 19 (Tuesday) meeting to October 21 (Thursday), 1954. Councilman Wincote seconded the motion. It was carried.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 3:35 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy City Clerk

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, October 7, 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 B. Wincote called the meeting to order at 10:05 o'clock A.M. (The Mayor was in Sacramento on City business).

The first item was taken up out of order, at the request of Councilman Schneider, who stated that the man interested in the project had asked for the continuance.

U.C. - Water Skiing on Mission Bay
U.C. - Mayor's liaison work with Civic Clubs
120618
2679 N.S.

On motion of Councilman Schneider, seconded by Councilman Dail, recommendation of Planning Commission signed by Harry C. Haelsig in connection with Tentative Map for Record of Survey Map on Lots 1 & 2 Block 43 Paradise Hills No. 3, was continued 2 weeks - to October 21, 1954.

The Council returned to the regular agenda in the order written.

Communication from the Planning Commission, signed by P. Q. Burton, forwarding petition for rezoning of property along west side of South 43rd Street at intersections of Delta and Epsilon Streets, was presented. It states that property on east side from Delta south is in National City and is zoned for business purposes generally, except for 2 parcels...one of which is in Zone R-1 and contemplates a residence, other is also in R-1 and that is subject to zone variance permitting a C-3 usage which includes lumber yards, according to information supplied by Planning Director of National City. Communication states the Commission voted 4-0 to recommend that rezoning plat shown on Drawing No. B-616 attached be adopted - property now zoned R-4 under Ordinance No. 13216. It suggests that matter be forwarded to City Attorney's office for drafting proper ordinance prior to setting for public hearing.

RESOLUTION NO. 120619, recorded on Microfilm Roll No. 86, requesting City Attorney to prepare and present necessary Ordinance for rezoning portion of Dougherty's Subdivision in vicinity of South 43rd Street at Delta and Epsilon Streets, from R-4 to Zones C and CP, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by P. Q. Burton, forwarding petition of Wm. P. Odom requesting rezoning of parcel of land approximately 225 feet in depth by 700 feet in length, lying along southerly side of University Avenue at Bonillo Drive, from zone R-1 to Zones C and CP - petitioner has also presented Tentative Subdivision map of property in question - was presented. It suggests that matter be forwarded to City Attorney's office for drafting proper ordinance prior to setting for public hearing. It also recommends that rezoning not become effective until after final subdivision map is filed of record.

RESOLUTION NO. 120620, recorded on Microfilm Roll No. 86, requesting City Attorney to prepare and present the necessary ordinance for rezoning portion of Parcel "00" Lot 19 Rancho Mission, in vicinity of University Avenue and Bonillo Drive, from Zone R-1 to Zones C and CP, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120621, recorded On Microfilm Roll No. 86, accepting bid of Mission Pipe & Supply Company for furnishing 30 items of Copper and Brass Water Service Fittings at price of \$1,108.18 plus tax terms 2% - 10th prox.; 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 Kerrigan, adopted.

RESOLUTION NO. 120622, recorded on Microfilm Roll No. 86, approving plans and specifications for furnishing all labor, material, tools, equipment transportation and other expense necessary or incidental for construction of Fire Station Building for Fire Engine Company No. 27 at 5064 Clairemont Drive, at Cole Street, under Document No. 499083; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120623, recorded on Microfilm Roll No. 86, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements, Group 16, under Document No. 499022; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that final map of Linda Vista Unit No. 6 is in substantial compliance with tentative map approved by Resolutions 116692 and 11663 dated Feb. 16, 1954, and Resolution 117298, of March 25, 1954, except that Resolution 116693 contained requirement that all fences, buildings, sheds and miscellaneous structures, on which building permits were not issued or which were not in compliance with yard requirements or Building Code be removed; was presented. It says that in said respect the Planning Commission has recommended that in lieu of the condition that buildings, fences, sheds and miscellaneous structures which were not removed prior to acceptance of final map by the City, shall be removed prior to any sale or transfer of title. The communication recommended adoption of Resolution amending condition No. 10 of Resolution 116693; and it recommends that final map be approved subject to execution of agreements to insure installation of required improvements and removal of the fences, sheds, and miscellaneous structures.

RESOLUTION NO. 120624, recorded on Microfilm Roll No. 86, amending Resolution

Map in Paradise Hills 3 cont.

Communications

120619 - 120623

6

No. 116693 approving Tentative Map of Linda Vista Unit relative to acceptance of final map conditioned upon removal of all fences, buildings, sheds, and miscellaneous structures on which building permits have not been issued or which are not in compliance with yard requirements or Building Code; provided that agreement entered into under Section 102.19 of the Code may provide that fences, buildings, sheds and miscellaneous structures which are not removed prior to acceptance of final map by the City, shall be removed or permits issued prior to sale or transfer of title, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

120625

RESOLUTION NO. /waiving portion of San Diego Municipal Code, which requires filing of faithful performance bond in favor of The City of San Diego, in connection with improvements in Linda Vista Unit No. 6 yet to be installed and completed by United States of America acting by and through 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. 1952 et seq.), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution says that City Manager shall not sign contract until he has been furnished by Housing and Home Finance Agency copy of contract entered into between the Agency and reliable contractor, for installation of improvements as required by Document No. 491591 filed in office of City Clerk June 3 1954 and Resolutions Nos. 116693 and 117298. It directs City Engineer to present ordinance establishing official grades of streets.

RESOLUTION NO. 120626, adopting Map of Linda Vista Unit No. 6, accepting public streets, walk, alleys, and unnamed easements therein, rejecting dedication for public streets of the land shown thereon as "Reserved for Future Streets", was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution identifies the property as being portions of Pueblo Lots 1189, 1190, 1196 and 1197. It authorizes and directs the Clerk to endorse upon the map as and for act of the Council that said streets, walk, alleys and unnamed easements are accepted on behalf of the public; directing the Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Final Map of Linda Vista Unit No. 3 is in substantial compliance with Tentative Map approved by Resolutions 116690 and 116691 dated Feb. 16, 1954, and Resolution 117297 dated March 25, 1954, except that Resolution 116691 contained requirement that all fences, buildings sheds and miscellaneous structures, on which building permits were not issued or which were not in compliance with yard requirements or Building Code be removed - in Linda Vista Unit 3, was approved. It says that the Commission recommended that in lieu of the condition that those which were not removed prior to acceptance of final map by the City shall be removed prior to any sale or transfer of title. It says that if the Council concurs with the recommendation, it is recommended that resolution amending condition No. 12 of Resolution 116691 be adopted; and recommends that final map be approved, subject to execution of agreement to insure installation of required improvements and removal of the fences, sheds, and miscellaneous structures.

RESOLUTION NO. 120627, recorded on Microfilm Roll No. 86, amending Resolution No. 116691 approving Linda Vista No. 3 relative to final map of Linda Vista Unit 3 relative to acceptance of final map conditioned upon removal of all fences, buildings, sheds and miscellaneous structures on which building permits have not been issued or which are not in compliance with yard requirements or Building Code of The City; provided agreement entered into under Section 102.19 of San Diego Municipal Code may provide that fences, buildings, sheds and miscellaneous structures which are not removed prior to acceptance of final map by the City, shall be removed or permits issued prior to any sale or transfer of title, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120628, recorded on Microfilm Roll No. 86, 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 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. 3, with provision that City Manager shall not sign the contract until he has been furnished by 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. 491417 filed in office of City Clerk June 1, 1954 and Resolutions Nos. 116691 and 117297 adopted by the Council February 16, 1954 and March 25, 1954; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120629, recorded on Microfilm Roll No. 86, adopting "ap of Linda Vista Subdivision Unit No. 3 and accepting public streets, alleys, walk and unnamed easements, together with all abutters rights of access to Ulric Street and Linda Vista Road, and rejecting dedication for public streets of land shown thereon as "Reserved For Future Street", shown on the map, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution identifies the property as portion of Pueblo Lotx 1175 and 1180. It authorizes and directs the Clerk to endorse upon map, as and act of the Council, that streets, alleys, walk and unnamed easements, together with abutters rights of access to Ulric Street and Linda Vista Road are accepted on behalf of the public; it directs City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California.

The next item on the agenda, which has to do with redividing Lots 1 and 2 Block 43 Paradise Hills No. 3, was considered at the beginning of the meeting, and was continued 2 weeks.

Communication from Acting City Engineer recommending that Resolution of Intention No. 120410 for Garnet Street Lighting District Number One be rescinded in order that period of time for furnishing electric current may be changed, was presented.

RESOLUTION NO. 120630, recorded on Microfilm Roll No. 86, repealing Resolution No. 120410 for Garnet Street Lighting District Number One, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Civil Service Commission, signed by William P. Elser, president, dated October 4, 1954, was presented. It states that Civil Service Assembly of the United States and Canada will hold its annual conference at Miami Beach, Florida, November 7 to 11, 1954, was presented. It requests approval of attendance of the Commission's Personnel Director, at the conference which will bring together on a national basis most of the personnel directors engaged in civil service and merit system work. Also, it says that it is understood that sufficient funds for the trip have been requested and approved in the Civil Service budget for fiscal year 1954-55.

RESOLUTION NO. 120631, recorded on Microfilm Roll No. 86, authorizing Raymond Krah, Personnel Director of The City of San Diego, to attend National Conference of Civil Service Assembly of United States and Canada, to be held at Miami Beach, November 7 to 11, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, Kerrigan, adopted.

Communication from State of California, Department of Public Works, Division of Highways District XI, 4075 Taylor Street, San Diego 12, dated September 30, 1954, signed by John C. Webb, District Right of Way Agent, for E. E. Wallace, District Engineer, was presented. It has to do with relinquishment Resolution covering approximately 6.92 miles of highway, Washington Street from Cabrillo Freeway to Normal Street, Normal Street from Washington Street to Park Boulevard and El Cajon Boulevard from Park Boulevard to the East City Limits, was presented.

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

Communication from State of California, Department of Public Works, Sacramento, dated September 29, 1954, signed by G. T. McCoy, State Highway Engineer, was presented. It gives notice that on or after 90 days from date of receipt for notice - request is to be made to the Commission to relinquish portions of State highway - (Pacific Highway) within City between 1 mile south and 0.7 mile north of Balboa Avenue, road XI-SD.-2-Sd - superseded by change in location, was presented.

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

Communication from Vernon H. McChesney, 713 First National Building, San Diego, dated October 5, 1954, was presented. It requests zone change be enacted on 20 acres of land at 47th and Logan from R-4 Zone to C Zone for purpose of establishing a Super Shopping Center, was presented.

Mr. McChesney told the Council that he has 20 acres at 47th and Logan, purchased from Harley Knox (former Mayor). He said that he wants a "C" Zone for a Super Market. He said that he needs C because of having to know where building is to go. He told the Council that it is hard to say where each will be put. Mr. McChesney stated that for financing C Zone is needed on the development, which will be over \$1,000,000, if the zone is changed. He pointed out that lessees are anxious over the delay. He said that he understands the 3-1 ratio regarding parking. He added that he will have in excess of 5-1; similar to Sears-Roebuck.

Councilman Schneider spoke to Glenn A. Rick, City Planning Director. He asked if all the Sears-Roebuck zone is C.

Mr. Rick replied that he was not sure. He pointed out that when Sears went out to their location, the City did not have the CP zone. He related that Mr. McChesney has been in many times. He spoke of trying to work out the situation with Mr. McChesney, although they seem not to be able to work it out. He told of several other shopping centers which are working out their details. He referred to the minimum 3-1 set up by the City, and the excess of 3-1 in many instances.

Councilman Wincote said that it has to be referred to the Planning Department.

Councilman Kerrigan moved to refer the item to Planning. It was seconded by Councilman Schneider.

Glenn A. Rick, City Planning Director, told the Council that a letter of request for the change is not enough. He pointed out that a regular petition is needed for the

change. He stated that he can't say what the Commission's action would be.
The roll was called, and the item referred to Planning.

Communication from The Men's Sunday School Class, Normal Heights Methodist Church, 4650 Mansfield, San Diego, dated September 28, 1954, was presented. It commends the Council for action and definite stand against sale and distribution of unfit comic books, horror and lewd magazines in San Diego, and amplifies views on the situation.

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

Communication from Door of Hope Home and Hospital, The Salvation Army, 2301 Bolinas Street, San Diego 7, dated October 5, 1954, signed by E. D. Clapp, was presented. It is with reference to conveyance of property in Collier Park, as approved by Proposition 0 at the General Election of April 21, 1954. It points out that conveyance has been made; that the Home contemplates additions to improvements on the property but cannot proceed until matter of title to property is cleared.

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

Resolution for initiation of proceedings to improve American Park by grading, paving, sewers, water mains, etc., was presented. The Resolution was adopted at this point, but it is not numbered, inasmuch as action was reconsidered later. It will be found again, together with discussion, as Resolution No. 120657.

RESOLUTION NO. 120632, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager to do all work in connection with installation of 1460 feet of 6-inch water main on Newell Street, from Plum Street to Clove Street; Oliphant Street, from Clove Street to Capistrano Street; Plum Street, from Newell Street to Macaulay Street, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states that Water Department, Division of Distribution, has recommended the installation, that City Manager 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. 120633, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager to do all work in connection with moving water level control from North Encanto elevated tank to Lomita standpipe, and installation of necessary overhead control line, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 120634, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager to enter into contract with J. C. LaForce as Agricultural Consultant for period beginning September 1, 1954 and terminating June 30, 1955, at monthly compensation of \$200.00, under terms and conditions set forth in form of agreement filed in office of City Clerk as Document No. 499097, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120635, recorded on Microfilm Roll No. 86, authorizing and empowering City Manager, for and on behalf of the City, an extension of agreement filed in office of City Clerk as Document No. 483739, between the City and San Diego State College Foundation for the operation of Aztec Terrace and Aztec Villa Housing Projects for additional period of 4 months ending October 31, 1954, subject to terms and conditions set forth in No. 483739, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120636, recorded on Microfilm Roll No. 86, approving Change Order No. "B" dated September 27, 1954, heretofore filed with City Clerk as Document No. 498838, issued in connection with contract between City of San Diego and M. H. Golden

Communications
Resolution cont.
120632 - 120636

Construction Company, for construction of Transit Shed No. 2 on "B" Street Pier, contained in Document No. 493486 on file in office of City Clerk; changes amounting to increase in contract price of \$2,517.50, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from R. A. Hall, Assistant City Engineer and Street Superintendent, approved by City Manager, was presented. The communication dated October 6, 1954, refers to Maxson, a corporation, Bonwood Corporation and Fineview Corporation, plaintiffs, vs. The City of San Diego, a municipal corporation in State of California, defendant, Superior Court Action No. 192276. It has to do with a disclaimer, and makes reference to his letter of September 2, 1954, recommending that property be closed as requested in petition, Document No. 495249. It says, further, that City of San Diego has no interest in the property sought to be quited.

RESOLUTION NO. 120637, recorded on Microfilm Roll No. 86, authorizing City Attorney on behalf of The City of San Diego, to file disclaimer in action entitled "Maxson, a Corporation, Bonwood Corporation and Fineview Corporation, Plaintiffs vs. The City of San Diego, a municipal corporation in the State of California, Defendant", No. 192276, pending in Superior Court of State of California, in and for County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120638, recorded on Microfilm Roll No. 86, approving claims of Farmers Insurance Exchange on file in Office of City Clerk under Document Nos. 498602 and 494706 in amount of \$162.19; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Farmers Insurance Exchange, Arnold E. Ascherfeld and William J. Ascherfeld in said amount in full settlement of the claims, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120639, recorded on Microfilm Roll No. 86, approving claims of Scott Paper Company filed in office of City Clerk under Document Nos. 487400, 487401 and 492006 in total sum of \$1,153.96; authorizing City Auditor and Comptroller to draw warrent in favor of Scott Paper Company in said sum, to be charged against Harbor Department Funds in full payment of the claims, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120640, recorded on Microfilm Roll No. 86, denying claim of Donald J. Hughes on file in Office of City Clerk under Document No. 492478, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120641, recorded on Microfilm Roll No. 86, denying claim of Mrs. John W. Rouse on file in office of City Clerk under Document No. 497482, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120642, recorded on Microfilm Roll No. 86, denying claim of Etta E. and Juanita M. Steiger, on file in Office of City Clerk under Document No. 492426, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120643, recorded on Microfilm Roll No. 86, denying claim of Ernest A. Strout on file in Office of City Clerk under Document No. 498033, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120644, recorded on Microfilm Roll No. 86, 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 Olive F. Davison portions of Lots 1 and 2 Block 3 Haffenden's Sunnydale; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to Union Title Insurance and Trust Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. Resolution states that there have been negotiations to purchase portion of property, that terms and conditions have not been fully performed and met; that through inadvertence and mistake Union Title Insurance and Trust Company, acting as escrow agent, forwarded and presented to the Council deed of Olive F. Davison conveying property to City before terms and covenants had been fully performed; that to rectify error and restore situation to conditions prior to conveyance, City Manager recommends that City reconvey property.

Communication
120637 - 120644

RESOLUTION NO. 120645, recorded on Microfilm Roll No. 86, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Corporation of America, trustee, bearing date September 28, 1954, wherein parties subordinate all right, title and interest in and to portion of Lot 29 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120646, recorded on Microfilm Roll No. 86, accepting deed of Edgar C. Dumont and Laura Dumont, bearing date September 25, 1954, conveying Lot 6 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120647, recorded on Microfilm Roll No. 86, accepting deed of Henry B. Tank and Eliza Tank, bearing date October 4, 1954, conveying Lot 4 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120648, recorded on Microfilm Roll No. 86, accepting deed of Douglas Oil Company of California, bearing date September 9, 1954, conveying easement and right of way for street purposes in portion of Lot 5 Block G 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120649, recorded on Microfilm Roll No. 86, accepting deed of Claudine C. Thatcher, bearing date August 12, 1954, conveying easement and right of way for street purposes in portion of Lot 5 Block G 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120650, recorded on Microfilm Roll No. 86, accepting deed of Mearl M. Maynard and Margaret L. Maynard, bearing date September 28, 1954, conveying easement and right of way for street purposes in portion of Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it Catoctin 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120651, recorded on Microfilm Roll No. 86, accepting deed of Robert F. Burak and Corinne Burak, bearing date September 2, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block 6 Valencia Park Unit No. 1; setting aside and dedicating land to public use as and for public street and naming it San Jacinto Place; 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. 120652, recorded on Microfilm Roll No. 86, accepting deed of Lloyd A. Caudle and Crystle P. Caudle, bearing date September 10, 1954, conveying easement and right of way for street purposes in portion of Lot 4 Block 6 Valencia Park Unit No. 1; setting aside and dedicating land to public use as and for public street and naming it San Jacinto Place; 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. 120653, recorded on Microfilm Roll No. 86, accepting deed of Eric Charles Gittins and Catherine Veronica Gittins, Eric F. Gittins and Robert J. Gittins, bearing date September 11, 1954, conveying easement and right of way for street purposes in portion of Lot 3 Block 6 Valencia Park Unit No. 1; setting aside and dedicating land to public use as and for public street and naming it San Jacinto Place; 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. 120654, recorded on Microfilm Roll No. 86, accepting deed of Michael D. Lynes and Mary K. Lynes, bearing date September 4, 1954, conveying easement and right of way for street purposes in portion of Lot 12 Block 6 Valencia Park Unit No. 1; setting aside and dedicating to public use as and for public street and naming it San Jacinto Place; 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. 120655, recorded on Microfilm Roll No. 86, accepting deed of Etta E. Steiger and Juanita M. Steiger, bearing date September 8, 1954, conveying easement and right of way for storm drain in portion of Pueblo Lot 183; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to Alan M. Firestone, City Attorney's Office, for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120656, recorded on Microfilm Roll No. 86, accepting deed of Russell J. Tucker and Dorothy E. Tucker, bearing date September 30, 1954, conveying easement and right of way for storm drain in portion of Lot 7 Block 13 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 Godfrey, seconded by Councilman Kerrigan, adopted.

The Council reconsidered the next matter, listed on page 188 of these Minutes. It has to do with granting petition for installation of sewers, water mains and grading of streets in American Park Addition; and it directs City Engineer to furnish description of assessment district and plat of assessment district including various improvements.

James P. Slater, County Bureau of Sanitation, answered questions at the request of Vice Mayor Wincote. He stated that it is the policy to allow temporary cesspools where sewers have been approved, if agreements are signed to connect to the sewers.

Councilman Godfrey pointed out that although permits are granted, and proceedings get under way, it might be protested out, or permits overruled re the 1911 Act.

Mr. Slater stated that he acts upon the City Engineer's recommendation at the point when people can't back out.

Councilman Godfrey said that the Council wants to assist, but that petition might be thrown out.

Councilman Dail spoke to Mr. Slater regarding having to wait until hearing. He contended that nobody would be fool enough to put in cesspools for 90 days.

Mr. Slater said that when he gets a letter from the City Engineer regarding assurance sewer will be available permit is granted.

Vice Mayor Wincote said that it is unlikely that an area would build up rapidly if they don't have sewer and water. He said that property is not accessible to the sewer, but the Council is going to help the property owners. He said, however, that the proceedings would go through.

Councilman Dail said that he wanted the City Engineer, or a representative, here.

Mr. Slater repeated that when the City Engineer says sewers are available, he will let property owners have permits for cesspools.

Councilman Godfrey spoke of trouble which can develop like that of Spring Valley, Lemon Grove and Muirlands. He stated that some in Muirlands have had to put in holding tanks, which become expensive.

Vice Mayor Wincote said there are some homes there, now. He said if they are working properly.....(statement was not completed).

Mr. Slater spoke about the area being not susceptible to cesspools.

Vice Mayor said that the area would not be in trouble with a few houses.

Councilman Dail stated that it would be starting of the procedure; could get letter from the Engineer.

Councilman Godfrey declared that a bad situation could develop if there were requests for 60 cesspools in the subdivision.

Councilman Dail told about the Health Department having put red tags on Encanto houses. He spoke directly to Russell Hall, Acting City Engineer, who had just arrived, regarding temporary permit. Councilman Dail said that the area would eventually have sewers, if the proceedings are not protested out.

Mr. Hall said that there was no way of giving assurance that sewers will go in. He said that notification can be given that procedure is under way. He stated that this one is a little different, in that it includes several improvements, in addition to the sewers. He said that the Health Department allows some temporary sewers.

Councilman Dail referred to having 1-1/2 ceptic tanks.

Mr. Hall asked if letter regarding there being a 1911 Act proceeding under way be accepted.

Mr. Slater said that there is a regular form letter which the applicant signs.

The Vice Mayor said that maybe the man should be shown the form.

Councilman Godfrey spoke about the property owners not minding the improvements, excepting the paving.

A man, who had appeared earlier, but who still did not identify himself, told the Council that he does not oppose the paving.

Councilman Godfrey asked what percentage is represented.

The unidentified man replied "not too much". He said that he has 4 lots now.

Vice Mayor Wincote referred to the original being 58% - for sewer and water.

The same man told the Council that 1 man owns 50 lots.

Councilman Godfrey said that if there is over 50% on a new job, it will probably go through. He stated that the oiled street leads to the City dump - because of driving to it by truck day to day.

Councilman Dail asked if signatures are now being obtained.

The man who had been answering the Council's questions, replied that he did not know.

Vice Mayor Wincote said that it is a matter of timing.

The same man said that he wants to get started. He said that if the improvement doesn't get in, the rains will come and they will lose the work.

The Vice Mayor pointed out that the project will go through more readily, if the property owners bring in petition of more than a majority signers in favor.

Councilman Dail said that he wanted to examine the letter which property owners sign.

Mr. Hall had secured a copy, which he showed to Councilman Godfrey. At the Vice Mayor's request, the Councilman read it aloud.

Councilman Dail said that it can be done on "this" resolution.

Councilman Godfrey said that if the project goes forth, and gets in situation of people on the oiled street, it might run into a protest. He said that they can hold off, where they have septic tanks approved.

Councilman Dail said that because paving is tied in, it should not make any different than if for sewer only. He said that if it is in order, and the City Engineer can't act on account of vacation, he would move that the letter be sent.

Councilman Schneider asked if it would be reasonable to remove the paving from the project. He wondered if the City could go ahead regarding the sewers, and curbs - then go ahead with the paving later. He said that there might be less damage.

Councilman Kerrigan said that when all is combined in one proceeding, the Council might find itself in a position of overruling a majority, like the case of the storm drain.

Mr. Hall said that sewer and water plans might be developed separately.

Councilman Godfrey spoke of 2 petitions, and hope that all would go through.

Mr. Hall said that plans could be developed, and then go back to the Resolution of Preliminary Determination, if necessary.

Councilman Godfrey said that if it is a petition for sewers, it would not be overruled, but that the Council might throw out regarding paving.

The Vice Mayor said he likes Councilman Dail's motion, regarding the Engineer. He said that streets should be paved. He asked for action on the Dail motion.

Councilman Godfrey said that the City could break off the paving.

Councilman Dail pointed out that Resolution regarding instituting proceedings had been adopted. He said this is no different, except that it contains paving.

Councilman Godfrey declared that there is no petition for paving. He said that maybe only 27% want the whole improvement.

Councilman Dail spoke of it being based on a resolution having to do with instituting proceedings.

Councilman Godfrey declared that there is no indication there is going to be a petition for paving.

Councilman Dail said that the City did the same on Klauber Avenue. He said that the Council had a petition on part, and there was addition made without petition. He said that some - almost a majority - wanted to protest the project out. He said that the Engineer gave a letter to Slater.

The Vice Mayor said that it is routine; no delay.

Councilman Kerrigan stated a petition for sewers had been received by the City Manager and the City Engineer, and it was decided a 1911 Act proceeding would have to include paving. The petition now includes certain paving which was protested out. Parties are now enthusiastic to keep alive, on account of cesspool permits required. Councilman Dail stated this was the heaviest area of the City voting for sewer bonds, and has ceptic tanks; the Health authorities gave permits. Such tanks are all right for awhile then become an expense. He inquired if it was desireable to upset petition procedure.

Acting City Engineer Hall stated he assumes sewer mains will go in here with any 1911 Act Improvement.

Councilman Dail stated this will not be the first time work has been ordered without the required percentage on the petition.

Councilman Godfrey said the proponents do not have to get a petition.

Thereupon, RESOLUTION NO. 120657, recorded on Microfilm Roll No. 86, granting

the petition contained in Document No. 499021 for the installation of sewers, water mains and grading of the streets in American Park Addition; directing the City Engineer to furnish this Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the grading, paving and installation of curbs, drainage structures, water mains and appurtenances, sewers, water services, sewer laterals, guard fences, retaining walls if required, in the streets in said American Park Addition; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6280, (New Series), recorded on Microfilm Roll No. 86, appropriating the sum of \$5,000.00 from the Unappropriated Balance Fund for providing funds for the payment of the services rendered by Brown and Caldwell, a Co-partnership, and to reimburse said Brown and Caldwell for expenses incurred, in accordance with contract contained in Document No. 487921, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent Councilman Burgener and Mayor Butler.

RESOLUTION NO. 120658, recorded on Microfilm Roll No. 86, authorizing E. W. Beale, Chief Plumbing Inspector, to attend the annual conference of Western Plumbing Officials' Association, to be held in San Jose, California, October 12th, 13th, 14th and 15th, 1954; authorizing him to incur all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. This resolution was presented under unanimous consent, on motion of Councilman Schneider, seconded by Councilman Kerrigan.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, an Ordinance Amending the San Diego Municipal Code by Amending Sections 62.04 and 62.04.1 Regulating the issuance of permits for installation of Public Property -- encroachments on Public Property, was introduced by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Burgener and Mayor Butler.

Councilman Wincote requested, and was granted, unanimous consent to present the next item.

City Auditor John McQuilken stated that at a breakfast meeting of the United Success Drive it was announced that 110% of the quota has been raised by public employees; and that contributions had been received from more than 50% of all public employees.

RESOLUTION NO. 120659, recorded on Microfilm Roll No. 86, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted. This Resolution commended City employees who have contributed to the United Success Drive.

The next two items were presented by unanimous consent, on motion of Councilman Godfrey, seconded by Councilman Schneider:

RESOLUTION NO. 120660, recorded on Microfilm Roll No. 86, authorizing and directing the City Manager to execute a contract with Allied Farms, Inc. a corporation and Louis L. Kelton and Elsa Kelton, husband and wife and Walter Bollenbacher and Grace Bollenbacher, husband and wife, for the installation and completion of the unfinished improvements and the setting of the monuments required for Allied Gardens Unit No. 4 subdivision; directing the City Engineer to present an ordinance establishing the official grades of streets within said subdivision; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120661, recorded on Microfilm Roll No. 86, adopting the map of Allied Gardens Unit No. 4 and accepting public streets, alley, named and unnamed easements, together with any and all abutters rights of access to Waring Road adjacent to Lots 548 through 553, inclusive, and rejecting the dedication of portion marked "Reserved for future Street", as shown on map of this subdivision; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Godfrey brought up the matter of vacation time for City employees. The City Manager stated the Civil Service Department was working on new rules relative to leaves of absence, annual vacation, etc.; and the proposed rules will be set down for a hearing.

No action was taken in the matter.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 11:00 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk,

Mayor of The City of San Diego, California

By *August M. Halstrom* Deputy.

120658-120661

Ord. 6280

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Wednesday, October 13th, 1954.

Tuesday, October 12th, 1954, being a legal holiday, a Council meeting was called to order by Councilman Kerrigan at 10:00 o'clock A.M.

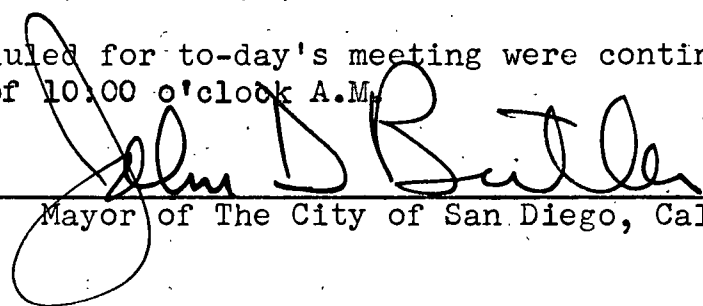
Present---Councilman Kerrigan.

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

Clerk-----Fred W. Sick.

Due to lack of a quorum, Councilman Kerrigan declared the meeting adjourned until Thursday, October 14th, 1954, at the hour of 10:00 o'clock A.M.

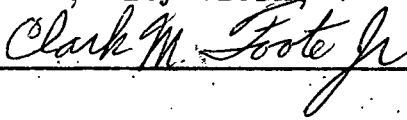
All hearings, and other matters, scheduled for to-day's meeting were continued until Thursday, October 14th, 1954, at the hour of 10:00 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By



Deputy.

REGULAR ADJOURNED MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 14th, 1954.

Pursuant to adjournment, a meeting was held this date, and was called to order by Mayor Butler at the hour of 10:07 o'clock A.M.

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

Absent---Councilmen Burgener and Godfrey.

Clerk----Fred W. Sick.

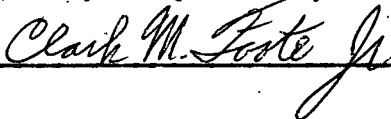
On motion of Councilman Schneider, seconded by Councilman Kerrigan, the meeting was adjourned at the hour of 10:08 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By



Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 14th, 1954.

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

The Mayor called the meeting to order at 10:09 o'clock A.M.

The Minutes of the regular meetings of Tuesday, October 5th, 1954, and of Thursday, October 7th, 1954, and of Wednesday, October 13th, 1954, were approved by the Council, after which they were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been received on October 8th, 1954, at 10:00 o'clock A.M., for paving and otherwise improving of A Street, between the easterly line of Edgemont Street and a line parallel to and distant 225.00 feet easterly from said easterly line, from the following bidders: Daley Corporation, H. C. Dennis, M. H. Golden Construction Company, Griffith Company and R. E. Hazard Contracting Company.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

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

At this time a majority of the members of the Council signed:

Contract with San Diego Gas & Electric Company for Mission Beach Lighting District No. 2.

Contract with San Diego Gas & Electric Company for Ocean Beach Lighting District No. 1.

Contract with San Diego Gas & Electric Company for University Avenue Lighting District No. 3.

Contract with San Diego Gas & Electric Company for University Avenue Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2284, made to cover costs and expenses of paving and otherwise improving the Alley in Block 43, City Heights, under Resolution of Intention No. 114133, the City Clerk reported that a written appeal had been filed by Denis Denov and Louis Denov; which appeal was presented.

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

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

RESOLUTION NO. 120662, recorded on Microfilm Roll No. 86, overruling and denying the appeal of Denis Denov and Louis Denov, filed under Document No. 498815, from the Street Superintendent's Assessment No. 2284, made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 43, City Heights, under Resolution of Intention No. 114133; overruling and denying all other appeals, written or verbal; Confirming said Street Superintendent's Assessment No. 2284; authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided by law; authorizing and directing said Street Superintendent to record said warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120663, recorded on Microfilm Roll No. 86, accepting the bid of Automobile Club of Southern California to furnish and install for The City of San Diego approximately sixty-nine (69) guide signs for the sum of \$3649.44, including sales tax; awarding the contract to said Automobile Club of Southern California; authorizing the City Manager to execute a contract for said guide signs, pursuant to the specification therefor on file in the office of the City Clerk; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120664, recorded on Microfilm Roll No. 86, accepting the bid of National Steel & Shipbuilding Corporation to furnish approximately 2500 or six months' requirements of cast iron meter box covers, for a period commencing October 15th, 1954, at a price of \$1.08 each, plus sales tax; awarding the contract to said National Steel & Shipbuilding Corporation; authorizing the City Manager to enter into and execute a contract for furnishing of said covers, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120665, recorded on Microfilm Roll No. 86, accepting the bid of Southern Machinery Company to furnish The City of San Diego with two pumps, motors and shafts for Sewage Pump Station No. 11, for the sum of \$1934.00, plus tax; awarding the contract to said Southern Machinery Company; authorizing the City Manager to execute a contract for furnishing of said pumps, motors and shafts, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120666, recorded on Microfilm Roll No. 86, accepting the bid of W. V. Hutchison Company for the construction of sanitary sewers in Home Avenue at Highland Avenue and 45th Street, and water main in Fairmount Avenue and Maple Street, for the sum of \$3343.50; awarding the contract to said W. V. Hutchison Company; authorizing the City Manager to enter into and execute a contract for said construction, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120667, recorded on Microfilm Roll No. 86, accepting the bid of Fred J. Early, Jr. Co. Inc. for modifications to the Sewage Treatment Plant for the sum of \$178,780.00; awarding the contract to said Fred J. Early Jr. Co., Inc.; authorizing the City Manager to execute a contract for said modifications, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120668, recorded on Microfilm Roll No. 86, accepting the bid of W. V. Hutchison Company for the construction of a storm drain in Balboa Avenue, between Morena Boulevard and Rose Canyon Creek, for the sum of \$62,743.95; awarding the contract to said W. V. Hutchison Company; authorizing the City Manager to execute a contract for said construction pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120669, recorded on Microfilm Roll No. 86, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Ferric Sulfate for a period of six months beginning November 1, 1954, and ending April 30, 1955, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 499254, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120670, recorded on Microfilm Roll No. 86, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City of San Diego with its requirements of Clay Pipe and Accessories for a period of six months beginning November 1, 1954, and ending April 30, 1955, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 499255, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120671, recorded on Microfilm Roll No. 86, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City of San Diego with its requirements of Centrifugally Spun Reinforced Concrete Pipe for a period of six months beginning November 1, 1954, and ending April 30, 1955, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 499256, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120672, recorded on Microfilm Roll No. 86, approving plans and specifications; ascertaining and declaring the wage scale; authorizing and directing the Purchasing Agent to publish a notice to contractors calling for bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of sanitary sewer outfall at underpass of Wabash Boulevard at Olive Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. Said specifications are contained in Document No. 499235.

RESOLUTION NO. 120673, recorded on Microfilm Roll No. 86, approving plans and specifications; ascertaining and declaring the wage scale; authorizing and directing the Purchasing Agent to publish a notice to contractors calling for bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the paving of Storage Area "A" near 10th Avenue Pier, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission reporting on the tentative Record of Survey Map for a two lot division of a portion of Pueblo Lot 104; recommending denial because the properties do not front upon a dedicated street and the lots would be substandard and would not comply with the zoning of the area; was presented and on motion of Councilman Godfrey, seconded by Councilman Wincote, continued for one week.

Communication from the City Planning Commission submitting Resolution approving the tentative map of Rodefer Hills, Mergho Division, subject to ten conditions, was presented. At the request of Mr. Rodefer's attorney, the matter was held for consideration later in the meeting, as Mr. Rodefer had not yet arrived.

RESOLUTION NO. 120674, recorded on Microfilm Roll No. 86, adopting the recommendation of the City Engineer filed in the office of the City Clerk under Document No. 499104; authorizing the City Engineer to amend the proceedings for the improvement of Roanoke Street, in accordance with said recommendation; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. As amended, the limits of the job shall include work on Sea Breeze Drive and on Calle Gaviota.

Communication from Geoffrey D. Gould suggesting a new road to connect Point Loma Avenue with Canon Street was presented, and on motion of Councilman Schneider, seconded by Councilman Wincote, referred to the City Manager.

Communication from Byrl D. Phelps requesting amendment to Resolution regarding the required improvements on Sun Gold Point subdivision; to eliminate the requirement for a walkway between certain lots, etc.; was presented.

Mr. Byrl D. Phelps orally explained his request. He stated the amendment was needed to keep the records straight.

A motion was made by Councilman Schneider to grant the request, and eliminate the required walkway. No second was received to the motion.

Glenn Rick, of the Planning Department, examined a copy of the map presented by Byrl D. Phelps.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, the communication was referred to the City Planning Commission.

Communication from the San Diego Council of Registered Civil Engineers and Licensed Land Surveyors stating that they are opposed to a proposed ordinance requiring a Record of Survey in lieu of a subdivision for tracts comprising less than five (5) parcels was presented, and on motion of Councilman Godfrey, seconded by Councilman Schneider, ordered filed in related papers for a hearing on the subject.

Communication from the San Diego Water Authority relative to the completion of the San Diego Aqueduct, and the ceremonies dedicating the completed Aqueduct held on October 2nd, 1954, was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from the Water Pollution Control Board submitting a report on the San Diego Bay area Sewerage problem was presented, and on motion of Councilman Schneider, seconded by Councilman Godfrey, ordered filed.

RESOLUTION NO. 120675, recorded on Microfilm Roll No. 86, directing notice of filing of Assessment Roll No. 2289, for paving and otherwise improving the Alley in Block 43, Normal Heights, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120676, recorded on Microfilm Roll No. 86, directing notice of filing of Assessment Roll No. 2288, for paving and otherwise improving the Alley in Block 25, Ocean Beach, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120677, recorded on Microfilm Roll No. 86, directing notice of filing of Assessment Roll No. 2287, for paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 120678, recorded on Microfilm Roll No. 86, awarding to H. C. Dennis the contract for paving and otherwise improving of the Alley in Block 15, Fairmount Addition to City Heights; and the Alley in Block 2, Mountain View, under Resolution of Intention No. 119346, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 120679, recorded on Microfilm Roll No. 86, awarding to H. C. Dennis the contract for paving and otherwise improving of Long Branch Avenue and Spray Street, under Resolution of Intention No. 119347, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120680, recorded on Microfilm Roll No. 86, approving the plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving of the Alley in Block 14, City Heights; also approving Plat No. 2637 showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120681, recorded on Microfilm Roll No. 86, approving the plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving the Alleys in Block 35, Parish and Loomis Subdivision; also approving Plat No. 2646 showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120682, recorded on Microfilm Roll No. 86, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block A, Sunset Crest; also approving Plat No. 2650, showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120683, recorded on Microfilm Roll No. 86, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 40th Street, between Ocean View Boulevard and T Street; also approving Plat No. 2635, showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 120684, recorded on Microfilm Roll No. 86, for paving and otherwise improving the Alleys in Block 20, Ocean Beach Park, and Block 99, Ocean Bay Beach, under Resolution of Intention No. 120005, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 120685, recorded on Microfilm Roll No. 86, for the installation of sewer mains in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, and certain Alleys in Mission Bay Park Tract, under Resolution of Intention No. 120009, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120686, recorded on Microfilm Roll No. 86, for the paving and otherwise improving of 45th Street, Ocean View Boulevard and Elizabeth Street, under Resolution of Intention No. 120006, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120687, recorded on Microfilm Roll No. 86, for paving and otherwise improving of Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Lane, Sycamore Drive, Snowdrop Street, Pepper Drive, Tulip Street, Shamrock Street; Alley in Block 26, Lexington Park, and Public Rights of Way, under Resolution of Intention No. 120007, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120688, recorded on Microfilm Roll No. 86, for paving and otherwise improving of Soto Street and Castelar Street, under Resolution of Intention No. 120008, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120689, recorded on Microfilm Roll No. 86, for furnishing of electric current for the lighting of the ornamental street lights in El Cajon Boulevard Lighting District No. 1 for one year beginning December 1st, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120690, recorded on Microfilm Roll No. 86, for furnishing of electric current for the lighting of the ornamental street lights in Montemar Lighting District No. 1, for one year beginning December 16th, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS NO. 120691, recorded on Microfilm Roll No. 86, for furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year beginning November 5th, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120692, recorded on Microfilm Roll No. 86, for furnishing of electric current for the lighting of the ornamental street lights in Garnet Street Lighting District Number One, for a period of one year beginning January 30th, 1955, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120693, recorded on Microfilm Roll No. 86, for the closing of "A" Street, between the westerly line of 15th Street and the westerly line of Gardner's Addition, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 120694, recorded on Microfilm Roll No. 86, for the closing of that portion of F Street lying between the east line of 44th Street and the west line of 45th Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120695, recorded on Microfilm Roll No. 86, appointing time and place for hearing protests against the proposed furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year beginning January 1st, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120696, recorded on Microfilm Roll No. 86, appointing time and place for hearing protests against the proposed furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year beginning January 1st, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120697, recorded on Microfilm Roll No. 86, for the paving and otherwise improving of the Alley in Block 14, City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120698, recorded on Microfilm Roll No. 86, for the paving and otherwise improving of the Alleys in Block 35, Parish and Loomis Subdivision, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120699, recorded on Microfilm Roll No. 86, for the paving and otherwise improving of the Alley in Block A, Sunset Crest, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120700, recorded on Microfilm Roll No. 86, for the paving and otherwise improving of 40th Street, between Ocean View Boulevard and T Street, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120701, recorded on Microfilm Roll No. 86, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the proceeding for paving portions of Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120702, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of the Alley in Block 82, City Heights and Landis Street, under Resolution of Intention No. 115147; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120703, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving the Alley in Block 67, Park Villas; Public Right of Way and Villa Terrace, under Resolution of Intention No. 116398; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120704, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving the Alley in Block 86, Point Loma Heights, under Resolution of Intention No. 117128; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120705, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving Arbor Drive, between Ingalls Street and Ibis Street, under Resolution of Intention No. 116399; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120706, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving Camino del Collado, from La Jolla Shores easterly, under Resolution of Intention No. 116895; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120707, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of installation of a sidewalk in Missouri Street, between Lamont Street and dead end to the East, under Resolution of Intention No. 117565; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120708, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving 17th Street, between Imperial Avenue and Commercial Street, under Resolution of Intention No. 116402; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120709, recorded on Microfilm Roll No. 86, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving the Alleys in Block 3, Alhambra Park, under Resolution of Intention No. 118274, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120710, recorded on Microfilm Roll No. 86, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving the Alleys in Block 12, Normal Heights, under Resolution of Intention No. 118275, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120711, recorded on Microfilm Roll No. 86, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving the Alley in Block 78, Point Loma Heights, under Resolution of Intention No. 118485, and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120712, recorded on Microfilm Roll No. 86, directing the City Clerk to give notice of Hearing on Proposed Amendment to the Rules of the Civil Service Commission of the City of San Diego, California -- Rule X -- Leaves of Absence, Annual Vacation, Sick Leave with Pay, etc., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. The time fixed for said hearing was November 9th, 1954, at the hour of 10:00 o'clock A.M.

RESOLUTION NO. 120713, recorded on Microfilm Roll No. 86, authorizing the City Manager to accept the work on behalf of the City of San Diego in Fairmount Park Subdivision, and to execute a Notice of Completion and have the same recorded, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120714, recorded on Microfilm Roll No. 86, authorizing the City Manager to employ Daley Corporation to do certain work at the intersection of 44th and Olive Streets, in connection with the improvement of 44th Street southerly of Olive Street, at a cost of \$527.12, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120715, recorded on Microfilm Roll No. 86, granting the request of Ets-Hokin & Galvan, contained in Change Order No. 1, for an extension of time of 45 days, to and including December 15, 1954, in which to complete the contract for the installation of traffic signals and safety lights on Mission Boulevard at Garnet Street, and on B Street at 9th Avenue, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120716, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as portions of Lots 36 and 37 in Block 128 of Reed and Swayne's Central Park Addition.

RESOLUTION NO. 120717, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as a portion of the West Half of the Northeast Quarter of the Northeast Quarter of Section 33, Township 16 South, Range 2 West, San Bernardino Base and Meridian, being in the Rancho Mission of San Diego.

RESOLUTION NO. 120718, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as a portion of Lot 1, in Block 9, of Loma Alta No. 1.

RESOLUTION NO. 120719, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that the taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as a portion of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 33, Township 16 South, Range 2 West, San Bernardino Base and Meridian, being in the Rancho Mission of San Diego.

RESOLUTION NO. 120720, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that the taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as a portion of the Northeasterly Half of Lot Two Hundred Eighty-one of the Pueblo Lands of San Diego, according to Map thereof by James Pascoe in 1870.

RESOLUTION NO. 120721, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that the taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as a portion of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 33, Township 16 South, Range 2 West, San Bernardino Base and Meridian, being in the Rancho Mission of San Diego.

RESOLUTION NO. 120722, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that the taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as an easement across portions of Lots 6 and 7 in Block 1 of Marilou Park.

RESOLUTION NO. 120723, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that the taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The property affected was described as a strip of land 30 feet in width over and across Lots 10, 11, 12 and 13 of Miramar Terrace.

RESOLUTION NO. 120724, recorded on Microfilm Roll No. 86, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that the taxes, penalties and deeds against certain City-owned property be cancelled, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120725, recorded on Microfilm Roll No. 86, granting permission to the Division of Highways Department of Public Works of the State of California to excavate material on a portion of certain Pueblo Lands and Torrey Pines Park as shown in Document No. 499537, in connection with the improvement of State Highway 101 in the vicinity of La Jolla cutoff and Torrey Pines grade; subject to conditions specified in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120726, recorded on Microfilm Roll No. 86, granting permission to Aztec Oil Company to install two 30-foot driveways on the northerly side of Garnet Street, between points east of Dawes Street; and to install a 45-foot driveway on the easterly side of Dawes Street, between points north of the northerly line of Garnet Street, adjacent to Lots 37 to 40, Block 197, Pacific Beach; subject to conditions specified in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120727, recorded on Microfilm Roll No. 86, granting permission to Henry H. Hester to install one 35-foot and one 30-foot driveway on the northerly side of Macaulay Street, between points west of Rosecrans Street, adjacent to Lots 5 and 6, Block 114, Roseville, subject to conditions specified in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120728, recorded on Microfilm Roll No. 86, granting permission to Mrs. J. J. McNamara to install a 14-foot driveway in addition to the 20-foot driveway presently existing, on the northerly side of Poe Street, adjacent and immediately easterly of the westerly property line of Lot 3, Block 138, Roseville; subject to conditions specified in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120729, recorded on Microfilm Roll No. 86, granting permission to F. T. Scripps, Inc., to install two 35-foot driveways on the easterly side of Ingraham Street, between points south of Grand Avenue; Also, to install two 34-foot driveways on the southerly side of Grand Avenue between points east of Ingraham Street, adjacent to Lots 1 to 4 inclusive, Block 251, Pacific Beach; subject to conditions specified in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120730, recorded on Microfilm Roll No. 86, authorizing Miss Clara E. Breed, City Librarian, to attend the annual convention of the California Library Association, to be held in Long Beach, California, October 12th through October 16th, 1954; authorizing all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120731, recorded on Microfilm Roll No. 86, vacating an easement and right of way for the construction, operation and maintenance of water lines and appurtenances through, over, under, along, and across the westerly 10 feet of the east 90 feet of the south 100 feet of Villa Lot 385, Valle Vista Terrace, according to the Map thereof No. 1081; said water line having been abandoned; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Mr. C. M. Rodefer now being present, accompanied by his attorney, Mr. Paul V. Pierik, the matter of approval of the Tentative Map of Rodefer Hills, Mergho Division, was taken up at this time.

This matter had been continued from the meeting of October 5th, 1954, and was listed as Item 15 on to-day's calendar. It was considered out of order, to allow time for all interested persons to arrive at the meeting.

Mr. C. M. Rodefer spoke first, requesting that the road commonly known as Lynwood Way be named Lynwood Way; and that he be allowed to make desired improvements on said Lynwood Way.

Glenn Rick, City Planning Engineer, stated the name suggested is satisfactory.

Mr. Rodefer stated his request for improvements on this street has been denied by the City Engineer.

Mr. Rodefer stated certain neighbors object to the paving of Bandini Street, as an access street to his subdivision, including B. B. Margolis, Mr. and Mrs. Robinson and Russell Hall. All these object to closing two fifteen-foot strips involved in the improvement.

Mr. Rodefer presented a 1941 map showing the access street and proposed lot layout. He objected to paying for paving an access road outside of his subdivision.

Attorney Paul V. Pierik spoke on behalf of Mr. Rodefer and explained the matter of streets which will provide access to the new subdivision. He mentioned an existing line of service poles on eighty-foot wide Bandini Street; not now a through street.

Interested parties, including most of the Councilmen, huddled around the old 1941 map and a new airplane map of the area. Considerable discussion followed.

Mr. Rodefer stated he wanted a fifty-foot street instead of an 80-foot street--presumably referring to Bandini Street.

Mr. Rodefer answered questions as to the width of certain existing streets.

Attorney Paul V. Pierik stated the center of Bandini Street should be paved, after closing two fifteen-foot strips on each side; and thought that two other owners, B. B. Margolis and Russell Hall, would each pay one-third of the cost of such paving.

Mr. Rodefer left the rostrum and went back to the microphone

A second huddle around the maps occurred at this time.

Councilman Godfrey requested assistant City Engineer Hall to advise the Council what he would recommend in the matter.

Mr. Hall stated he would recommend that the street be closed twelve feet on each side, providing the parties interested pay for the posting. This closing should be ten feet back of the proposed curb lines, and the roadway would be thirty-six feet from curb to curb, with an average closing of twelve feet.

City Attorney Jean F. DuPaul advised the Council against "making deals" for street closings, as not being a proper procedure.

The Mayor inquired of Mr. Rodefer if he would be agreeable to the arrangement outlined by Acting City Engineer Hall. Mr. Rodefer replied that his answer would be tentatively "No". He objected to "offsets" in the street after such a closing.

Mr. Rodefer outlined his conversations with Mr. B. B. Margolis. He talked of the proposed division of costs on the paving under discussion. He objected to conditional approval of his tentative map "subject to the paving of Bandini Street". He stated there were nine points on which he and other property owners agree.

Councilman Dail stated, "We are not interested in your imagination and speculation".

Planning Engineer Glenn Rick explained the recommendations of the Planning Commission for improved access streets to new subdivisions, such as Allied Gardens. He said the request for paving an access street was not unusual as a requirement, and had been a condition in other similar cases.

Mr. Rodefer talked further about improving access roads, outside of the limits of subdivisions. He objected to the expense added to the new subdivision costs.

Mayor Butler said the Council has spent many hours on this matter, and indications are the Council will insist on an improved access Road. The Mayor said the Council has heard all this discussion at previous meetings.

Councilman Schneider mentioned that no "closing deal" is allowable; on advice of the City Attorney.

A motion was made by Councilman Dail, seconded by Councilman Wincote, that the subdivision tentative map be approved; Bandini Street to be paved as a responsibility of the subdivider.

Further discussion followed, including the matter of desired improvements on Lynwood Street.

RESOLUTION NO. 120732, recorded on Microfilm Roll No. 86, stating that the tentative map of Rodefer Hills, Mergho Division, a 31-lot subdivision of a portion of Middletown Addition, will be approved, with the distinct understanding that the center thirty-six (36) feet of Bandini Street will be paved between the southerly division line of this subdivision and West California Street, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120733, recorded on Microfilm Roll No. 86, approving the tentative map of Rodefer Hills, Mergho Division, a 31-lot subdivision of a portion of Middletown Addition; subject to ten conditions fully set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

(See minutes of November 16, 1954, for change ordered by the Council).

On motion of Councilman Wincote, seconded by Councilman Schneider, reading of the next ordinance in full was dispensed with by not less than four votes of the Council. (New Series)

ORDINANCE NO. 6281, recorded on Microfilm Roll No. 86, incorporating lots 5 and 6, Block 4 of New Roseville and the northwest 50 feet of Lot 2, Block 6 of Roseville, in the City of San Diego, California, into R-C Zone as defined by Section 101.0409 of the San Diego Municipal Code and repealing Ordinance No. 32 (New Series) insofar as the same conflicts therewith, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote; Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance in full was dispensed with by not less than four votes of the Council. (New Series)

ORDINANCE NO. 6282, recorded on Microfilm Roll No. 86, Amending the San Diego Municipal Code by Amending Sections 62.04 and 62.04.1, Regulating the issuance of permits for installation on Public Property - encroachments on public property, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilman Wincote, Schneider, Kerrigan, Dail, Godfrey and 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 Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than four 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. 6283, recorded on Microfilm Roll No. 86, Appropriating the sum of \$200,000.00 from the Capital Outlay Fund of the City of San Diego, for the purpose of providing funds for the construction of modifications to the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--Councilman Burgener. (New Series Ord.)

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

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 four 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. 6284, (New Series), appropriating the sum of \$34,500.00 from the 1952 Storm Drain Bond Fund of The City of San Diego, for the purpose of providing funds for the construction of a storm drain in Balboa Avenue, between Morena Boulevard and Rose Canyon Creek, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--Councilman Burgener.

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

On motion of Councilman Godfrey, seconded by Councilman Wincote, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than four 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. 6285, (New Series), appropriating the sum of \$3,500.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of sanitary sewers in Home Avenue at Highland Avenue and 45th Street, and a water main in Fairmount Avenue and Maple Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

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

On motion of Councilman Godfrey, seconded by Councilman Wincote, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than four 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. 6286 (New Series), establishing the grade of Fulmar Street, in the City of San Diego, California, between: (1) The northerly line of Tooley Street and the southerly prolongation of the westerly line of Lot 108, Empire Addition, according to Map No. 1254 on file in the office of the County Recorder of San Diego County, California; and (2) The northwesterly line of Weaver Street and the easterly line of 60th Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--Councilman Burgener.

There was presented at this time a proposed Ordinance Amending the San Diego Municipal Code by adding thereto Sections 91.31, 91.32, 91.33, 91.34, 91.35, 91.36, 91.37, 91.38, 91.39, 91.40 and 91.41 regulating moving and wrecking of structures and amending Section 33.2201 regulating the sale of substandard structures intended to be moved, and repealing Sections 33.2202, 33.2203, 33.2204.1, 33.2204.2, 33.2210.1, 62.14, 62.14.1, 62.14.2, 33.2210 and 91.15.

Attorney Morey Levenson spoke, stating he represented a number of house movers and C.W. Carlstrom, purchaser of certain public housing units to be moved. He said certain things in the proposed ordinance were considered objectionable. He mentioned that Section 33.2210 in the last section of the Ordinance should be repealed. The Mayor stated this has been done in the latest draft of the proposed Ordinance.

Attorney Levenson said that Section 91.31 requiring a moving permit does not specifically state which office will issue the permit; and inquired who is to make the determination if the structure is fit for human habitation. City Attorney Jean F. DuPaul said this new ordinance would be administered the same as the Building Code. Deputy City Attorney said Section 91.31 will be part of the Building Code. Councilman Wincote said the section could be improved by mentioning the Department to pass on the fitness of a house for a human habitation. Councilman Dail said this is normally a function of the Health Department. Deputy City Attorney Firestone stated the Uniform Building Code gives the Building Inspector the power to condemn a building as unfit for human habitation.

Attorney Levenson said there were inconsistencies in the proposed Ordinance. He pointed out that Section 91.36 requires a bond AFTER a permit has been obtained under Section 91.31.

Deputy City Attorney Firestone mentioned an old structure -- incomplete -- at 24th and Market Streets. He said the new Ordinance was devised to insure that a moved structure will be completed.

Attorney Morey Levenson stated that he wanted and would try to secure a workable ordinance. He cited a section reading, "No permit shall be issued for moving a structure which is in a dangerous or unsanitary condition". He said that after moving it might be brought up to standard.

The matter of termite inspection was discussed.

The matter of wood rot was discussed.

City Attorney Jean F. DuPaul said the proposed ordinance is a good one, and suggested that Morey Levenson write out his suggestions for improvement, or bring in another proposed Ordinance.

Attorney Levenson mentioned that Section 91.43 regarding the reference of applications to the Chief of Police and the Fire Department does not state what for; nor what powers the Chief of Police for instance may exercise. He said an application could be disapproved by the Chief of Police for no specified reason, and that his duties and responsibilities should be spelled out.

Deputy City Attorney Firestone said the Chief of Police would pass on the route to be used only; and would not arbitrarily deny a permit.

Attorney Levenson stated Section 91.36 relative to bonds to be filed does not state who is to determine the amount of the bond covering cost of alterations.

Deputy City Attorney Firestone said the entire proposed ordinance was tied-in to the Building Code.

At this time Councilman Kerrigan was excused from the meeting.

Attorney Levenson objected to the provision that the bond, "must be a surety bond." He suggested that a cash bond or property bond should be permissible. Deputy City Attorney Firestone explained the disadvantages of having \$1500 in cash deposited in lieu of a surety bond.

Attorney Levenson said the provision relative to wires and other utilities in Section 91.39 reading "less than 16 feet above the ground" should read differently. Deputy City Attorney Firestone said the wording was correct as it is relative to public utilities over public streets.

Referring to Section 91.40 Attorney Levenson said he did not understand the schedule of fees. The schedule was explained by Deputy City Attorney Firestone.

Attorney Levenson said that section 33.22.01 should be deleted. This sections provided for a bond to be posted before offering for sale buildings intended for sale to be moved. Deputy City Attorney Firestone said this was designed to protect the buyer. Attorney Levenson said that instead of filing a bond a statement should be furnished to the buyer to the effect that the structure must be brought up to minimum requirements. This concluded suggestions by Attorney Morey Levenson.

Attorney Clifford Fitzgerald spoke representing certain housemovers, including John Hanson, the Hollywood Housemovers and the Cuyamaca Rigging Company.

He objected to the posting of Surety Bonds Only; and said that property bonds and cash deposits should be allowed.

He said that the prohibition of parking structures to be moved on City streets; a clause contained on page seven of the proposed ordinance, should have the words, "except in an emergency" added. He said that at times, due to torn-up streets or rain storms, it would be necessary to park a structure being moved.

He said that Section 91.39 relative to utilities above the street, now reading "16 feet above the ground" should read "25 feet above the ground". It was stated that it costs \$290.00 for seven hours services of a standby crew of one utility company. Leaving the 16-foot height limit is wrong, and would be exceedingly costly to the housemoving company, according to Attorney Fitzgerald.

At this time Councilman Dail was excused from the meeting.

Mr. John Nolan, housemover, spoke relative to the house at 24th and Market Street -- incomplete. He said housemovers were anxious to see such moved structures completed for various reasons, including the fact that it keeps their equipment tied up for weeks in some instances. He spoke of the height of wires over the street on which a house is being moved. He said a height limit of 25 feet would be satisfactory to all parties concerned.

(Re proposed House Moving Ordinance.)

Mr. John Nolan stated that changing the height limit to 16 feet would require extra utility crews and involve extra expense in housemoving. He wants the height limit to remain as it is; and requested that the 25-foot height limit be reinstated in the proposed ordinance.

Mr. Robert L. Black, District Manager of the Pacific Telephone and Telegraph Company spoke briefly in favor of the proposed Ordinance. He had no objections to a 25-foot height limit as contained in the present ordinance; but favored the new 16-foot regulation. The Mayor suggested that parties interested or their attorneys file briefs in time for the 9:30 Conference next Thursday, October 21st, 1954.

Thereupon, RESOLUTION NO. 120734, recorded on Microfilm Roll No. 86, referring to Council Conference at 9:30 a.m., Thursday, October 21st, 1954, the proposed Ordinance Amending the San Diego Municipal Code by adding thereto certain sections relating to Moving and Wrecking of Structures - Permit Required, et al., for further discussion, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The following items were brought up by unanimous consent, at the request of the City Manager.

RESOLUTION NO. 120735, recorded on Microfilm Roll No. 86, authorizing O. W. Campbell, City Manager, to attend the annual conference of the International City Managers' Association, to be held in St. Petersburg, Florida, December 4th, 6th and 7th, 1954; authorizing all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120736, recorded on Microfilm Roll No. 86, authorizing John D. Butler, Mayor, and O. W. Campbell, City Manager, to attend the President's White House Conference, to be held in Washington, D. C., December 2nd and 3rd, 1954; authorizing all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

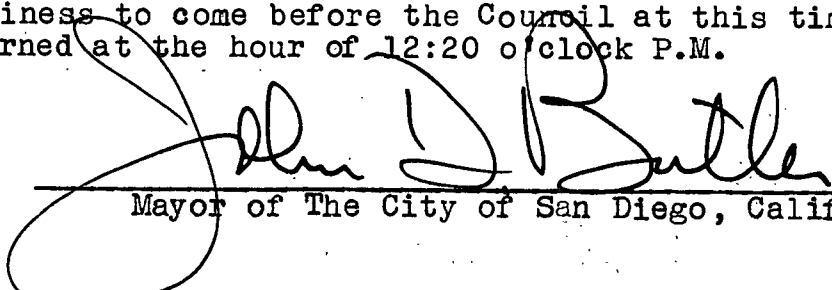
RESOLUTION NO. 120737, recorded on Microfilm Roll No. 86, authorizing four members of the City Administration to attend the annual conference of the American Municipal Association, to be held in Philadelphia, Pennsylvania, November 28th, 29th and 30th and December 1st, 1954; authorizing all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission relative to the final map of Clairemont Manor No. 6 was presented.

RESOLUTION NO. 120738, recorded on Microfilm Roll No. 86, authorizing the City Manager to execute, for and on behalf of the City of San Diego, a contract with Hobart Enterprises, a co-partnership, for the installation and completion of the unfinished improvements and the setting of the monuments required for Clairemont Manor Unit No. 6 subdivision; and directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120739, recorded on Microfilm Roll No. 86, adopting the final Map of Clairemont Manor Unit No. 6 Subdivision and accepting the public streets and unnamed easements as shown thereon, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 12:20 o'clock P.M.


Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk,

By


Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, October 19th, 1954.

Present---Councilman Wincote.

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

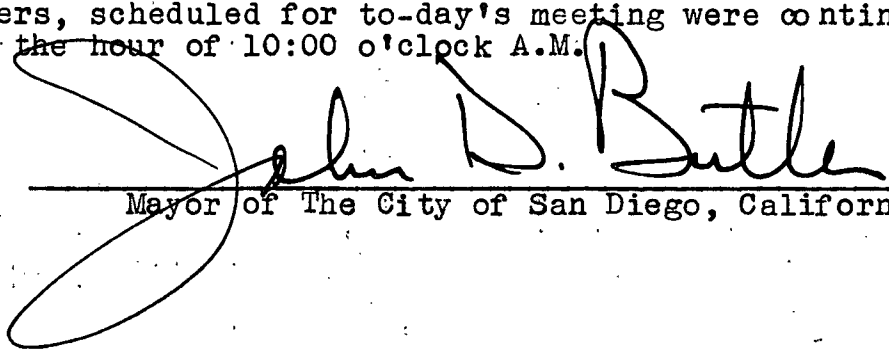
Clerk-----Clark M. Foote Jr.

The meeting was called to order by Councilman Wincote at the hour of 10:00 o'clock A.M.

Mayor Butler, and several of the Councilmen were attending the League of California Cities meeting in Los Angeles. Councilman Burgener was out of the City on his vacation.

Due to lack of a quorum, Councilman Wincote declared the meeting adjourned until Thursday, October 21st, 1954, at the hour of 10:00 o'clock A.M.

All hearings, and other matters, scheduled for to-day's meeting were continued until Thursday, October 21st, 1954, at the hour of 10:00 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By



Deputy.

REGULAR ADJOURNED MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 21st, 1954.

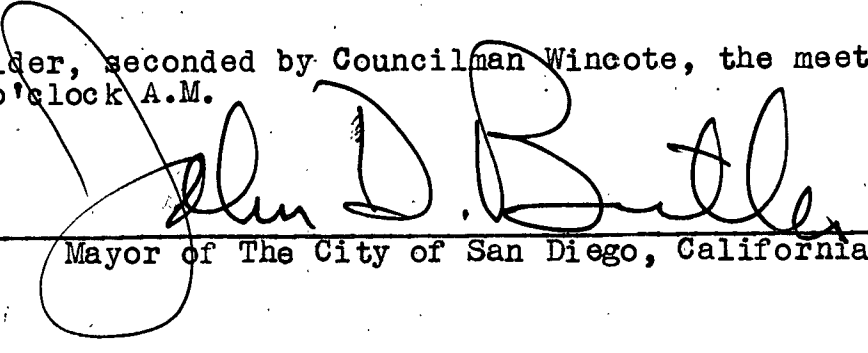
Pursuant to adjournment, a meeting was held this date, and was called to order by Mayor Butler at the hour of 10:05 o'clock A.M.

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

Absent---Councilman Burgener.

Clerk----Fred W. Sick.

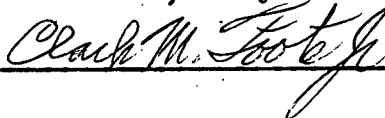
On motion of Councilman Schneider, seconded by Councilman Wincote, the meeting was adjourned at the hour of 10:06 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By



Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 21st, 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 10:07 o'clock A.M.

The minutes of the Adjourned Regular Meeting of October 14th, 1954, and of the Regular Meeting of Thursday, October 14th, 1954, were approved by the Council, after which they were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been received on October 15th, 1954, at 10:00 o'clock A.M., on the following items:

(a) Paving the Alley in Block 14, F. T. Scripps Addition to La Jolla Park; a portion of the Alley lying westerly of and contiguous to Block 2, J. T. Corcoran's Subdivision and Draper Avenue - 5" c.c. Bids were received from John B. Henry, T. B. Penick & Sons, H. C. Dennis and Al E. Riley, Inc.

(b) Paving Alleghany Street, between Reo Drive and Sea Breeze Drive, and Public Right of Way - 2" a.c. surface course and a 5" plant mixed cement treated base. Bids were received from Griffith Company, R. E. Hazard, Daley Corporation, M. H. Golden Construction Company and from H. C. Dennis.

(c) Paving 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 - 4" a.c. Bids were received from H. C. Dennis, Daley Corporation, R. E. Hazard Contracting Company, Griffith Company, and M. H. Golden Construction Company.

(d) Paving Olvera Avenue and Bonita Drive, in Las Alturas Villa Sites - 5" c.c. Bids were received from John B. Henry, T.B. Penick & Sons, Al E. Riley, Inc., and H. C. Dennis.

It was moved by Councilman Schneider, seconded by Councilman Kerrigan, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The Motion carried.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 furnishing of electric current for La Jolla Lighting District Number One, under Resolution of Intention No. 120010, 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. 120740, recorded on Microfilm Roll No. 86, confirming and adopting as a whole the Engineer's Report and Assessment for La Jolla Lighting District No. 1, 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 of electric current for La Jolla Shores Lighting District Number One, under Resolution of Intention No. 118487, 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. 120741, recorded on Microfilm Roll No. 86, confirming and adopting as a whole the Engineer's Report and Assessment for La Jolla Shores Lighting District No. 1, 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 furnishing of electric current for Midway Drive Lighting District No. 1, under Resolution of Intention No. 118488, 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. 120742, recorded on Microfilm Roll No. 86, confirming and adopting as a whole the Engineer's Report and Assessment for Midway Drive Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time for hearing the appeal of N. R. Nichols from decision of Zoning Administrator and Zoning Board of Adjustment denying him the right to construct a 5-foot high red brick free-standing wall in front of the setback line on Coronado Avenue, for enclosing a patio, on property located at 1646 Sunset Cliffs Boulevard, on the northeasterly 48 feet of Lots 25 and 26, Block 47, Ocean Beach, in Zone R-4, all papers in connection with the matter were presented.

The City Clerk read the finding of facts on this appeal, signed by D. E. South, Zoning Administrator.

Photographs Nos. 1 to 9, referred to in this finding of facts, were presented. Mr. Dave South offered to explain the matter.

At this time, under unanimous consent, at request of the Mayor the matter of a request for a neighborhood sign for East San Diego, to be erected at the intersection of University Avenue and Fairmount Avenue, was considered.

Councilman Kerrigan made a motion to pass a Resolution granting the request. After discussion, by Councilman Dail and others, the Mayor stated the matter would be taken up later in the meeting.

Photographs Nos. 1 to 9, in connection with the appeal of N. R. Nichols were explained by Dave South and discussed by certain Councilmen.

Mr. N. R. Nichols was present, and was represented by Attorney Vernon F. Bennett, who acted as spokesman for Mr. Nichols at all times during the discussion.

Attorney Bennett stated that seven neighbors had consented to the request of N. R. Nichols. Attorney Bennett presented a photograph of fence and hedge on the adjoining property, which he described as very unsightly.

A motion was made by Councilman Schneider, seconded by Councilman Wincote, to overrule the Planning Commission and grant the appeal of Mr. Nichols.

Mr. R. O. Phillips, general contractor, 1626 Ebers Street, stated he had been in the contracting business for 54 years, and objected to the requested variance. Mr. Phillips stated he lived in the next block above Mr. Nichols, looking down on the subject property; and thought existing ordinances should be enforced.

Councilman Schneider said there were some variances in the subject block; and the neighbors in the block do not object.

Councilman Wincote inquired as to the non-conforming uses in the block. Glenn Rick said some of the uses at variance with the existing ordinance have existed for eighteen years.

Glenn Rick explained the basis of the set-back regulations. He said that as this block is over 40% built-up the setback is the average of that of all existing houses.

Attorney Vernon F. Bennett said the protest was from a man over a block away; and the variance requested would harm no one. He said a man's house being his castle he should be allowed proper fences, etc.

Councilman Wincote mentioned that it would require five favorable votes to grant this permit; and that there were no protests from the immediate neighborhood.

A roll call on the motion to overrule the Planning Commission and grant the appeal of N. R. Nichols showed Councilmen Wincote and Schneider voting "Yea"; Councilmen Kerrigan, Dail, Godfrey and Mayor Butler voting "Nay"; Absent--Councilman Burgener.

The Mayor announced that the decision of the Zoning Administrator and Zoning Board of Adjustment had been sustained, and that the appeal was denied.

RESOLUTION NO. 120743, recorded on Microfilm Roll No. 86, petitioning the County Board of Supervisors to exclude from the Lemon Grove Sanitation District a certain area which was recently annexed to the City of San Diego, as fully described in said Resolution; said area having been included in the Rolando Annexation; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120744, recorded on Microfilm Roll No. 86, accepting the bid of Electric Supplies Distributing Co., to furnish The City of San Diego with Eight (8) Pole Line Hardware Items at a price of \$1,210.25, plus State Sales Tax; awarding the contract to said Electric Supplies Distributing Co.; authorizing the City Manager to execute a contract for furnishing of said Hardware Items pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120745, recorded on Microfilm Roll No. 86, accepting the bid of General Electric Supply Co. to furnish The City of San Diego with Eleven (11) Pole Line Hardware Items at a price of \$1,040.71, plus State sales tax; awarding the contract to said General Electric Supply Co.; authorizing the City Manager to execute a contract for said Hardware Items, pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120746, recorded on Microfilm Roll No. 86, accepting the bid of Pacific Wholesale Electric Co., to furnish The City of San Diego with Thirteen (13) Pole Line Hardware Items at a price of \$467.20, plus State sales tax; awarding the contract to said Pacific Wholesale Electric Co.; authorizing the City Manager to execute a contract for said Hardware Items, pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120747, recorded on Microfilm Roll No. 86, accepting the bid of Graybar Electric Co., to furnish The City of San Diego with Three (3) Pole Line Hardware Items at a price of \$231.02, plus State sales tax; awarding the contract for same to said Graybar Electric Co., authorizing the City Manager to execute a contract for said Hardware Items, pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120748, recorded on Microfilm Roll No. 86, accepting the bid of W. S. Rockwell Company, to furnish The City of San Diego with Two (2) 42" Butterfly Valves at a price of \$5,407.00 each, plus State sales tax; awarding the contract to said W. S. Rockwell Company; authorizing the City Manager to execute a contract for furnishing said Butterfly Valves, pursuant to specifications therefor on file in the office of the City Clerk; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120749, recorded on Microfilm Roll No. 86, accepting the bid of Industries Supply Co., to furnish The City of San Diego with One Hundred Twenty-four (124) Cast Iron Couplings at a price of \$2,196.72, plus State sales tax; awarding the contract to said Industries Supply Co.; authorizing the City Manager to execute a contract with said Industries Supply Co. for furnishing of said Cast Iron Couplings, pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120750, recorded on Microfilm Roll No. 86, accepting the bid of Fraser Cement Products Company to furnish the City of San Diego with its requirements of Concrete Water Meter Boxes and Covers for a period of one year beginning October 15, 1954, at a price of \$1.90 per meter box and cover; and \$0.80 per cover only; plus State Sales tax; awarding the contract to said Fraser Cement Products Company; authorizing the City Manager to execute a contract for furnishing of said meter boxes and covers, pursuant to specifications therefor on file in the office of the City Clerk; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120751, recorded on Microfilm Roll No. 86, accepting the bid of Western Metal Supply Company to furnish the City of San Diego with copper tubing and various fittings for a total sum of \$3,415.50, plus State sales tax, terms 2%; awarding the contract to said Western Metal Supply Company; authorizing the City Manager to execute a contract with said Western Metal Supply Company for furnishing of said copper tubing and fittings, pursuant to specifications therefor on file in the office of the Purchasing Agent, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120752, recorded on Microfilm Roll No. 86, accepting the bid of San Diego Harley-Davidson Company to furnish the City of San Diego with seven (7) Three-wheel Servicar Motorcycles at a total price of \$10,155.00, plus State sales tax, less \$500.00 for trade-in allowance on two motorcycles; awarding the contract to said San Diego Harley-Davidson Company; authorizing the City Manager to execute a contract for said motorcycles, pursuant to specifications therefor on file in the office of the City Clerk; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120753, recorded on Microfilm Roll No. 86, accepting the bid of Pacific Union Metal Co. to furnish the City of San Diego with approximately 1,057 Automatic Type Dual Parking Meters at a price of \$42.75 per meter plus State sales tax; also accepting the option to purchase additional parking meters at the same price during a period of one year from date of bid; awarding the contract to said Pacific Union Metal Co.; authorizing the City Manager to execute a contract for furnishing of said Parking Meters, pursuant to specifications therefor on file in the office of the City Clerk; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120754, recorded on Microfilm Roll No. 86, accepting the bid of H. W. Grizzle for Construction of Recreation Building (first part) located in Clairemont Park, 2605 Clairemont Drive, for The City of San Diego, for the sum of \$23,640.00; awarding the contract to said H. W. Grizzle; authorizing the City Manager to execute a contract for such work, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120755, recorded on Microfilm Roll No. 86, accepting the bid of Pace Construction Company for construction of Storm Drain in Lot 2, Block 6, Bird Rock City By The Sea (Bellevue Avenue northerly of Bird Rock) for the City of San Diego, for the sum of \$1,697.00; awarding the contract to said Pace Construction Company; authorizing the City Manager to execute a contract with said Pace Construction Company for such work, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120756, recorded on Microfilm Roll No. 86, directing the Purchasing Agent to advertise for bids for furnishing The City of San Diego with its requirements for Recapping of Passenger and Truck Tires (approximately 900) for a period of six months beginning November 1, 1954 and ending April 30, 1955, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 499788, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission submitting Resolution denying the tentative map for the redividing of Lots 1 and 2, Block 43, Paradise Hills No. 3; inasmuch as the new lot design does not meet the approval of the Planning Department; nor meet the requirements of Section 11535 of the Business & Professions Code, State Map Act; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, continued for two weeks---to November 4th, 1954.

Communication from the City Planning Commission reporting on the tentative Record of Survey Map for a two lot division of a portion of Pueblo Lot 104; recommending denial because the properties do not front upon a dedicated street and the lots would be substandard and would not comply with the zoning of the area; was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, continued for one week; ---to October 28th, 1954.

Communication from the Assistant Planning Director reporting on a proposed 1-lot division of a portion of Lot 21, Eureka Lemon Tract, was presented.

RESOLUTION NO. 120757, recorded on Microfilm Roll No. 86, approving the front 150 feet of the tentative map submitted by Fred D. Cannon, for a 1-lot division of a portion of Lot 21, Eureka Lemon Tract; subject to certain conditions; and stating that a final subdivision map need not be filed if the owner complies with said conditions, and within the period of one year from the date of this Resolution files two copies of the survey of the property with the Planning Department and obtains a zone variance for said division of land; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

This approval was requested by Fred D. Cannon.

Communication from the Assistant Planning Director reporting on a proposed one lot division of a portion of Lot 21, Eureka Lemon Tract, fronting on Baker Street, adjacent to Block 4 of Bay Park Vista Unit No. 2, was presented.

RESOLUTION NO. 120758, recorded on Microfilm Roll No. 86, approving the front 150 feet of the tentative map submitted by W. O. Williamson for a 1-lot division of a portion of Lot 21, Eureka Lemon Tract; subject to certain conditions; and stating that a final subdivision map need not be filed if the owner complies with the above conditions and within the period of one year from the date of this resolution files two copies of the survey of the property with the Planning Department and obtains a zone variance for said division of land; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

This approval was requested by W. O. Williamson.

Communication from the Assistant Planning Director reporting on a proposed one lot division of a portion of Lot 28, La Mesa Colony, was presented.

RESOLUTION NO. 120759, recorded on Microfilm Roll No. 86, approving the tentative map submitted by John Stroessler for a one lot division of a portion of Lot 28, La Mesa Colony, located on the westerly side of La Dorna Street, approximately 90 feet north of Montezuma Road, subject to certain conditions; and stating that a final subdivision map need not be filed if the owner complies with said conditions and within the period of one year from the date of this resolution files two copies of a Record of Survey of the property with the Planning Department, grants easement for street widening, and obtains a zone variance for said division of land; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Assistant Planning Director reporting on a proposed Record of Survey Map for portion of Lot B, Block 4, Magnolia Park, was presented.

RESOLUTION NO. 120760, recorded on Microfilm Roll No. 86, approving the tentative map for a 1-lot division of a portion of Lot B, Block 4, Magnolia Park, subject to certain conditions; and stating that a final subdivision map need not be filed if the owner complies with said conditions, and within the period of one year from the date of this resolution files a copy of the survey of the property with the Planning Department and obtains a zone variance for said division of land; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Assistant Planning Director recommending approval of the Final Map of Mission Heights, formerly Minden Heights, was presented.

RESOLUTION NO. 120761, recorded on Microfilm Roll No. 86, authorizing the City Manager to execute a contract with The Mission Heights Company, a co-partnership, consisting of The Stanmar Corporation, Yuma Realty and Investment Company and The Leston Corporation, for the installation and completion of the unfinished improvements etc. for Mission Heights subdivision; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120762, recorded on Microfilm Roll No. 86, adopting the final map of Mission Heights Subdivision, and accepting public streets and unnamed easements shown thereon together with abutters rights of access in and to Sixth Street Extension and Cabrillo Freeway, adjacent to Lots 1, 41, 63 and 106, Lots 6 to 10 inclusive, and Lots 26 to 34 inclusive, as shown on said Map; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Assistant Planning Director recommending approval of the final map of San Miguel Terrace was presented.

Mr. Elmer F. Whitworth, 810 San Pasqual Street, representing himself and Mrs. Alice Stewart, now in Arabia, objected to the proposed subdivision.

He said San Pasqual Street had been partially widened by deeds from individuals by fifteen feet; leaving a space in between of 300 feet of vacant ground; and San Miguel Terrace takes in the subject 300 feet, and the new houses will face on San Pasqual Street. Some existing houses back on to San Pasqual Street, making a bad situation.

Mr. Glenn Rick showed the Council a plat of the proposed subdivision, and stated the objection was to the layout of the subdivision.

Councilman Dail said the protestants will be damaged by new construction in San Miguel Terrace.

Mr. Elmer F. Whitworth said the property values would go down after improvements are made on the proposed layout.

Councilman Dail said there was very little the City could do about which way the subdividers faced the houses.

Mr. Lewis Soloman stated he purchased the lots and made the existing improvements in the old subdivision between 40th and 41st Street on Newton Avenue.

All interested persons having been heard, RESOLUTION NO. 120763, recorded on Microfilm Roll No. 86, authorizing the City Manager to execute a contract with Solomon Building Company, a corporation, for the installation and completion of the unfinished improvements and the setting of monuments required for San Miguel Terrace subdivision; directing the City Engineer to present an ordinance establishing the official grades of all streets within the said subdivision; was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120764, recorded on Microfilm Roll No. 86, adopting the final map of San Miguel Terrace and accepting the public streets, portion of a public street, the Alley and named and unnamed easements shown on this map within this subdivision, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The next item on the Council's Calendar, relative to the Sun Gold Point subdivision was passed over temporarily, and considered later in the meeting.

Communication from the Senior Planning Technician relative to proposed dedication of corner cut-offs at the intersection of Albion and Dudley Streets was presented.

RESOLUTION NO. 120765, recorded on Microfilm Roll No. 86, accepting the offer of property owners, filed under Document No. 497258, to dedicate corner cut-offs on a 20-foot radius at the northeast and southeast corners of the intersection of Albion and Dudley Streets, in accordance with the recommendation of the City Planning Department, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communications from the City Engineer recommending that the City Council order 1911 Act districts formed for the installation of storm drainage systems in various areas, part of the costs to be assessed against the property owners, and the balance to be paid from the 1952 Storm Drain Bond Fund, were presented.

RESOLUTION NO. 120766, recorded on Microfilm Roll No. 86, adopting the recommendation of the Acting City Engineer, contained in Document No. 499277, to order a district formed to install a drainage system in the Lincoln Avenue Area, approximately from the Alley west of Louisiana Street to Hamilton Street; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund; requesting the City Engineer and the City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120767, recorded on Microfilm Roll No. 86, adopting the recommendation of the Acting City Engineer, contained in Document No. 499279, to order a district formed to install a drainage system in the La Jolla Shores Area, intercepting the existing drainage channel at a point approximately 800 feet easterly of the intersection of Torrey Pines Road with Ardath Road in Pueblo Lot 1288, and continuing westerly to the shore of the Pacific Ocean, a distance of approximately 3,500 feet; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund; requesting the City Engineer and the City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120768, recorded on Microfilm Roll No. 86, adopting the recommendation of the Acting City Engineer, contained in Document No. 499278, to order a district formed to install a drainage system in the Florida Street, Area, from approximately Meade Avenue at Park Boulevard to Florida Street; Florida Street from Meade Avenue to University Avenue to Myrtle Avenue to Upas Street, and to improve the channel through Blocks 257, 258 and 259, University Heights; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund; requesting the City Engineer and the City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120769, recorded on Microfilm Roll No. 86, adopting the recommendation of the Acting City Engineer, contained in Document No. 499280, to order a district formed for the installation of a storm drainage pump station in Drucker's Addition, consisting of a stand-by pump station to remove the flood water from behind the south levee of the San Diego River Floodway at times of high water in the river channel; the pump station is to be at a point in Pueblo Lot 217 south of the levee approximately 1,500 feet westerly of Midway Drive; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund; requesting the City Engineer and City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120770, recorded on Microfilm Roll No. 86, adopting the recommendation of the Acting City Engineer, contained in Document No. 499276, to order a district formed to install a drainage system in the Commercial Street Area, approximately as follows: in Commercial Street from Ocean View Boulevard to Harrison Avenue; 21st Street at its junction with Julian Avenue and from Sicard Street to Kearney Avenue to Logan Avenue at 17th Street; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund; requesting the City Engineer and City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120771 recorded on Microfilm Roll No. 86, adopting the recommendation of the Acting City Engineer, contained in Document No. 499275, to order a district formed to install a drainage system in the Ash Street Area, approximately in Front Street from Cedar Street to Ash Street; in Ash Street from Front Street to Kettner Boulevard; and in Kettner Boulevard from Ash Street to B Street; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund; requesting the City Engineer and the City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer recommending the modernization of the street lighting system on "B" Street, between First Avenue and 12th Avenue, was presented.

RESOLUTION NO. 120772, recorded on Microfilm Roll No. 86, adopting the recommendation of the City Engineer, contained in Document No. 499505, to order a district formed to modernize the street lighting system on "B" Street, between First Avenue and 12th Avenue; requesting the City Engineer and the City Attorney to prepare and present papers and proper resolutions therefor; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Bayview Terrace Parent-Teacher Association relative to a pathway problem near the Bayview Terrace Elementary School for children crossing Rose Canyon Creek, and requesting certain improvements, was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Communication from H. O. Parks requesting written permission to use City-owned land for parking space, etc., in connection with the operation of the Travelers Motel Corporation, east of India Street and northerly of the Washington Freeway, was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Communication from A. W. Whiteford relative to the need for a viaduct or a foot bridge across the ravine on Wilson Avenue in about the 3300 block was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Copy of communication from the San Diego Public Safety Committee to E. E. Wallace, State District Highway Engineer, commending the State Division of Highways for its very complete studies and surveys of Highway 80 and other proposed East-West Highways to the Imperial Valley, was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

At this time about 12 students from the La Jolla High School were recognized by the Mayor. These students were in charge of Mrs. MacDonald, teacher of the senior problems class. They were invited to visit the Mayor's office after the Council meeting adjourned.

Communication from Mr. M. W. Brown, Hillcrest Radio Service, requesting to be heard relative to the Sign and Marque Ordinance was presented.

Mr. M. W. Brown spoke in support of his request.

He stated he had no two-story building, and cannot move his signs any higher. He said it would cost him about \$500.00 to comply with the existing ordinance due to a near-by marquee.

Mr. Brown stated he secured a permit to put up his present sign in 1947, and has no assurance if he complies with the present ordinance that the new sign will not be outlawed by a future ordinance. Would like to maintain the sign as it is, so long as it is up and in a safe condition.

Mr. Brown said this is a projection sign, like some others in this block; and that he and others may go to court in the matter. Stated he has had several salespeople trying to sell him a marquee, to "stick out further and lower" than his present sign.

Councilman Dail said Mr. Brown had a large number of questions; some of which had no sure answer; such as the effect of future ordinances.

Councilman Wincote said the marquees are going up fast, as a solution to the sign problem; and mentioned that such marquees formed sun shades.

Mr. Brown said the inspectors on sign removals started in the slums where everyone was careful of their activities, and later spread out into the outlying sections. The City Manager and Councilman Godfrey took exception to this statement.

Mr. Brown inquired Why the new sign ordinance went into effect -- for appearance, or what.

Councilman Godfrey said Mr. Brown's questions were well founded, but that he has no valid complaint at present.

The matter having been thoroughly discussed, on motion of Councilman Schneider, seconded by Councilman Wincote, the communication from M. W. Brown was ordered filed.

By unanimous consent, at request of the Mayor, the petition of the East San Diego Chamber of Commerce for permission to hang a sign across University Avenue at Fairmount Avenue, was presented.

The Mayor outlined the terms of an ordinance adopted on August 10th, 1954, relative to Neighborhood Signs. Councilman Dail was absent at the roll call on this ordinance. Councilman Godfrey said he did not recall the discussion on such an ordinance.

Councilman Dail said that if North Park has such a sign, East San Diego is entitled to a similar sign.

Thereupon, RESOLUTION NO. 120773, recorded on Microfilm Roll No. 86, approving the petition of the East San Diego Chamber of Commerce, filed as Document No. 499875, and its application for a Neighborhood Street Sign at the intersection of Fairmount Avenue and University Avenue, in accordance with Section 95.0132 of the San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120774, recorded on Microfilm Roll No. 86, directing notice of filing of assessment Roll No. 2292, for the paving and otherwise improving of Del Rey Street, between Rosewood Street and Glendora Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120775, recorded on Microfilm Roll No. 86, directing notice of filing of assessment Roll No. 2291, for the paving and otherwise improving of Shafter Street and Carleton Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120776, recorded on Microfilm Roll No. 86, directing notice of filing of assessment Roll No. 2290, for the paving and otherwise improving of Thorn Street, between 41st Street and Marlborough Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 120777, recorded on Microfilm Roll No. 86, awarding to M. H. Golden Construction Company, a corporation, the contract for paving and otherwise improving of A Street, between the easterly line of Edgemont Street and a line parallel to and distant 225.00 feet easterly from said easterly line, under Resolution of Intention No. 119096, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120778, recorded on Microfilm Roll No. 86, approving the plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains and appurtenances in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, filed under Document No. 499240; also approving Plat No. 2600 showing the assessment district; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 120779, recorded on Microfilm Roll No. 86, for the closing of the Alley in Block 266, San Diego Land and Town Co's. South Chollas Addition, southeasterly of Wabash Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 120780, recorded on Microfilm Roll No. 86, for the closing of portions of Emerald Street and Alleys in Blocks 184 and 185, Pacific Beach, as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 120781, recorded on Microfilm Roll No. 86, for closing a portion of Horton Avenue in the vicinity of Jackdaw Street, as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120782, recorded on Microfilm Roll No. 86, directing notice inviting sealed proposals for furnishing of electric current for El Cajon Boulevard Lighting District No. 1 for a period of one year beginning December 1st, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120783, recorded on Microfilm Roll No. 86, directing notice inviting sealed proposals for furnishing of electric current for Montemar Lighting District No. 1, for a period of one year between December 16th, 1954 and December 15th, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 120784, recorded on Microfilm Roll No. 86, for paving and otherwise improving of Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, within the limits and as particularly described in said Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120785, recorded on Microfilm Roll No. 86, for the construction of sewer mains and appurtenances in portions of Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120786, recorded on Microfilm Roll No. 86, for furnishing of electric current for Talmadge Park Lighting District Number Three, for a period of one year beginning March 1st, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120787, recorded on Microfilm Roll No. 86, appointing time for hearing protests, and directing notice of said hearing, for furnishing of electric current for Sunset Cliffs Lighting District No. 1, for a period of eleven months and seventeen days from and including January 15, 1955, to and including December 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120788, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of the Alley in Block 2, Chester Park Addition, under Resolution of Intention No. 113133; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120789, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of Boundary Street, between Orange Avenue and Lincoln Avenue, under Resolution of Intention No. 116400; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120790, recorded on Microfilm Roll No. 86, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of Congress Street and Hortensia Street, under Resolution of Intention No. 116719; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120791, recorded on Microfilm Roll No. 86, adopting the recommendation of the City Engineer, filed under Document No. 499562; authorizing said City Engineer to include lighting standard Nos. 5225, 5227 and 5235 in the Ocean Beach Ornamental Lighting District when the next proceeding is commenced; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120792, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 498748 for the improvement of the Alley adjoining Block D, Sterlingworth, and the petition contained in Document No. 498938, for the grading and paving of the Alley in Block 37, Resubdivision of Blocks H and I, Teralta; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 118170; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120793, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 498845 for the grading, paving and installation of gutters on Delta Street, between 40th Street and 41st Street; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected by, benefited by, and to be assessed to pay the costs, damages and expenses of said work and improvement; further directing said City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 117921, for the improvement of Delta Street easterly of 41st Street; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120794, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 498846, for the grading, paving and installation of curbs and sidewalks on Quince Street, between Vancouver Street and Nile Street; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected by, benefited by, and to be assessed to pay the costs, damages and expenses of said work and improvement; further directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 119670; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120795, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 498939, for the grading and paving of the Alley in Block 39, Ocean Beach; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district of lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120796, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 498727, for the grading and paving of the Alley in Block 241, Pacific Beach; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120797, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 498749, for the grading, paving and installation of curbs, sewers and sidewalks on Alta Way (now named Electric Avenue), between Camino de la Costa and Electric Avenue; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120798, recorded on Microfilm Roll No. 86, granting the petition for the grading, paving and installation of curbs and sidewalks on Delta Street, between 45th Street and 46th Street; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120799, recorded on Microfilm Roll No. 86, granting the petition contained in Documents Nos. 496181 and 496612 for the grading, paving and installation of curbs, sewer laterals, water services, drainage structures, guard fences, if required on portions of Montalvo Street, Valeta Street, Mentone Street, Camulos Street and Clovis Street; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120800, recorded on Microfilm Roll No. 86, granting the petition contained in Document No. 492483 for the grading, paving and installation of curbs and sewers as required on 67th Street, between the southerly line of Saranac Street and Dennstedt Point Unit No. 2 subdivision, and Saranac Street, between the westerly line of 67th Street and 68th Street, and the installation of sidewalks on Saranac Street; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120801, recorded on Microfilm Roll No. 86, approving an Agreement for Amendment of Tideland Lease, Amendment No. 2, between The City of San Diego, as Lessor, and the San Diego Marine Construction Company, as Lessee, on certain tidelands in the City of San Diego, near the foot of Sampson Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120802, recorded on Microfilm Roll No. 86, directing the property supervisor to file a petition with the County Board of Supervisors requesting that all taxes, penalties and deeds to the State of California for delinquent taxes be cancelled, on certain City-owned property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as portions of Lots "A" and "B" in Block 1 of Weeks Addition, Map No. 123.

RESOLUTION NO. 120803, recorded on Microfilm Roll No. 86, directing the property Supervisor to file a petition with the County Board of Supervisors requesting that all taxes, penalties and deeds to the State of California for delinquent taxes be cancelled, on certain City-owned property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as Lot 27 in Block 7, Electric Line Addition, Map No. 861.

RESOLUTION NO. 120804, recorded on Microfilm Roll No. 86, authorizing the City Manager to employ Cameron Brothers to install 100.13 lineal feet of 8-inch V. C. E. S. sewer main in and just easterly of the intersection of Chamoune Avenue and Myrtle Avenue; the cost of said work not to exceed the sum of \$670.00; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120805, recorded on Microfilm Roll No. 86, authorizing and empowering the City Manager to do all the work in connection with the making of connections to existing mains and the sterilizing of small water main replacements, Group 16, by appropriate City Forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120806, recorded on Microfilm Roll No. 86, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego and the County of San Diego an agreement for the operation of the Governmental Reference LIBRARY in the Civic Center Building, as described in form of said agreement filed under Document No. 499902, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Proposed Resolution authorizing the City Manager to execute a lease with H. G. Fenton Material Company of Lot 35 of Rancho Ex-Mission, as shown on City of San Diego Property Management Division Drawing No. 102, for a term of three years, at a flat rental or percentage, whichever is greater, was presented.

After an explanation by the City Manager, and considerable discussion, on motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was continued for one week.

RESOLUTION NO. 120807, recorded on Microfilm Roll No. 86, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease agreement with Library Association of La Jolla, a corporation, leasing to the City the property known as 1006 Wall Street, La Jolla, together with the adjoining comfort station, for a term of one year beginning September 1, 1954, at a rental of \$100.00 per month, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120808, recorded on Microfilm Roll No. 86, establishing a parking time limit of two hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on the following streets:

Adams Avenue, between Kansas Street and Ohio Street;
30th Street, between Madison Avenue and Suncrest Drive;
B Street, between Columbia Street and Union Street;
Broadway, between 17th Street and 18th Street; and
14th Street, between C Street and Broadway;

authorizing the installation of parking meters on said streets; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120809, recorded on Microfilm Roll No. 86, prohibiting the parking of automobiles at all times on the southerly side of Cape May Avenue, between Guizot Street and Santa Barbara Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120810, recorded on Microfilm Roll No. 86, establishing a parking time limit of one hour, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on:

Both sides of Fifth Avenue, between Robinson Avenue and Washington Street;
Both sides of University Avenue, between Fourth Avenue and Sixth Avenue;
East side of Sixth Avenue, between University Avenue and Washington Street;
and authorizing the installation of the necessary signs and markings on said streets; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

This Resolution repealed any Resolutions or portions of Resolutions adopted prior to this date.

RESOLUTION NO. 120811, recorded on Microfilm Roll No. 86, prohibiting the parking of automobiles at all times on the southerly side of Tourmaline Street, between Dawes Street and Everts Street; and authorizing the installation of the necessary signs and markings to be made; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120812, recorded on Microfilm Roll No. 86, creating and establishing a Taxicab Stand on the westerly side of Bacon Street, between points 42 feet and 64 feet south of the southerly line of Lotus Street; and rescinding the portion of Resolution No. 112889, creating a taxicab stand on the southerly side of Newport Avenue, between points 305 feet and 317 feet west of the westerly line of Bacon Street; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120813, recorded on Microfilm Roll No. 86, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations in the City:

Duval at Hilltop Drive,	48th South of Hilltop Drive,
Duval South of Hilltop Drive,	48th at Guymon,
Duval at Guymon,	49th at Guymon,
Escuela South of Hilltop Drive,	49th South of Hilltop Drive,
Escuela at Guymon,	Escuela South of Hilltop Drive,
47th at Guymon,	38th at Acacia,
48th at Hilltop Drive.	

RESOLUTION NO. 120814, recorded on Microfilm Roll 86, approving Change Order No. 3, issued in connection with the contract between the City of San Diego and V. R. Dennis Construction Co., for the improvement of 45th Street, southerly of Market Street, as said contract is contained in Document No. 495743; approving the changes therein set forth, amounting to an increase in the contract price of \$72.00; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120815, recorded on Microfilm Roll No. 86, approving Change Order No. 1, issued in connection with the contract between the City of San Diego and Raymond D. Haas, for the Construction of Comfort Station at Motor Boat Ramp, Shelter Island, as said contract is contained in Document No. 493485; approving the changes therein set forth, amounting to an increase in the contract price of \$353.60; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120816, recorded in Microfilm Roll 86, approving the request of Al E. Riley, Inc., contained in Change Order No. 1, for an extension of time of 60 days, to and including November 7th, 1954, in which to complete the contract for the construction of Dog Pound Addition No. 3, and which contract is contained in Document No. 485805; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120817, recorded on Microfilm Roll No. 86, approving Change Order No. 1, issued in connection with the contract between the City of San Diego and W. A. Robertson & Co., for the installation of the Lincoln Avenue and 39th Street Pipe Line, and which said contract is contained in Document No. 491377; approving the changes therein set forth, amounting to a DECREASE in the contract price of \$200.00; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120818, recorded on Microfilm Roll 86, granting permission to The La Mesa, Lemon Grove & Spring Valley Irrigation District to install a main feeder pipe line in a portion of The City of San Diego's El Monte pipe line right of way west-erly from the San Diego County Water Authority's pipe line near Lakeside toward the Grossmont Reservoir; said main feeder line to be installed between the south and east boundary of the City's right of way and existing pipe line, on a location about 6 feet from the property line; subject to three conditions; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120819, recorded on Microfilm Roll 86, granting permission to Safeway Stores, Inc., care of Bramwell Construction Company, to install two 35-foot driveways on the east side of 30th Street, approximately between points 215 and 250 feet, and 303 and 338 feet south of the south line of Howard Avenue; Also, to install three 35-foot driveways on the west side of Ohio Street, approximately between points 110 and 145 feet, 210 and 245 feet and 310 and 345 feet south of the south line of Howard Avenue, adjacent to Lots 3 to 14 and 33 to 44, inclusive, Block 155, University Heights; subject to three conditions; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120820, recorded on Microfilm Roll 86, granting permission to the San Diego Racing Association, sponsored by the U. S. Marine Corps and the Salvation Army to use the Balboa Stadium on Sunday afternoon, December 12th, 1954, for the purpose of holding a jalopy race, on a rent free basis; said event to be held for the purpose of collecting toys for underprivileged children; subject to three conditions; waiving the rental fee for the use of said Balboa Stadium for said event; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Deputy City Attorney A. W. Reese relative to expenses incurred in connection with certain false arrest suits against the Police Department, was presented.

City Attorney Jean F. DuPaul explained the necessity for the \$300.00 expense incurred in this connection.

RESOLUTION NO. 120821, recorded on Microfilm Roll 86, providing that the sum of \$300.00 be paid to the law firm of McInnis, Hamilton & Fitzgerald who defended various employees involved in three false arrest suits, on behalf of the City's false arrest insurance carrier; authorizing the City Auditor to draw a warrant for \$300.00 payable to said firm of McInnis, Hamilton & Fitzgerald; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120822, recorded on Microfilm Roll 86, stating that the members of the City Council congratulate and commend the Employees of The City of San Diego for their public spirited effort and community interest in substantially over subscribing their assigned quota in the Second United Success Drive, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120823, recorded on Microfilm Roll No. 86, approving the assignment and transfer of the revocable permit heretofore granted by Resolution No. 86197, to Alfred E. Dean, an individual, doing business as National Transfer & Storage Company, to construct, operate and maintain an industrial spur track at grade in Commercial Street, between 28th and 29th Streets, to E. G. Teachout; provided, however, that said transferee shall comply with each and every term and condition prescribed by said Resolution No. 86197, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120824, recorded on Microfilm Roll 86, authorizing Paul Beermann, Director of the Water Department of The City of San Diego, to attend the conference of the California Section of the American Water Works Association, to be held in Long Beach, California, October 28th and 29th, 1954; authorizing him to incur all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120825, recorded on Microfilm Roll 86, authorizing Orin K. Cope, Assistant to the City Manager, to attend and participate in a conference on Child Welfare and on Direction and Improvement of Instruction, to be held in San Jose, California, on November 8th, 1954; authorizing him to incur all expenses necessary in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120826, recorded on Microfilm Roll 86, authorizing the City Attorney to accept the sum of \$200.00 on behalf of The City of San Diego, in full settlement of the claim of the City against the Pacific Telephone & Telegraph Company for damages resulting from water seepage in the vicinity of Third Avenue and University Avenue; authorizing the City Auditor to execute a release to the Pacific Telephone & Telegraph Company in a form acceptable to the City Attorney; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 120827, recorded on Microfilm Roll 86, approving the claim of Evelyn C. Bowman, on file under Document No. 495456, in the amount of \$8.04; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120828, recorded on Microfilm Roll 86, approving the claim of Charles H. Brunkow, on file under Document No. 497183, in the amount of \$14.24; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

This Resolution rescinded Resolution No. 120452.

RESOLUTION NO. 120829, recorded on Microfilm Roll 86, approving the claim of Ivor W. Chambers, on file under Document No. 497307, in the amount of \$8.80; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120830, recorded on Microfilm Roll 86, approving the claim of Theresa Dietz, on file under Document No. 498431, in the amount of \$7.69; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120831, recorded on Microfilm Roll 86, approving the claim of Mrs. L. Florentin, on file under Document No. 497308, in the amount of \$9.50; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120832, recorded on Microfilm Roll 86, approving the claim of Lewis & Aylesbury, on file under Document No. 488587, in the amount of \$109.50; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120833, recorded on Microfilm Roll 86, approving the claim of John L. Roche, on file under Document No. 496897, in the amount of \$49.75; authorizing the City Auditor to draw his warrant in full payment of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120834, recorded on Microfilm Roll 86, authorizing the City Attorney to settle for \$250.00 the case of James A. Johnston v. City of San Diego, claiming \$703.08 for property damages; authorizing the City Auditor to draw his warrant in the sum of \$250.00, payable to James S. Johnston, Ella Brown Johnston and Martin & Mahedy, their attorneys; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120835, recorded on Microfilm Roll 86, denying the claim of Frances M. Bishop, on file under Document No. 497702, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120836, recorded on Microfilm Roll 86, denying the claim of Ola V. Bolton, on file under Document No. 497296, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120837, recorded on Microfilm Roll 86, denying the claim of William W. Campbell, Jr., on file under Document No. 497096, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120838, recorded on Microfilm Roll No. 86, denying the claim of Henry S. Ervay, Jr. and Rochelle L. Ervay, on file under Document No. 497460, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120839, recorded on Microfilm Roll No. 86, denying the claim of Pacific Employers Insurance Company, on file under Document No. 499216, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120840, recorded on Microfilm Roll No. 86, denying the claim of David F. Toneck, on file under Document No. 493689, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120841, recorded on Microfilm Roll No. 86, accepting the deed of Nelle C. Hoyt, executed in favor of The City of San Diego, conveying to said City all of Lot 3, Block 72, Campo Del Dios Unit 2, Map No. 1837; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120842, recorded on Microfilm Roll No. 86, accepting the deed of Grace Olive Labo Teachout, executed in favor of The City of San Diego, conveying to said City all of Lot 1, Block 50, Campo Del Dios Unit 3 and Lot 3, Block 21, Campo Del Dios Unit 2, according to Maps thereof No. 1841 and No. 1837, respectively; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120843, recorded on Microfilm Roll No. 86, accepting the deed of Abbie Leighthoff, executed in favor of The City of San Diego, conveying to said City all of Lot 1, Block 60, Campo Del Dios Unit No. 3, Map No. 1841; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120844, recorded on Microfilm Roll No. 86, accepting the deed of John S. Lyon, executed in favor of The City of San Diego, conveying to said City all of Lot 3, Block 62, Campo Del Dios Unit 3, Map No. 1841; authorizing and directing the City Clerk to transmit said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120845, recorded on Microfilm Roll No. 86, accepting the deed of William D. Chamberlain and Florence Chamberlain, executed in favor of The City of San Diego, conveying to said City all of Lot 7, Block 92 and Lot 5, Block 96, Campo Del Dios Unit 4; Map No. 1901; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120846, recorded on Microfilm Roll No. 86, accepting the deed of Jasper J. Freeman, executed in favor of The City of San Diego, conveying to said City all of Lot 4, Block 90, Campo Del Dios, Unit 4, Map No. 1901; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120847, recorded on Microfilm Roll No. 86, accepting the deed of William H. Lahman and Lillian B. Lahman, executed in favor of The City of San Diego, conveying to said City the northerly half of Lot 4, Block 103, Campo Del Dios Unit 5, Map No. 1954; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this Resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120848, recorded on Microfilm Roll No. 86, accepting the deed of Harold Partridge, executed in favor of The City of San Diego, conveying to said City all of Lot 17, Block 6, Unit No. 1 and Lot 15, Block 105, Unit No. 5, both in Campo Del Dios, County of San Diego, State of California; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120849, recorded on Microfilm Roll 86, accepting the deed of Tyra Larson Bode, executed in favor of The City of San Diego, conveying to said City all of Lot 12, Block 108, Campo Del Dios, Unit 6, Map No. 2029; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120850, recorded on Microfilm Roll 86, accepting the deed of Gerardo Cadiente, conveying to The City of San Diego portions of Lots 30 and 31, Block 3, McLaren's H Street Addition, Map No. 291, executed in favor of The City of San Diego; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120851, recorded on Microfilm Roll 86, accepting the deed of John David Cadiente, executed in favor of The City of San Diego, conveying to said City portions of Lots 30 and 31, Block 3, McLaren's H Street Addition, Map No. 291; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120852, recorded on Microfilm Roll 86, accepting the deed of Vincente Cadiente, executed in favor of the City of San Diego, conveying to said City portions of Lots 30 and 31, Block 3, McLaren's H Street Addition, Map No. 291; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120853, recorded on Microfilm Roll 86, accepting the deed of Leo J. Demers and Mildred C. Demers, executed in favor of the City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 16, Horton's Purchase, Ex-Mission Lands of San Diego, Map No. 283; setting aside and dedicating the land therein conveyed to the public use as and for a public street and naming the same Euclid Avenue; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120854, recorded on Microfilm Roll 86, accepting the deed of General Petroleum Corporation, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 16, Horton's Purchase of Ex-Mission Lands of San Diego, Map No. 283; setting aside and dedicating to the public use the land therein conveyed as and for a public street and naming the same Euclid Avenue; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120855, recorded on Microfilm Roll 86, accepting the deed of Owen L. Gullicksen and Edna M. Gullicksen, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lots 23 and 24, Block 14, Swan's Addition, Map No. 947; setting aside and dedicating to the public use as and for a public street the land therein conveyed, and naming the same 44th Street; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120856, recorded on Microfilm Roll 86, accepting the deed of Walter Wilhelm and Evelyn A. Wilhelm, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 18, Block 32, Mission Bay Park Tract, Map No. 1120; setting aside and dedicating to the public use as and for a public street the land therein conveyed, and naming the same Grand Avenue; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120857, recorded on Microfilm Roll 86, accepting the deed of Suy Tang Yee and Goey Siem Yee, executed in favor of the City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 1, Block 5, Lisbon Townsite, Map No. 63; setting aside and dedicating to the public use the land therein conveyed, as and for a public street, and naming the same Lisbon Street; authorizing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120858, recorded on Microfilm Roll No. 86, accepting the deed of Jack F. Wright and Margaret J. Wright, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 2, Block G, La Jolla Country Club Heights Unit No. 2, Map 2165; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120859, recorded on Microfilm Roll No. 86, accepting the deed of Steelcrete Industrial Buildings, Inc., executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 9, Block G, La Jolla Country Club Heights Unit No. 2, Map 2165; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120860, recorded on Microfilm Roll No. 86, accepting the deed of Mario Fornaca and Maria Fornaca, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer, storm drain, water main and public utilities purposes through, along and across a portion of Lot 5, Victory Manor, Map No. 2276; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120861, recorded on Microfilm Roll No. 86, accepting the deed of Gertrude S. Burns and James Max Burns, Sr., executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 31, Kensington Villa Annex, Map No. 1953; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120862, recorded on Microfilm Roll 86, accepting the deed of Kenneth R. Conger and Alma L. Conger, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 15, Kensington Villa Annex, Map No. 1953; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120863, recorded on Microfilm Roll 86, accepting the deed of Roy A. Cook and Virginia R. Cook, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lots 48, 49 and 50, Pacific View Homestead Lots, Map No. 85; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120864, recorded on Microfilm Roll 86, accepting the deed of C. H. Dutcher and Lois Dutcher, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 16, Kensington Villa Annex, Map No. 1953; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120865, recorded on Microfilm Roll 86, accepting the deed of Odos H. Gideon and Mamie T. Gideon, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes along, through and across a portion of Lot 152, Talmadge Park, Map No. 1869; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120866, recorded on Microfilm Roll 86, accepting the deed of La Jolla Country Club, Inc., executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Pueblo Lot 1262 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120867, recorded on Microfilm Roll 86, accepting the deed of William C. Ossana and Laura M. Ossana, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 153, Talmadge Park; Map No. 1869; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120868, recorded on Microfilm Roll 86, accepting the deed of Joseph Farris Sawaya and Virginia M. Sawaya, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Lot 32, Kensington Villa, Map No. 1953; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120869, recorded on Microfilm Roll 86, vacating the easterly 5.0 feet of Lot 2 and the westerly 5.0 feet of Lot 3, Victory Manor, Map No. 2276; excepting therefrom any portion of that certain tenfoot easement lying northerly of and contiguous to the southerly line of said Lots 2 and 3, as shown on said Map No. 2276; authorizing the City Clerk to cause a certified copy of this Resolution, attested by him under seal, to be recorded in the office of the County Recorder of said County of San Diego; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than four 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. 6287, (New Series), recorded on Microfilm Roll No. 86, appropriating the sum of \$26,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of a Recreation Building in Clairemont Park, at 3605 Clairemont Drive, in said City, 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--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Wincote, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than four 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. 6288 (New Series), recorded on Microfilm Roll 86, appropriating the sum of \$13,072.00 from the 1952 Storm Drain Bond Fund of the City of San Diego, for the purpose of providing funds for the construction of a storm drain in portions of Talbot Street and Gage Drive, in said City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

Communication from John D. Thompson, Jr., President of the San Diego Federal Savings and Loan Association, requesting that further consideration of an Ordinance amending the Subdivision Ordinance be set over to October 26th, 1954, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance Amending the San Diego Municipal Code by Amending Sections 101.0101.23, 102.01 and 102.02 thereof and by adding thereto a new section to be numbered 102.02.1, all REGULATING SUBDIVISIONS, was introduced by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, an Ordinance Changing and Reestablishing the Boundary Lines of the Districts within the City of San Diego for the purpose of nominating and electing members of the City Council, and repealing Ordinance No. 4563 (New Series), adopted October 10, 1950, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, an Ordinance Amending Chapter X, Article 1 of the San Diego Municipal Code by adding thereto two sections to be numbered 101.0419 and 101.0420, Regulating Airport Zoning, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Schneider, an Ordinance (New Series) Incorporating portions of Blocks 498, 499 and 500, Dougherty's Subdivision in The City of San Diego, California, into CP and C Zones as defined by Sections 101.0410 and 101.0411, respectively, of The San Diego Municipal Code and repealing Ordinance No. 13216 insofar as the same conflicts therewith, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Wincote, seconded by Councilman Dail, an Ordinance (New Series) Incorporating a portion of Parcel "00", Lot 19, Rancho Mission in The City of San Diego, California, into CP and C Zones as defined by Sections 101.0410 and 101.0411, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 6068 (New Series) insofar as the same conflicts therewith, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

A motion of Councilman Schneider, seconded by Councilman Wincote, to continue consideration of the next Ordinance for two weeks carried.

A motion to reconsider the matter, made by Councilman Schneider and seconded by Councilman Kerrigan, carried.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, An Ordinance (New Series) Incorporating a portion of Lot 16, Ex-Mission Lands (Horton's Purchase), in The City of San Diego, California, into R-4, CP and C Zones, as defined by Sections 101.0408, 101.0410 and 101.0411 respectively of the San Diego Municipal Code, and repealing Ordinance No. 5809 (New Series), adopted October 1, 1953, insofar as the same conflicts therewith, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--Councilman Burgener.

The following items were considered out of order, having been listed under Item Number 24 on to-day's Calendar.

Communication from Byrl D. Phelps requesting amendment to Resolution relative to Map of Sun Gold Point.

Communication from the City Planning Department reporting on requested amendment to Resolution 119878, relative to Sun Gold Point subdivision.

A motion was made by Councilman Schneider, which did not receive a second; that the City Attorney prepare a Resolution definitely abandoning any possible easement in Sun Gold Point.

Councilman Godfrey stated it was satisfactory to leave the physical construction out; but he thought the easement should be retained.

After further discussion, on motion of Councilman Dail, seconded by Councilman Kerrigan, the communications were ordered filed.

The following items were considered under unanimous consent, at the request of the City Manager:

Communication from the Assistant Planning Director relative to the Final Map of Clairemont Villas Unit No. 1, was presented.

RESOLUTION NO. 120870, recorded on Microfilm Roll 86, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Middlebury Enterprises, a corporation, for the installation and completion of the unfinished improvements and the setting of the monuments required for Clairemont Villas Unit No. 1 subdivision; and directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120871, recorded on Microfilm Roll 86, adopting the final map of Clairemont Villas Unit No. 1, and accepting the public streets and unnamed easements as shown thereon, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Assistant Planning Director relative to the Final Map of Clairemont Unit No. 16, was presented.

RESOLUTION NO. 120872, recorded on Microfilm Roll 86, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Alef Homes, Inc., Carter Homes, Inc., Macbeth Homes, Inc., Gemmel Homes, Inc., Baze Homes, Inc., Wafet Homes, Inc., Oasis Homes, Inc., and Prospect Realty Co., for the installation and completion of the unfinished improvements and the setting of the monuments required for Clairemont Unit No. 16 subdivision; and directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120873, recorded on Microfilm Roll 86, adopting the final map of Clairemont Unit No. 16 and accepting the public streets and unnamed easements within the subdivision, together with any and all abutters rights of access to Geddes Drive, adjacent to the northerly line of Lots 3342, 3343 and 3337 as shown on said map, and rejecting the dedication for a public street of the land shown thereon as "Reserved for Future Street" use, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Councilman Dail brought up the matter of the proposed condemnation of property south of the Plaza, for use as a site for a convention hall, municipal theatre, parking facility, etc.

Councilman Wincote stated there was no intention by the City to condemn the property, unless requested to do so by the owners or lessees.

The Mayor said that no blanket policy had been established, and there was no definite plan before the Council.

Councilman Wincote said that under the Sutherland proposal the City had no right to condemn property.

The Mayor stated it was a matter of Policy.

Councilman Kerrigan said that under the Shattuck Plan at the Plaza no condemnation would be necessary.

Considerable discussion followed, but no action was taken.

At this time a group of about twelve persons who had been discussing a new proposed House Moving Ordinance entered the Council Chamber.

Attorney Clifford Fitzgerald mentioned the discussion as to a 25-foot vs. a 16-foot height limit which had been under discussion by the group. He thought that a compromise height limit of 20½ feet would be satisfactory to all parties concerned.

Mr. Black of the Telephone Company cited General Order 95, under State Regulations which specified 16 feet at the curb line and 18 feet in the center of the street. He stated the Telephone Company has from 150 to 175 requests per year to assist in house moving operations; and that the Gas Company has from 75 to 80 such requests per year.

Mr. W. F. Garber, of the San Diego Gas & Electric Company discussed the 16-foot height limit, and its affect on housemovers. He said that any facility carrying 750 Volts or more is required to be kept 25 feet high. He also cited provisions of General Order 95.

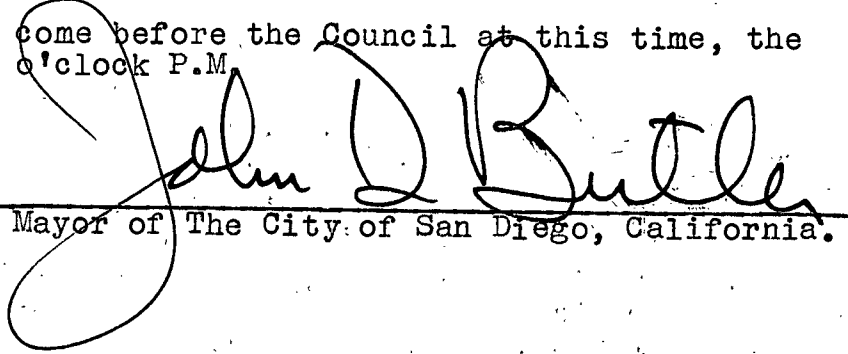
On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was referred to Council Conference, to be held next Tuesday morning.

Attorney Morey Levenson stated he would furnish a written list of objections to terms contained in the proposed Ordinance.

The Mayor stated that said proposed Ordinance would probably be on the Council Calendar for next Thursday.

RESOLUTION NO. 120874, recorded on Microfilm Roll No. 86, accepting the bid of W. V. Hutchison Co. for construction of a Storm Drain in 47th Street and Marilou Road, for The City of San Diego, for the sum of \$2,180.00; awarding the contract to said W. V. Hutchison Co.; authorizing the City Manager to enter into and execute a contract for such work pursuant to the plans and specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:15 o'clock P.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By 

Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, October 26th, 1954.

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

The Mayor called the meeting to order at 10:04 o'clock A.M.

The Mayor asked all to rise. He presented Reverend Daniel O'Callaghan, secretary to Bishop Buddy. Reverend O'Callaghan gave the invocation.

The Minutes of the Regular Adjourned Meeting of Thursday, October 21st, 1954, and the Minutes of the Regular Meeting of Thursday, October 21st, 1954, were approved by the Council, on motion of Councilman Godfrey, seconded by Councilman Dail, after which they were signed by the Mayor.

At this time the Mayor presented the following Service Awards:

Mrs. Leota Turk, Assistant Librarian, Public Library, 25-year pin.
Leon T. Akley, Heavy Truck Driver, central garage, Public Works, 30-year button.
Alton C. Penrose, Assistant Chief, Fire Department, 25-year button.
Edmund J. Baum, Fire Battallion Chief, Fire Department, 25-year button.
William K. Finch, Fireman, Fire Department, 25-year button.

The Purchasing Agent reported in writing that bids had been received October 22nd, 1954, at 10:00 A.M. for paving and otherwise improving the Alley in Block 3, Ocean Beach, from the following bidders: John B. Henry, Al E. Riley, Inc., H. C. Dennis, Gilman Grading Co., and T. B. Penick & Sons.

It was moved by Councilman Kerrigan, seconded by Councilman Dail, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received October 22nd, 1954, at 10:00 A.M. for paving and otherwise improving the Alley in Block 88, Ocean Beach Extension No. 2; and the Alley in Block 76, Ocean Beach; and Bacon Street; from the following bidders: T. B. Penick & Sons, John B. Henry, Gilman Grading Co.; Al E. Riley, Inc.; and H. C. Dennis.

It was moved by Councilman Kerrigan, seconded by Councilman Dail, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received October 22nd, 1954, at 10:00 A.M. for grading and sidewalking of 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, from the following bidders: Al E. Riley, Inc.; H. C. Dennis, John B. Henry, T. B. Penick & Sons, and A. W. Thorpe.

It was moved by Councilman Kerrigan, seconded by Councilman Dail, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received October 22nd, 1954, at 10:00 A.M. for paving and otherwise improving of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, from the following bidders: Griffith Company, R. E. Hazard Contracting Co.; Daley Corporation, M. H. Golden Construction Co.; H. C. Dennis.

It was moved by Councilman Kerrigan, seconded by Councilman Dail, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received October 22nd, 1954, at 10:00 A.M. for paving and otherwise improving of Mentone Street, Montalvo Street, Temecula Street, Rialto Street, West Point Loma Boulevard, the Alley in Block 29, Loma Alta No. 2, and Famosa Boulevard, from the following bidders: M. H. Golden Construction Co.; Griffith Company, H. C. Dennis, Daley Corporation, R. E. Hazard Contracting Co.

It was moved by Councilman Kerrigan, seconded by Councilman Dail, that the bids were publicly opened, examined and declared, that the Purchasing Agent's report thereon be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received October 22nd, 1954, at 10:00 A.M., for the grading and sidewalking of Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Hubner Road, from the following bidders: Al E. Riley, Inc., H. C. Dennis, T. B. Penick & Sons, John B. Henry, Gilman Grading Co. and A. W. Thorpe.

It was moved by Councilman Kerrigan, seconded by Councilman Dail, that the bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

On motion of Councilman Kerrigan, seconded by Councilman Dail, 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. 120265, for paving and otherwise improving the Alley in Block 255, Hoel's Subdivision, between Woden Street and Vesta 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 Wincote, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120266, for paving the Alleys in Block 4, Ocean View, and Block 2, Sunset Grove, near Guizot Street and Long Branch Avenue, 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 Wincote, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120267, for paving and otherwise improving of Dudley Street, between Catalina Boulevard and Silver Gate Avenue, 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 Wincote, seconded by Councilman Burgener, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120268, for paving and otherwise improving of Dwight Street, between Boundary Street and a line parallel to and distant 15 feet easterly from the southerly prolongation of the easterly line of the Alley in Block 18, City Heights, the Clerk reported that written protests had been received from Mrs. Alberta H. Latta, George F. Gardner and other property owners.

The City Engineer reported that the written protests represented 36.8% of the property involved.

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

Merrill F. Robbins, of 3604 Nile Street, protested orally. He stated others cannot afford the work; that two of the property owners are on State pension, and two others are sick. He stated that he had paid \$652.00 for paving the Alley back of his property.

The Mayor mentioned that a majority of the frontage property owners had petitioned for the work to be done.

Mrs. Lee L. Garrett, of 3420 Dwight Street, stated she was in favor of the proposed work. She stated they had been trying to get the street paved for five years; and that the original petition for paving was misplaced, by one of the property owners. She said the street was a mud hole in the Winter time.

All interested persons having been heard, RESOLUTION NO. 120875, recorded on Microfilm Roll 87, overruling and denying the protest of Mrs. Alberta H. Latta, filed under Document No. 499506; the protest of George F. Gardner and Pura F. Gardner, filed under Document No. 499719; the protest of Property Owners, filed under Document No. 499981, the verbal protest of Merrill F. Robbins, against the improvement of Dwight Street, under Resolution of Intention No. 120268; overruling and denying all other protests; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Thereupon, on motion of Councilman Burgener, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120269, for paving and otherwise improving of F Street, between Quail Street and Boundary Street, the Clerk reported that a written protest had been received from Property Owners.

The City Engineer reported that the written protest represented 46.3% of the property involved. He said the original petition carried 60.1% of the frontage.

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

Mr. Paul L. Jones, who circulated the protest, and gave his address as 3136 Crane Street, Lemon Grove, California, said he understood a paving proceeding required a net percentage of 60% to be completed. He was answered by the Mayor, who explained that a majority protest was necessary to assure that a proceeding will be abandoned.

All interested persons having been heard, RESOLUTION NO. 120876, recorded on Microfilm Roll 87, overruling and denying the protest of Property Owners, filed under Document No. 500078, against the proposed improvement of F Street, between the westerly line of Quail Street and the easterly line of Boundary Street, under Resolution of Intention No. 120269; overruling and denying all other protests; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120270, for the installation of sewer mains and appurtenances in Market Street, Pitta Street, J 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 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 Wincote, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120271, for paving and otherwise improving of Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5 and 6, Block 28, Fairmount Addition to City 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 Wincote, seconded by Councilman Burgener, the proceedings were referred to the City Attorney for preparation and presentation of a Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2285, made to cover the cost and expenses of paving and otherwise improving Curtis Street, north and south of Poinsettia Drive, and Poinsettia Drive, between Elliott Street and Alcott Street, the Clerk reported that written appeals had been received from Edgar B. Culnan and from Sara E. Smith Eby, which were presented.

City Engineer A. K. Fogg reported that the first appeal mentioned represented 4.8% of the property in the district, and the second appeal had been received too late to check the percentage.

An oral appeal was made by Mrs. Ella Fisher, owner of Lot 66, Block J, Plumosa Park, who said the pavement was not too good. The City Engineer stated that the paving had been inspected and was satisfactory; that there was no defect in the paving work; and that maintenance of the paving was a responsibility of the City.

Mr. Edgar B. Culnan said he had filed a letter on the subject, which he would like to have read. The letter was then read in full by the City Clerk. The City Engineer said the assessment had been fully explained to Mr. Culnan by Mr. Olson of the City Engineer's office. Engineer A. K. Fogg spread a sheet of the assessment diagram and explained to Mr. Culnan and to the Council why the various charges were levied on Mr. Culnan's property.

Councilman Dail asked questions relative to the half-block assessment district levies. The questions were answered by Mr. Olson of the City Engineer's office. Various contour and curved streets were involved in this project.

Three other property owners joined the group on the rostrum, clustered around the assessment diagram. All the property owners finally stepped down from the platform.

Councilman Godfrey inquired as to when the existing water main would be extended. Mrs. Georgia A. Loud, owner of Lot 84, Point Loma Villas, said her property was hooked-up to a water main in Poinsettia Drive, but she is assessed for new water mains. Mr. A. K. Fogg said there was a new water main in front of her property on Curtis Street.

Engineer A. K. Fogg explained the assessment spread for work at intersections.

Mrs. Mathilda Beseler, of 4052 - 3rd Avenue, San Diego, said she owns a hole in the ground, included in this assessment district, and wanted the paving extended. A. K. Fogg gave figures covering items assessed against her property, totalling \$97.23.

Mr. Paul Beermann explained the matter of water main connections, and stated that anyone now securing temporary water service off Poinsettia Drive will be subject to a transfer charge only in securing water from the frontage street. He did not know exactly what such a transfer charge would be.

Mrs. Ella T. Fisher objected to a charge of \$2,194.21 on Lot 66, of Point Loma Villas.

After all interested persons were heard, RESOLUTION NO. 120877, recorded on Microfilm Roll No. 87, overruling and denying the appeal of Edgar B. Culnan, filed under Document No. 499869; the appeal of Sara E. Smith Eby, filed under Document No. 500088; the verbal appeals of Mrs. Georgia A. Loud, Mrs. Mathilda Beseler, and others, from the Street Superintendent's Assessment No. 2285, made to cover the costs and expenses of the work of paving and otherwise improving of Curtis Street and Poinsettia Drive, under Resolution of Intention No. 113751; overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2285; authorizing him to attach his warrant thereto and issue the same in the manner and form provided by law; and to record said warrant, diagram and assessment; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 120414, for the paving and otherwise improving of the Alley in Block 3, La Mesa Colony, between 67th Street and 68th 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.

RESOLUTION NO. 120878, recorded on Microfilm Roll No. 87, determining that the proposed improvement of the Alley in Block 3, La Mesa Colony, under Resolution of Preliminary Determination No. 120414, is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 120415, for the paving and otherwise improving of Carleton Street, between Clove Street and Plum Street; Plum Street, between Carleton Street and Fenelon Street; and Dickens Street, between Clove Street and Plum 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.

RESOLUTION NO. 120879, recorded on Microfilm Roll No. 87, determining that the proposed improvement of Carleton Street, Plum Street and Dickens Street, under Resolution of Preliminary Determination No. 120415, is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman 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. 120416, for the installation of a Storm Drain and appurtenances in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street; Public Rights of Way in Lots in Boulevard Gardens, Gardena Home Tract; portion of Lot 1, in plat showing Lots 1 and 2, in the southwesterly portion of Pueblo Lot 256; and in portions of Pueblo Lots 264 and 265; commonly referred to as the Tecolote Creek Storm Drain; the Clerk reported that written protests had been received from John O. Ostrom, Mr. and Mrs. Henry Ravera, Mrs. Lena Kendall, Harold E. Quinn, H. H. Peterson, and a group protest from a large number of property owners, contained in Document No. 499983. The protest of John O. Ostrom was read in full.

Mr. Olson, of the City Engineer's office reported that certain assessor's books were in use, and the Engineer's office had been unable to check the percentage on the largest protest. He estimated that about 75% or 80% of the property owners had signed protests now on file.

A large delegation of property owners appeared to protest orally.

Councilman Dail explained the need for a storm drain in the Tecolote Creek area.

Mr. H. H. Peterson spoke; saying he had a long-winded story. He outlined his assessment problems for many years past, and said the assessment district for the Tecolote Creek Storm Drain is too small; that all the costs are levied against property in the valley and on near by property; and stated that Clairmont and the hill district should be assessed. He said the project would change natural drainage channels and damage his property. He stated his property is only good for manufacturing, and should be changed from Zone R-4 to M-1 Zone. Later in the meeting Mr. Peterson offered to withdraw his protest.

Councilman Wincote said the assessment district does extend up to Clairemont. He said that Tecolote Canyon has a serious drainage problem which must be taken care of.

An assessment district including the entire drainage area should be satisfactory, according to Councilman Dail.

Mr. Harold E. Quinn, residing at 4859 Gardena Street, spoke. He objected to being assessed for a storm drain in Tecolote Creek, as being of no value to his property located some distance from the Creek.

Councilman Godfrey explained the matter of spreading assessments for storm drains.

The manner of handling a recent project, the Streamview Drive assessment for storm drain improvement, was explained by Engineer A. K. Fogg; who said that this assessment district did NOT include the entire drainage area. He said that in the Tecolote Creek improvement the assessment district includes the entire width of the drainage area up to the end of the proposed improvement to the East; and stated that in this case the drainage area goes up about seven miles to the east.

Mrs. Albert L. Smith, of 4669 Tonopah Street, protested. She stated her lots were left five feet up in the air when her street was paved, and no drainage whatsoever was required on her property.

Mr. Ralph Blodgett, of 1875 Charleston Street objected to being assessed, and said the area of the assessment district should be much enlarged.

Judge Edgar A. Luce, representing the Atchison, Topeka and Santa Fe Railway Company objected to the outlet of three canyons being combined into one and the dumping of the water onto the railway right of way. He said the Railway now has three bridges to take care of the natural drainage from the the three existing channels. He said the first notice the Railway Company had of the project was from a newspaper clipping about two weeks ago. He said the water would come down the new drain in greater quantities and at higher speed than it would from the present three creeks. He said no one can estimate the cost of carrying the storm waters under the railway tracks and under Highway 101. Judge Luce said the City would be liable for damages caused by changing the natural water courses. He said if the Railway company was assessed he would file a protest for said Railway. He thought the City should consider all of these things before going ahead with the project. Judge Luce finally filed a written protest on behalf of the Atchison, Topeka and Santa Fe Railway Company.

Engineer A. K. Fogg said the assessment to the Railway Company would be nominal. Judge Luce said the City Engineer should furnish an estimate of the maximum amount of water expected to go under the Railroad bridge.

Mr. Fred R. Minton expressed himself as in favor of the proposed drain.

Mrs. Lucille McKinley, mentioned that she had just been in a head-on collision coming from Borego Valley. She stated most people in the area subject to a flood had sold out since 1951.

Councilman Dail said a 50/50 matching basis was the best way to finance a storm drain. He stated the liability of the City was lessened by attempting to put in a storm drain in areas such as Tecolote Canyon. He made a motion to continue the hearing; which was not seconded at this time.

Councilman Wincote said the assessment for the drain would be from \$120.00 to \$200.00 per lot.

Mr. John O. Ostrom, owner of Lots 28 and 29, Block 5, Overlook Heights, spoke after his letter of protest was read. He requested that his property be excluded from the assessment, and listed reasons for the request, including the fact that his lots were over a hundred feet higher than the floor of Tecolote Creek.

Mr. H. B. Moore Jr., of 1426 Morenci Street, spoke. He said the assessment should be levied against property in the valley alone; and mentioned that the drainage area runs six or seven miles east of the Railway tracks. He stated he understood engineering, and suggested the Council inspect the area involved in the project.

Councilman Wincote, and others, assured Mr. Moore that the City Engineering Department had studied the drainage problem, and were familiar with existing conditions.

Mr. Moore said the cement channel would fill up with mud and silt and be no good whatever in that condition.

Mr. Joe Faracas questioned the manner of levying the assessment, acquiring of rights-of-way, etc. He was assured by the Mayor that all records would be open to the public.

Mrs. McLain objected to being assessed for a storm drain of no apparent value to her property.

Joe Switzer objected to having his property assessed for a remote storm drain.

Paul C. C. DeBaca, 1411 Lieta Street, owner of Lots 12 and 14, 2nd Addition to Asher's Clover Leaf Terrace, objected orally to the proposed drainage assessment.

The owner of Lot 126 of Morena objected to being assessed for the drain. He said the property was three-quarters of a mile from the drain and the City Engineer's office had given him a cost estimate of \$2340.00; although the drain was not necessary nor useful to him.

The disastrous result of the 1951 Flood was mentioned by the Mayor.

Councilman Wincote mentioned the drainage problem in Florida Street, Switzer Canyon, and feeder areas; resulting in flood conditions in the vicinity of 18th and C Street at intervals.

The Mayor suggested a field trip to inspect the drainage area of Tecolote Creek. He suggested the matter be continued for two weeks.

City Attorney Jean F. DuPaul stated the hearing should be continued from week to week. He mentioned that the project was not completely engineered; no plans completed and no rights of way acquired.

At this time (12:02 P.M.) Councilman Kerrigan was excused from the meeting.

Mr. H. B. Moore Jr. spoke again at this time. He said certain people in the proposed assessment district were out of work; cannot pay for an expensive drain; and were "fed up" with the idea of installing such a storm drain.

A motion was made by Councilman Burgener, seconded by Councilman Dail, to continue the hearing for four weeks; the continuance to be from week to week as suggested by the City Attorney.

RESOLUTION NO. 120880, recorded on Microfilm Roll No. 87, continuing this hearing until the hour of 10:00 o'clock A.M., of Wednesday, November 3rd, 1954, under Resolution of Preliminary Determination No. 120416, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

A petition of Residents in the Ocean Beach Area for Council action relative to animal shelter nuisance at 5050 Saratoga Street, was presented.

On motion of Councilman Wincote, seconded by Councilman Burgener, the petition was referred to the City Manager and the Health Officer.

The hour of 12:12 o'clock P.M. having arrived, on motion of Councilman Dail, seconded by Councilman Burgener, the Council took a recess until the hour of 1:30 o'clock P.M.

Upon reconvening, at the hour of 1:35 o'clock P.M. the roll call showed as follows:

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

The Mayor called the meeting to order.

RESOLUTION NO. 120881, recorded on Microfilm Roll No. 87, accepting the bid of Pacific Fence Company to furnish The City of San Diego with five items of 1-3/4" mesh, 11 ga. Gal. Knurled Ch. Link Fence in various widths and quantities, at a price of \$2,108.60, plus state sales tax; awarding the contract to said Pacific Fence Company; authorizing the City Manager to execute a contract; authorizing the City Manager to execute a contract for said Chain Link Fence, pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120882, recorded on Microfilm Roll No. 87, accepting the bid of Pace Construction Co., for the Construction of a Culvert in 51st Street, 116 Feet north of Orange Avenue, for The City of San Diego, for the sum of \$4,430.00; awarding the contract for same to said Pace Construction Company; authorizing the City Manager to execute a contract with said Pace Construction Company for such work, pursuant to the plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120883, recorded on Microfilm Roll No. 87, accepting the bid of San Diego Pipe & Supply Company to furnish the City of San Diego with five items of Standard Galvanized Steel Pipe, in various lengths and sizes, at prices ranging from \$17.97 per C feet to \$60.12 per C feet, plus State sales tax, terms 2%; awarding the contract for same to said San Diego Pipe & Supply Co.; authorizing the City Manager to execute a contract for furnishing of said pipe at a total net price of \$2,191.48, pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120884, recorded on Microfilm Roll No. 87, accepting the bid of Schafer & Stowers for Construction of Sanitary Sewers in El Cajon Boulevard, between the Alley West of Fairmount Avenue and Euclid Avenue, for the City of San Diego for the sum of \$30,968.20; awarding the contract for same to said Schafer & Stowers; authorizing the City Manager to execute a contract for such work, pursuant to plans and specifications therefor on file in the office of the City Clerk; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120885, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Gate Valves and Tapping Valves, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 500000, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120886, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to rent from the Pavement Planing Co. of Los Angeles one large size burner, scraper and continuous belt loader, fully manned and operated, at a price of \$32.00 per hour, with moving costs of \$240.00 for the job, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The job consists of repairs to University Avenue, between Euclid Avenue and 60th Street.

RESOLUTION NO. 120887, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to advertise for sale and to sell certain equipment belonging to the City, which is no longer desirable for use or retention by said City, including a Canopy, Cab and Chassis, a Studebaker Pickup, Compressors, Mixer, Panel, GMC Pickup and a 2 Ton Roller, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120888, recorded on Microfilm Roll No. 87, requesting the City Attorney to prepare and present to the Council the necessary ordinance to make certain street name changes in the Kearney Mesa area, as recommended by the City Planning Department, under Document No. 500004, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120889, recorded on Microfilm Roll No. 87, granting the

application of Ralph Coble and Mrs. Mary Vincent, as partners, for a Class "A" license to conduct public dance at Club Boomerang, 630 Market Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120890, recorded on Microfilm Roll 87, adopting the recommendation of the City Engineer filed under Document No. 499962; authorizing said City Engineer to amend the proceedings for the improvement of Block 16, La Mesa Colony and Lot 40, La Mesa Colony, in accordance with said recommendation; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Central Labor Council of San Diego County submitting a resolution endorsing the Shattuck plan for proposed parking facilities and convention hall at the Plaza, in Downtown San Diego, was presented and on motion of Councilman Burgener, seconded by Councilman Wincote, ordered filed.

RESOLUTION NO. 120891, recorded on Microfilm Roll No. 87, directing notice of filing of Assessment Roll No. 2294, for paving and otherwise improving Keating Street and Linwood Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120892, recorded on Microfilm Roll No. 87, directing notice of filing of Assessment Roll No. 2293, for paving and otherwise improving of 68th Street, between El Cajon Boulevard and Amherst Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 120893, recorded on Microfilm Roll No. 87, awarding to Al E. Riley, Inc., a corporation, the contract for paving and otherwise improving of the Alley in Block 14, F. T. Scripps Addition to La Jolla Park; a portion of the Alley lying westerly of and contiguous to Block 2, J. T. Corcoran's Subdivision, and Draper Avenue, under Resolution of Intention No. 119498, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 120894, recorded on Microfilm Roll No. 87, awarding to H. C. Dennis the contract for paving and otherwise improving of Alleghany Street and Public Right of Way, in the vicinity of Reo Drive and Sea Breeze Drive, under Resolution of Intention No. 119499, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 120895, recorded on Microfilm Roll No. 87, awarding to M. H. Golden Construction Co., a corporation, the contract for paving and otherwise improving 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 of Intention No. 119501, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 120896, recorded on Microfilm Roll No. 87, awarding to H. C. Dennis the contract for paving Olvera Avenue and Bonita Drive, in Las Alturas Villa Sites, under Resolution of Intention No. 119502, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120897, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for the improvement of Broadway, between Eighth Avenue and Fourteenth Street, by removing certain street light foundations and certain pull boxes; and by installing certain street light standards, and appurtenances; also approving Plat No. 2641 showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120898, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Everts Street, between the northerly line of Grand Avenue and the easterly prolongation of the southerly line of the Alley in Block 222, Pacific Beach; also approving Plat No. 2655, showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120899, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 69th Street, between Amherst Street and El Cajon Boulevard; also approving Plat No. 2643 showing the assessment district; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120900, recorded on Microfilm Roll No. 87, for furnishing of electric current for the lighting of the ornamental street lights in La Jolla Lighting District No. 1, for one year beginning January 1, 1955, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120901, recorded on Microfilm Roll No. 87, for furnishing of electric current for the lighting of the ornamental street lights in La Jolla Shores Lighting District No. 1 for a period of one year beginning September 15, 1954, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 120902, recorded on Microfilm Roll No. 87, for furnishing of electric current for the lighting of the ornamental street lights in Midway Drive Lighting District No. 1 for a period of one year beginning October 1, 1954, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 120903, recorded on Microfilm Roll No. 87, for the closing of the northwesterly 1.5 feet, measured at right angles, of that portion of Midway Street, lying adjacent to the southeasterly line of Lot 43, Cliffside, between Calumet Avenue and Sea Rose Place, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120904, recorded on Microfilm Roll No. 87, appointing time and place for hearing protests against the proposed furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District No. 1, for a period of 12 months and 2 days from and including January 30, 1955, to-wit: to and including January 31, 1956, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120905, recorded on Microfilm Roll No. 87, appointing time and place for hearing protests against the proposed furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year beginning February 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF Preliminary Determination No. 120906, recorded on Microfilm Roll No. 87, for the removing of certain existing concrete street light foundations and certain pull boxes; and installing certain street light standards, and appurtenances, in Broadway, between Eighth Avenue and Fourteenth Street, as fully described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120907, recorded on Microfilm Roll No. 87, for paving and otherwise improving of Everts Street, between Grand Avenue and the easterly prolongation of the southerly line of the Alley in Block 222, Pacific Beach, as fully described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 120908, recorded on Microfilm Roll No. 87, for paving and otherwise improving of 69th Street, between Amherst Street and the southerly line of El Cajon Boulevard, as fully described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120909, recorded on Microfilm Roll No. 87, approving the diagram of the property affected or benefited by the work of installing an ornamental lighting system in Broadway, between Pacific Highway and 8th Avenue, under Resolution of Intention No. 117254; directing the City Clerk to deliver said diagram when so certified to the Superintendent of Streets of the City; was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120910, recorded on Microfilm Roll No. 87, approving the diagram of the property affected or benefited by the work of paving Commercial Street, between 29th Street and 30th Street, under Resolution of Intention No. 117357; directing the City Clerk to deliver said diagram when certified to the Superintendent of Streets of the City; was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120911, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work of paving and otherwise improving of the Alley in Block 46, Ocean Beach; and Sunset Cliffs Boulevard, under Resolution of Intention No. 118155, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120912, recorded on Microfilm Roll No. 87, adopting the recommendation of the City Engineer, filed under Document No. 499891; and authorizing said City Engineer to amend the proceedings for the improvement of Franklin Avenue, between 28th Street and Evans Street, in accordance with said recommendation; was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120913, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs and expenses of paving and otherwise improving of Jefferson Street, between Ampudia Street and a point near Twiggs Street;

Moore Street, between Trias Street and the northwesterly line of Arista Street; Conde Street, between Congress Street and Moore Street; and Harney Street, between Congress Street and the original southwesterly line of Moore Street; was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120914, recorded on Microfilm Roll No. 87, granting the petition contained in Document No. 499700 for the installation of storm drains and appurtenances in the Chollas Valley Improvement District; directing the City Engineer to furnish the Council with a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs and expenses of said installation of storm drains and appurtenances in the Chollas Valley Improvement District, in accordance to the recommendation of the City Engineer filed under Document No. 499893; was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120915, recorded on Microfilm Roll No. 87; Authorizing the Street Superintendent to grant Callahan Bros. a 60-day extension of time for the completion of the contract for the improvement of the Alley in Block 43, Normal Heights, in accordance with the recommendation filed under Document No. 499886; was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120916, recorded on Microfilm Roll No. 87, authorizing the Street Superintendent to grant Linna B. Dennis, Executrix of the Estate of V. R. Dennis, deceased, a 120-day extension of time for the completion of the contract for the improvement of the Alley in Block 2, Chester Park, in accordance with his recommendation filed under Document No. 499887, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120917, recorded on Microfilm Roll No. 87, granting permission to San Diego Products Co. to pave and otherwise improve a portion of Commercial Street, between 31st Street and 32nd Street, by private contract, in accordance with plans cross-sections and specifications therefor filed under Document No. 499397, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120918, recorded on Microfilm Roll No. 87, granting permission to Fred E. Lawley to grade a portion of Division Street, easterly from Rozilla Street, by private contract, in accordance with the plans, drawings, typical cross-sections and specifications therefor contained in Document No. 499234, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120919, recorded on Microfilm Roll No. 87, granting permission to Western Mutual Corporation to pave and otherwise improve Euclid Avenue, between Churchward Street and Manzanares Way, by private contract, said work to include portions of Churchward Street and Manzanares Way, if required, in accordance with the plans, drawings, typical cross-sections and specifications therefor furnished by the City Engineer and filed under Document No. 499782, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120920, recorded on Microfilm Roll No. 87, establishing a parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on First Avenue, between Date Street and Elm Street; authorizing parking meters to be installed and authorizing the necessary signs and markings on said street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120921, recorded on Microfilm Roll No. 87, authorizing the City Manager to accept the work on behalf of The City of San Diego in Rodefer Hills Viewpoint Division Subdivision, and to execute a notice of completion and have the same recorded, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120922, recorded on Microfilm Roll No. 87, authorizing the City Manager to employ M. H. Golden Construction Company to do certain work at and near the intersection of Byron Street and Scott Street, including 160 lineal feet of curb removal; 128.3 lineal feet of Type G curb construction; and 655 square feet of sidewalk removal and reconstruction; the cost of said work not to exceed the sum of \$758.01; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120923, recorded on Microfilm Roll No. 87, authorizing the City Manager to enter into an agreement with Freeland, Peterson & Evenson, a co-partnership of Civil Engineers, to prepare and submit to said City plans, specifications and other pertinent data for the improvement of the Chollas Creek Channel, for a total sum of \$15,000.00, all in accordance with form of agreement filed as Document No. 500105; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120924, recorded on Microfilm Roll No. 87, authorizing the City Manager to execute an agreement between the San Diego County Traffic Council and The City of San Diego wherein said Traffic Council agrees to carry on and promote a campaign for traffic regulation and the City agrees to make available to said Council a sum up to but not in excess of \$5000.00 to be used for expenses of said Council; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120925, recorded on Microfilm Roll No. 87, approving Change Order No. 1, filed as Document No. 499877, issued in connection with the contract between The City of San Diego and Griffith Company, for the Improvement of Yacht Harbor Drive and Byron Street on Shelter Island, which contract is contained in Document No. 498983; the changes therein set forth amounting to an Increase in the contract price of \$126.00; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120926, recorded on Microfilm Roll No. 87, approving the request of Teyssier & Teyssier, contained in Change Order No. 5, for an extension of time of 31 days, to and including November 15, 1954, filed as Document No. 500040, in which to complete its contract for the construction of College Heights Branch Library, and which said contract is contained in Document No. 487737, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120927, recorded on Microfilm Roll No. 87, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and deeds to The State of California for delinquent taxes be cancelled; authorizing said Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The property affected was described as a portion of Lot 26, Block 10, San Diego Land and Town Company's South Chollas Addition.

RESOLUTION NO. 120928, recorded on Microfilm Roll No. 87, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and deeds to The State of California for delinquent taxes be cancelled; authorizing said Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The property affected was described as a portion of Pueblo Lot 191 of the Pueblo Lands of San Diego.

RESOLUTION NO. 120929, recorded on Microfilm Roll No. 87, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and deeds to The State of California for delinquent taxes be cancelled; authorizing said Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The property affected was described as the Southerly 15 feet of the Westerly 50 feet of the Easterly 200 feet of Lot 1, in Block 6 of Homeland Villas, according to Map thereof No. 1010.

RESOLUTION NO. 120930, recorded on Microfilm Roll No. 87, granting permission to Harry Azus, to install one 30-foot driveway on the west side of Twelfth Avenue, between points 160 and 190 feet south of the south line of Broadway, adjacent to Lot 1, Block 50, Horton's Addition, subject to certain conditions; the proposed driveway to serve as access to a 50 x 100 foot parking lot; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120931, recorded on Microfilm Roll No. 87, granting permission to Paul M. Canfield to remove one six-foot and one 24-foot section of curb for the construction of additional driveway area adjacent to Lots 1 and 2, Block 33, Fairmount Addition, so as to provide one continuous 100-foot driveway on the south side of Trojan Avenue, between points 12 feet and 112 feet east of the east line of Euclid Avenue, subject to certain conditions; the proposed driveway to provide access to a new shop building; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120932, recorded on Microfilm Roll No. 87, granting permission to the Disabled American Veterans, Chapters 2 and 70, to conduct their annual Forget-Me-Not-Sale as follows: In Downtown San Diego and business areas of Hillcrest, the water front, Normal Heights, Adams Avenue, Kensington, North Park, University Avenue, El Cajon Boulevard, East San Diego, Linda Vista, Mission Beach, Pacific Beach, Ocean Beach, Point Loma, on November 5th and 6th, 1954, between 8:00 A.M. and 10:00 A.M.; and in the event some celebration is held in the Stadium and Lane Field, or a downtown parade is held on the 11th day of November, to conduct their sale on said date; said Forget-Me-Not Sale to be held for the purpose of raising funds to support rehabilitation work among needy veterans and their families; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120933, recorded on Microfilm Roll No. 87, granting permission to Union Oil Company of California, to install two 35-foot driveways on the north side of University Avenue, between points 6 feet and 41 feet and 77 feet and 112 feet east of the east line of Cherokee Avenue; also, to install two 35-foot driveways on the east side of Cherokee Avenue, between points 12 feet and 47 feet and 75 feet and 110 feet north of the north line of University Avenue, adjacent to a portion of Lots 20 to 24, Block 36, City Heights, subject to certain conditions; the proposed driveways to provide access to service station at University Avenue and Cherokee Avenue, which is being remodeled; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120934, recorded on Microfilm Roll No. 87, approving and allowing the bill of San Diego City & County Convention Bureau, dated October 21st, 1954, in the sum of \$538.12 for expenses incurred; authorizing a requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1954-1955 for said sum; was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120935, recorded on Microfilm Roll No. 87, authorizing the City Attorney to accept the amount of \$77.46 in full settlement of the City's claim No. 34881, in the amount of \$103.28 against Mr. Emil Klicka, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120936, recorded on Microfilm Roll No. 87, denying the claim of Don E. Pischner, on file in the Office of the City Clerk under Document No. 498832, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120937, recorded on Microfilm Roll No. 87, denying the claim of John H. Prusa, on file in the Office of the City Clerk under Document No. 499110, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120938, recorded on Microfilm Roll No. 87, repealing Resolution No. 113798, adopted August 18, 1953, and Resolution No. 114581, adopted October 8th, 1953, in connection with the proposed exchange of properties between The City of San Diego and Roy D. Obert and Eileen L. Obert, affecting property in The Highlands, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120939, recorded on Microfilm Roll No. 87, accepting the deed of Allied Farms, Inc., a California Corporation, dated October 5th, 1954, granting to The City of San Diego Lots "A", "B", "C" and "D" of Allied Gardens Unit No. 4, according to Map thereof No. 3136; authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder of San Diego County, California, together with a certified copy of this Resolution; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

On motion of Councilman Wincote, seconded by Councilman Burgener, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6289 (New Series), recorded on Microfilm Roll No. 87, appropriating the sum of \$34,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the replacement of a sewer in El Cajon Boulevard, between Fairmount Avenue and Euclid Avenue, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail and Mayor Butler. Nays--None. Absent--Councilmen Schneider, Kerrigan and Godfrey.

On motion of Councilman Wincote, seconded by Councilman Dail, the next ordinance was introduced.

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 a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6290 (New Series) recorded on Microfilm Roll No. 87, appropriating the sum of \$5,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of a culvert in 51st Street, north of Orange Avenue, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Mayor Butler. Nays--None. Absent--Councilmen Schneider, Kerrigan and Godfrey.

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

On motion of Councilman Burgener, seconded by Councilman Dail, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6291 (New Series), recorded on Microfilm Roll No. 87, establishing the grade of the Alley in Block 2, Swan's Addition, according to Map No. 947, between the northerly line of Olive Street and a line parallel to and distant 300.00 feet northerly from the northerly line, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail and Mayor Butler. Nays--None. Absent--Councilmen Schneider, Kerrigan and Godfrey.

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

On motion of Councilman Burgener, seconded by Councilman Dail, reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6292 (New Series), recorded on Microfilm Roll No. 87, establishing the grade of C Street, between the West line of 33rd Street and the West line of 34th Street, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail and Mayor Butler. Nays--None. Absent--Councilmen Schneider, Kerrigan and Godfrey.

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

On motion of Councilman Burgener, seconded by Councilman Dail, reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6293 (New Series), recorded on Microfilm Roll No. 87, establishing the grade of E Street, between the East line of 33rd Street and the northwesterly line of Federal Boulevard, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail and Mayor Butler. Nays--None. Absent--Councilmen Schneider, Kerrigan and Godfrey.

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

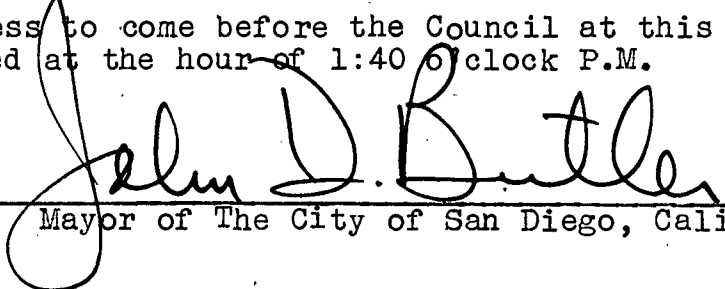
On motion of Councilman Dail, seconded by Councilman Burgener, reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6294 (New Series), recorded on Microfilm Roll No. 87, establishing the grade of 33rd Street, between the north line of C Street and the westerly prolongation of the north line of E Street, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted by the following vote, to-wit: Yeas--Councilman Burgener, Wincote, Dail and Mayor Butler. Nays--None. Absent--Councilmen Schneider, Kerrigan and Godfrey.


The next item was considered by unanimous consent, at the request of the City Manager.

RESOLUTION NO. 120940, recorded on Microfilm Roll No. 87, granting permission to The San Diego USO Advisory Council to use the Plaza on Friday night, November 5th, 1954, for the purpose of conducting a band concert; which band concert is to be a part of the activities planned by the General Committee for USO Week-End, 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 Mayor declared the meeting adjourned at the hour of 1:40 o'clock P.M.


Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk,

By  Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, October 28th, 1954.

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

The Mayor called the meeting to order at 10:13 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on a proposed Ordinance Incorporating a portion of Lot 16, Ex-Mission Lands (Horton's Purchase) in The City of San Diego, California, into R-4, CP and C Zones, as defined by Section 101.0408, Section 101.0410 and Section 101.0411 respectively of the San Diego Municipal Code, and repealing Ordinance No. 5809 (New Series) adopted October 1, 1953, insofar as the same conflicts therewith, said proposed Ordinance was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, consideration of this proposed Ordinance was continued for two weeks; to November 16th, 1954.

Before the motion was passed, Glenn Rick of the City Planning Office said that Attorney Morey Levenson would like such a continuance. Attorney Morey Levenson was present, but not required to explain why the continuance was desired.

Communication from the City Planning Commission relative to the reapproval of the tentative map of Allied Gardens Addition, formerly Waring Knolls, was presented.

RESOLUTION NO. 120941, recorded on Microfilm Roll No. 87, reapproving the tentative map of Allied Gardens Addition, previously approved under the name of Waring Knolls by Resolutions 114429 and 114430, on October 1st, 1953; subject to the conditions listed in the above numbered resolutions; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission relative to the tentative map of Clifford Point was presented.

RESOLUTION NO. 120942, recorded on Microfilm Roll No. 87, suspending Sections 102.11-1; 102.12-2; 102.16-8 and 102.17-c of the San Diego Municipal Code, in connection with the tentative map of Clifford Point, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120943, recorded on Microfilm Roll No. 87, approving the tentative map of Clifford Point, a subdivision located at the southerly end of Belle Isle Drive in the East San Diego area, subject to ten conditions, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission relative to the tentative map of Hartford Terrace was presented.

RESOLUTION NO. 120944, recorded on Microfilm Roll No. 87, suspending Sections 102.07-2; 103.07-5; 102.16-8 and 102.17-c of the San Diego Municipal Code, in connection with the tentative map of Hartford Terrace, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120945, recorded on Microfilm Roll No. 87, approving the tentative map of Hartford Terrace, a subdivision located between Hartford Street and Galveston Street north of Clairemont Drive, subject to eight conditions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission relative to the tentative map for Record of Survey on a portion of Lot 37, La Mesa Colony, was presented.

RESOLUTION NO. 120946, recorded on Microfilm Roll No. 87, approving the tentative map submitted by T. L. Benge for a two lot subdivision of a portion of Lot 37, La Mesa Colony, located on the westerly side of La Dorna Street approximately 90 feet north of Montezuma Road, subject to certain conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission relative to the tentative map of Loma Linda was presented.

RESOLUTION NO. 120947, recorded on Microfilm Roll No. 87, approving the tentative map of Loma Linda, a resubmission of the tentative map which was approved by Resolutions 112411 and 112412, on June 4th, 1953, and reapproved by Resolution 118775 on July 24, 1954, subject to ten conditions, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission reporting on the tentative Record of Survey Map for a two lot division of a portion of Pueblo Lot 104; recommending denial because the properties do not front upon a dedicated street and the lots would be substandard and would not comply with the zoning of the area, was presented; and at the suggestion of Mr. Glenn Rick continued for one week, to November 4th, 1954. The motion was for a Final Continuance, made by Councilman Schneider, seconded by Kerrigan.

Communication from the City Planning Commission relative to the tentative map of Regency Park was presented.

RESOLUTION NO. 120948, recorded on Microfilm Roll No. 87, suspending Sections 102.07-5; 102.12-6; 102.16-8 and 102.17-c of the Municipal Code, in connection with the tentative map of Regency Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120949, recorded on Microfilm Roll No. 87, approving the tentative map of Regency Park, a 40-lot subdivision located on the south side of Detroit Street easterly of Valencia Park, subject to ten conditions, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission relative to the final map of San Rafael Unit No. 2 was presented.

RESOLUTION NO. 120950, recorded on Microfilm Roll No. 87, authorizing the City Manager to execute a contract with Soledad Realty and Development Company for the installation and completion of the unfinished improvements and the setting of the monuments required for San Rafael - Unit No. 2 subdivision; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120951, recorded on Microfilm Roll No. 87, adopting the final Map of San Rafael - Unit No. 2 subdivision and accepting the public streets and unnamed easements as shown thereon, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120952, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Eleven (11) Motorcycles, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 500130, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120953, recorded on Microfilm Roll No. 87, granting the petition for the closing of that portion of Old Survey #3 lying within O. D. Arnold's proposed Hazelwood Heights No. 3, except that portion thereof lying within any street or alley way as said streets, roads or alleyways are delineated on the map of O. D. Arnold's proposed Hazelwood Heights No. 3; as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the State of California, Department of Public Works, Division of Highways relative to relocation and improvement as a freeway of a portion of State Highway Route 200, in the City of San Diego, between 18th Street and 0.1 mile west of Home Avenue, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set on this matter for next Thursday, November 4th, 1954, at the hour of 10:00 o'clock A.M.

Communication from the American Municipal Association extending an invitation to the City of San Diego to send representatives to the 31st Annual American Municipal Congress in Philadelphia, from November 28th to December 1st, 1954, was presented, and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

RESOLUTION NO. 120954, recorded on Microfilm Roll No. 87, referring to the City Manager and to Council Conference the Communication from Mrs. Franklin Berry, filed under Document No. 499995; and the communication from the South Bay District Chamber of Commerce, filed under Document No. 500075 on the annexation of the South Bay Area to the City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Mrs. M. Digan relative to needed parks in East San Diego, and other matters, was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the Park Commission.

Communication from the La Jolla Chapter, National Society, Daughters of the American Revolution, relative to restoration of the Whaley House, an historic landmark of San Diego, was presented.

Mr. Glenn Rick, of the City Planning Commission, explained the proposed restoration of historical houses, and particularly the Whaley House, in Old San Diego. He said it was proposed to raise the necessary funds; one-third to be contributed by the City Council, one-third by the County Board of Supervisors, and one-third by interested citizens. He said the Citizens' portion can be readily raised. He said members of the D.A.R. will restore the building to its original condition.

A motion was made by Councilman Kerrigan, seconded by Councilman Schneider, to refer the communication to the City Manager.

This action was reconsidered.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, RESOLUTION NO. 120955, recorded on Microfilm Roll No. 87, referring to Council Conference the communication from La Jolla Chapter, National Society, Daughters of the American Revolution relative to restoration of the "Whaley House", historic landmark of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Attorney Morey S. Levenson submitting comments on the proposed Ordinance regulating house moving was presented, and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Attorney Morey S. Levenson spoke relative to the height limitation feature of the new proposed Ordinance

Councilman Wincote said there would be a hearing on the revised house moving Ordinance next Thursday, November 4th, 1954.

Councilman Dail said the new draft would show a height limit for public utility installations of twenty feet; and that a cash bond or a surety bond would be allowed. The question was raised as to whether the bond should be filed by the buyer or the seller of the house being moved.

Attorney Morey S. Levenson said the paragraph regulating filing of bonds should read, "the owner".

Attorney Jean F. DuPaul said that Deputy City Attorney Firestone will furnish Attorney Levenson a new draft of the proposed Ordinance next Monday.

Mr. Levenson said he wanted a hearing on the new draft.

Councilman Wincote told him that a hearing will be had on the proposed Ordinance.

At this time, under Unanimous Consent, at the request of the Mayor, the matter of requesting surfacing replacement on Waverly Avenue, in La Jolla, from Midway to Forward Street, was discussed.

A letter of explanation from the interested City Department was briefed by the Mayor, who read portions of said letter. No 1911 Act assessments had been levied for the two-inch surfacing placed on said street. It was not feasible to maintain this as a surfaced street, due to leaky water main and later a new water main installation. There were repeated breaks in the water mains, under this two-inch plant mixed surface. It is now simply a dirt street. It is recommended that the City take no action to replace the street surfacing; all according to said letter. The Mayor stated that the Manager and the interested City Departments concur in this recommendation.

Councilman Godfrey asked questions relative to this street, which were answered by the Mayor. The work was done years ago at a total cost of \$157.40, according to the Mayor; who said there were no records of a permanent surfacing job on this street.

Mr. Charles J. Whiting spoke. He said no 1911 Act Improvement was done, and this type of paving was not desired under the existing trees. He showed a sample of the "paving" which was "ripped out" of his block. He exhibited a map showing Waverly Street and the adjoining area. He talked at length on street work done by private contract, without a City permit.

Mr. Dick Steck spoke relative to the necessity for City approval before any work is done on a City street.

The City Manager said contractors are required to "cease and desist" if found doing any unauthorized work on a public street.

Mr. Charles J. Whiting said the City of San Diego received a check for \$165.00 (one check) in connection with this work. Part of the material furnished for this \$165.00 was used on another street.

The Mayor said it would be unjust to the general public to spend money to serve the seventeen property owners on Waverly Street by paving said Street at public expense. He stated all property owners and general tax payers must be considered.

Mr. Charles J. Whiting inquired as to what the City Standards were in 1940. He said they are not asking for a gift from the City; they are fighting for their rights.

Councilman Dail asked Charles J. Whiting what he considered standard paving in 1940.

Charles J. Whiting made a lengthy talk about the 1929 Stock Market Crash, etc. He stated that in 1940 a Mr. Applegate was authorized to install asphalt plant mix surfacing by the Public Works Department. Heated discussion followed. Mr. Whiting said that a Mr. George Baumcastle, a paving contractor in El Cajon did the work, with material bought from Daley Corporation in 1940. Mr. Dick Steck said he would check this statement about Daley Corporation furnishing plant mixed material for the surfacing of Waverly Street. Mr. Steck said the property owners must have known this was not a permanent pavement; and some day would have to be replaced. Councilman Dail said all work of a temporary, sub-standard nature, on streets must eventually be replaced.

Councilman Wincote inquired as to the thickness of the oil and asphalt surfacing applied. Charles J. Whiting said it was over one inch thick; and that two property owners paid for the entire work.

Councilman Schneider said the remaining property owners were not out any money.

Charles J. Whiting again asserted contractor George Baumcastle was authorized by the City of San Diego Public Works Department to do the work, and that the City had received a check for \$165.00 in the matter; although part of the work at that time was done on Bellevue Avenue. Dick Steck said this amount would pay for oil only; not for a paving job.

Councilman Dail explained the matter of temporary paving in the Fifth District. He said the City had patched and repaired such temporary paving.

Councilman Burgener stated that one inch of asphalt paving in 1940 cost about 8¢ a foot; and that would figure a cost of \$1427.00 for Waverly Street on this basis.

Councilman Schneider said the figures quoted by Mr. Whiting spread against all lots figured about \$13.00 per lot.

Charles J. Whiting and Councilman Dail asked the City Clerk about the allegation of Mr. Whiting that the City Clerk had checked the 1940 records in connection with this work.

City Clerk Fred W. Sick said he did not look up the 1940 records. He said that during the depression the City accepted money and put surface paving on streets. This surfacing was never considered as a permanent pavement.

Councilman Godfrey attempted to explain to Charles J. Whiting that the 1940 surfacing was not a permanent pavement; it was not up to standard and was not accepted by the City.

Mr. Charles J. Whiting showed receipts from the Water Department for water pipe jobs done after the street was surfaced; and said the prices charged were the same as though the pipes had been installed under standard street paving.

Councilman Dail said it would be a gift of public property, if the City paved Waverly Street at the City's expense.

Councilman Schneider said these people have never paid for a standard paving job; only an average of \$13.00 a lot for the temporary work.

Councilman Godfrey said the City had discontinued temporary surfacing of streets, and would sanction no more temporary junk.

A man in the audience asked if taxes are based on a paved street. The City Manager said the paving had no effect on the taxes; that the assessments were based on accumulative sales figures.

The Mayor and all members of the Council made comments in the discussion which followed.

Charles J. Whiting said the paving was removed by City forces on June 29th, 1951.

Councilman Godfrey said that no evidence has been presented that this was a permanent paving job; it was not accepted by the City; it was not up to City standards and specifications.

Councilman Dail moved to proceed with the other items on the Council's Calendar. No second was received to the motion.

Charles J. Whiting said that in June, 1951, the City removed the existing paving with a scarifier. He said the paving was removed to make way for water pipe work contemplated by the Water Department. He said members of the Street Department told property owners on the street, "you will have to eat dust until the street is paved under the 1911 Act".

He said property owners paid \$1.25 per front foot for new water mains, and that the men presenting the water contracts; one tall and one short man; told the property owners, "you will never get your street paved until you sign this Water Department Contract".

He presented a sample of the water main, or pipe, removed from Waverly Street; and stated this old pipe had been installed for 26 years.

Councilman Godfrey said that Charles J. Whiting had confused the property owners on Waverly Street, relative to the paving for replacement of the old water main. Charles J. Whiting said that there was "fraud in the contract for water main".

Mrs. Lee Shanquet of 5546 Waverly Avenue stated she did not want white paving; she likes black top. She stated she wanted to save the existing trees in the block, and submitted a picture of her house and a large tree in front of it.

Councilman Wincote read extracts from a written report, stating that "this is an oil penetration job".

The Mayor said that the City is not legally obligated to pave the street; and that 4 inches of asphaltic concrete is the present minimum paving requirement.

Mrs. Bertha L. Bailey of 5501 Waverly Avenue; who was introduced by Charles J. Whiting as an original property owner, who paid her share of the costs of paving; asked why they (the City) resurfaced Beaumont Avenue and ignored Waverly Avenue.

Councilman Dail, in answering the question, stated that the same things had occurred in the 5th Councilmanic District.

Councilman Schneider said that the entire cost of the work done on this street was less than the cost of paving in front of one lot under the 1911 Act. He said the Council can not use tax money to pave this street.

Mr. W. A. Neilson of 5559 Waverly Avenue spoke, and stated "we lost what surfacing we had, and want what we had before replaced".

The City Manager said the street was full of chuck holes and the surfacing needed to be removed.

Councilman Wincote called for a show of hands from interested property owners, of those who would be satisfied with a street that looked exactly the same as before the surfacing was torn up. All interested property owners present; about sixteen in all; raised their hands.

At this time; about 11:50 AM.; the Mayor left the meeting and Councilman Wincote assumed the duties of Mayor pro tempore.

A motion was made by Councilman Godfrey, seconded by Councilman Dail, that the matter be referred to Council Conference; that reports on the street be obtained; and that the item be placed on the Docket in a couple of weeks.

Several other property owners spoke to the effect that the City took away their black top paving, and they want it put back.

All interested persons having been heard, RESOLUTION NO. 120956, recorded on Microfilm Roll No. 87, referring to Council Conference the matter of the restoration and maintenance of the pavement in the 5500 block of Waverly Avenue, in Bird Rock Addition; and listing the matter for Council consideration in two weeks; on Tuesday, November 16th, 1954; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

At this time; 12:00 Noon: Councilman Kerrigan was excused from the meeting.

RESOLUTION NO. 120957, recorded on Microfilm Roll No. 87, prohibiting the parking of automobiles at all times on the westerly side of Pacific Highway, between points 0 and 600 feet south of Rosecrans Street; authorizing the installation of the necessary signs and marking, etc.; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120958, recorded on Microfilm Roll No. 87, prohibiting the parking of automobiles at all times on South Harbor Drive, between Stations 125 plus 85 and 128 plus 59, in the throat of the intersection between south Harbor Drive and Belt Street; authorizing the installation of the necessary signs and markings; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120959, recorded on Microfilm Roll No. 87, directing the San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations, in the City of San Diego:

Bocaw Place at Saranac Drive;

Bocaw Place, half way between Saranac Drive and Richard Street; and

49th Street at Federal Boulevard;

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

RESOLUTION NO. 120960, recorded on Microfilm Roll No. 87, directing the Property Supervisor to file a petition with the County Board of Supervisors requesting that all taxes, penalties and deeds to the State of California for delinquent taxes be cancelled on property described as The Southerly 15 feet of the Westerly 75 feet of the Easterly 150 feet of Lot 1, in Block 6, of Homeland Villas, according to Map thereof No. 1010, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120961, recorded on Microfilm Roll No. 87, directing the Property Supervisor to file a petition with the County Board of Supervisors requesting that all taxes, penalties and deeds to the State of California for delinquent taxes be cancelled on property described as portions of Pueblo Lots 191 and 197 of the Pueblo Lands of San Diego, according to map thereof made by James Pascoe in 1870, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120962, recorded on Microfilm Roll No. 87, authorizing the City Attorney to file a stipulation upon property in the Northeast Quarter of Section 33, Township 16 South, Range 2 West, San Bernardino Meridian, in the suit of O. D. Arnold & Sons, a co-partnership, Plaintiff, vs. City of San Diego, Defendant, Superior Court Action No. 192612; subject to the recordation of the final map of O. D. Arnold's Hazelwood Heights Unit No. 3 subdivision; allowing completion of this quiet title action; etc., was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120963, recorded on Microfilm Roll No. 87, authorizing the City Manager to execute, for and on behalf of the City, a lease with H. G. Fenton Material Company of Lot 35 of Rancho Ex-Mission, as shown on City of San Diego Property Management Division Drawing No. 102, for a term of three years, at a flat rental or percentage whichever is greater, as set forth in the form of lease filed under Document No. 500225, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120964, recorded on Microfilm Roll No. 87, authorizing the City Manager to execute, for and on behalf of the City, a pipe line license agreement with the Atchison, Topeka and Santa Fe Railway Company, whereby the City acquires the right to construct, operate and maintain a storm drain through the railroad property, under the conditions and terms set forth in for of license agreement filed as Document No. 499975, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Some questions were raised relative to the next three items on the Calendar relative to agreements with J. A. Carolla, R. R. Kennedy and A.H. Koebig Jr. as Consultants to prepare a cooperative preliminary report on a comprehensive sewage plan for the Metropolitan San Diego area. Action on these items was held in abeyance temporarily.

Councilman Godfrey left the meeting to check his notes in connection with the three agreements mentioned above.

RESOLUTION NO. 120965, recorded on Microfilm Roll No. 87, approving change Order No. 1, filed as Document No. 500143, issued in connection with the contract between the City of San Diego and Geo C. Punton for painting the exterior surfaces of five elevated tanks and one standpipe; which contract is contained in Document No. 492619; the changes therein set forth amounting to a decrease in the contract price of \$1,095.00; was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120966, recorded on Microfilm Roll No. 87, accepting the deed of Grover L. Pike and Alexia Bettie Pike, Glenn L. Pike and Judy Lewis Pike, executed in favor of the City of San Diego, conveying to said City a portion of Lot 1, Block 6, Homeland Villas, according to Map thereof No. 1010; setting aside and dedicating to the public use the land therein conveyed; and naming the same Balboa Avenue; Authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 120967, recorded on Microfilm Roll No. 87, accepting the deed of T. L. Stearns and Ellen T. Stearns, executed in favor of The City of San Diego, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Quarter Section 82, Rancho de la Nacion, according to Map thereof No. 166; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

On the next matter, a proposed Ordinance Regulating Subdivisions, the City Attorney advised the Council that some changes in the wording had been made, since the Ordinance was first introduced; and the new draft should be re-introduced.

On motion of Councilman Burgener, seconded by Councilman Dail, an Ordinance Amending the San Diego Municipal Code by Amending Sections 101.0101.23, 102.01 and 102.02 thereof and by adding thereto a new section to be numbered 102.02.1, all REGULATING SUBDIVISIONS, was re-introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider and Dail. Nays--None. Absent--Councilmen Kerrigan and Godfrey and Mayor Butler.

On motion of Councilman Burgener, seconded by Councilman Dail, reading of the next ordinance in full was dispensed with by not less than four votes of the Council.

ORDINANCE NO. 6295, (New Series), changing and reestablishing the Boundary Lines of the Districts within the City of San Diego for the purpose of nominating and electing members of the City Council, and repealing Ordinance No. 4563 (New Series), adopted October 10, 1950, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider and Dail. Nays--None. Absent--Councilmen Kerrigan and Godfrey and Mayor Butler.

On motion of Councilman Burgener, seconded by Councilman Dail, reading of the next ordinance in full was dispensed with by not less than four votes of the Council.

ORDINANCE NO. 6296, (New Series), recorded on Microfilm Roll No. 87, Amending Chapter X, Article 1 of the San Diego Municipal Code by adding thereto two sections to be numbered 101.0419 and 101.0420, regulating Airport Zoning, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider and Dail. Nays--None. Absent--Councilmen Kerrigan, Godfrey and Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Burgener, reading of the next ordinance in full was dispensed with by not less than four votes of the Council.

ORDINANCE NO. 6297, (New Series), recorded on Microfilm Roll No. 87, Incorporating portions of Blocks 498, 499 and 500, Dougherty's Subdivision in The City of San Diego, California, into CP and C Zones as defined by Sections 101.0410 and 101.0411 respectively, of the San Diego Municipal Code and repealing Ordinance No. 13216 insofar as the same conflicts therewith, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider and Dail. Nays--None. Absent--Councilmen Kerrigan, Godfrey and Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Burgener, reading of the next ordinance in full was dispensed with by not less than four votes of the Council.

ORDINANCE NO. 6298, (New Series), recorded on Microfilm Roll No. 87, Incorporating a portion of Parcel "00", Lot 19, Rancho Mission in The City of San Diego, California, into CP and C Zones as defined by Sections 101.0410 and 101.0411, respectively, of the San Diego Municipal Code, and Repealing Ordinance No. 6068 (New Series), insofar as the same conflicts therewith, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider and Dail. Nays--None. Absent--Councilmen Kerrigan, Godfrey and Mayor Butler.

At this time Councilman Godfrey re-entered the meeting and took his place on the Council.

By Unanimous Consent, at the request of the City Manager, RESOLUTION NO. 120968, recorded on Microfilm Roll 87, granting permission to Platrix Chapter No. 2 of E Clampus Vitusto erect a simple bronze commemorative plaque approximately 6" X 10" on a pipe stand 3" to 4" high resting in a cement foundation, on Mule Hill, commemorative of the Battle of San Pasqual, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

By Unanimous Consent, at the request of the City Manager, RESOLUTION NO. 120969, recorded on Microfilm Roll No. 87, requesting the City Attorney to prepare a Resolution for passage by this Council, setting up a policy on travel, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Three Resolutions authorizing the City Manager to enter into agreements with J. A. Carolla, R. R. Kennedy and A. H. Koebig Jr. as Consultants to prepare cooperative preliminary reports on a comprehensive sewage plan for the Metropolitan San Diego area; being items 107 to 109 on to-day's calendar, were again considered.

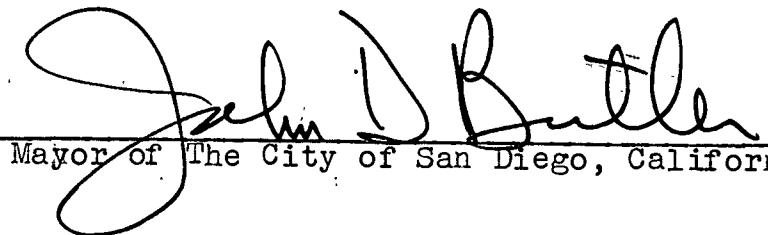
It was decided, after discussion, that the agreements should be amended to be more specific, and so that the City will receive credit on the total contract cost for the initial \$2,500.00 to be paid each Consultant at this time.

RESOLUTION NO. 120970, recorded on Microfilm Roll No. 87, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, authorizing and empowering the City Manager to enter into an agreement, for and on behalf of said City, with J. A. Carolla, as Consultant to prepare a cooperative preliminary report setting out in detail the kind of study, examination and accumulation of facts necessary to prepare a comprehensive sewage plan for the Metropolitan San Diego, at a compensation of \$2500.00 for such report; the more particular terms and conditions to be as set forth in said agreement on file in the office of the City Clerk as Document No.

RESOLUTION NO. 120971, recorded on Microfilm Roll No. 87, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, authorizing and empowering the City Manager to enter into an agreement, for and on behalf of the City, with R. R. Kennedy, as Consultant to prepare a cooperative, preliminary report setting out in detail the kind of study, examination and accumulation of facts necessary to prepare a comprehensive sewage plan for the Metropolitan San Diego area, at a compensation not to exceed \$2,500.00 for such report; the more particular terms and conditions to be as set forth in said agreement on file in the office of the City Clerk as Document No.

RESOLUTION NO. 120972, recorded on Microfilm Roll No. 87, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, authorizing and empowering the City Manager to enter into an agreement, for and on behalf of the City, with A. H. Koebig Jr., as Consultant to prepare a cooperative preliminary report setting out in detail the kind of study, examination and accumulation of facts necessary to prepare a comprehensive sewage plan for the Metropolitan San Diego area, at a compensation not to exceed \$2,500.00 for such report; the more particular terms and conditions to be as set forth in said agreement on file in the office of the City Clerk as Document No.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Burgener, at the hour of 12:20 o'clock P.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By  Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Wednesday, November 3rd, 1954.

Present-----Mayor Butler.

Absent-----Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail and Godfrey.

Clerk-----Clark M. Foote Jr.

Tuesday, November 2nd, 1954, being a State and National Election, and a Legal Holiday, no meeting was held on that date.

The meeting was called to order ^{by} Mayor Butler at the hour of 10:00 o'clock A.M.

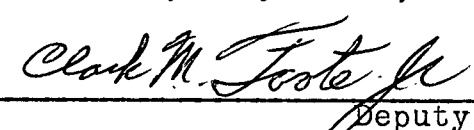
All hearings, and other matters, scheduled for to-day's meeting were continued until Thursday, November 4th, 1954, at the hour of 10:00 o'clock A.M.

Due to lack of a quorum, Mayor Butler declared the meeting adjourned until Thursday, November 4th, 1954, at the hour of 10:00 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By  Deputy.

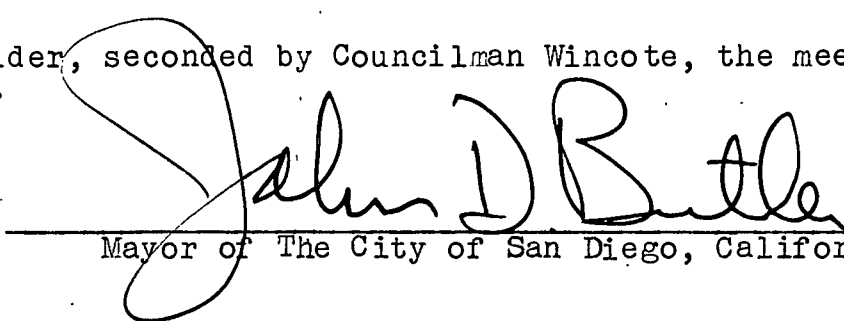
REGULAR ADJOURNED MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 4th, 1954.

Pursuant to adjournment, a meeting was held this date, and was called to order by Mayor Butler at the hour of 10:08 o'clock A.M.

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

On motion of Councilman Schneider, seconded by Councilman Wincote, the meeting was adjourned at the hour of 10:09 A.M.


Mayor of The City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk,

By  Deputy.

REGULAR MEETING.

Chamber of the Council of The City of San Diego, California,
Thursday, November 4th, 1954.

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

The Mayor called the meeting to order at the hour of 10:00 o'clock A.M.

The minutes of the Regular Meeting of Tuesday, October 26th, 1954; the minutes of the Regular Meeting of Thursday, October 28th, 1954; and the minutes of the Regular Adjourned Meeting of Thursday, November 4th, 1954; and the minutes of the Regular Meeting of Wednesday, November 3rd, 1954; were approved by the Council, after which they were signed by the Mayor.

By Unanimous Consent, at the request of the Mayor, Carl Reupsch, of the Harbor Department, explained items numbered 137 to 145 on to-day's calendar, relative to subleases, leases, rent changes, and repairs on the B Street Pier.

RESOLUTION NO. 120973, recorded on Microfilm Roll No. 87, approving a sublease, entered into between the Institute of the Aeronautical Sciences, (San Diego Facility), a New York Corporation, as Sublessor, and Robert L. Read, as Sublessee, covering a portion of that certain property previously leased to Institute of the Aeronautical Sciences, on property at 3380 Harbor Drive, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120974, recorded on Microfilm Roll No. 87, approving a sublease entered into between San Diego Lumber Company, as Sublessor, and Arrow Transfer Company, Sublessee, covering a portion of that certain property previously leased to the San Diego Lumber Company, on City tidelands, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120975, recorded on Microfilm Roll No. 87, approving an Agreement for Amendment No. 1, on tideland lease with the Standard Oil Company of California, covering a marine service station lease on the Embarcadero at the approximate foot of Cedar Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120976, recorded on Microfilm Roll No. 87, approving an Agreement for Amendment No. 1, on tideland lease with the Standard Oil Company of California, as Lessee, on premises at Kettner Boulevard and Harbor Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120977, recorded on Microfilm Roll No. 87, approving an Agreement for Amendment No. 2, on tideland lease with the Standard Oil Company of California, as Lessee, on premises at Laurel Street and Harbor Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120978, recorded on Microfilm Roll No. 87, approving an Agreement for Amendment No. 1, on lease with Standard Oil Company of California, as Lessee, covering premises at Market Street and Harbor Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120979, recorded on Microfilm Roll No. 87, approving an Agreement for Amendment No. 2, on lease with Standard Oil Company of California, as Lessee, covering premises at Pacific Highway and Palm Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120980, recorded on Microfilm Roll No. 87, approving a lease of certain property located on the tidelands at the foot of Schley Street, for Standard Oil Company of California, as lessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120981, recorded on Microfilm Roll No. 87, authorizing and empowering the Port Director to do all the work in connection with the repairing of the floor of Transit Shed No. 2, on the B Street, Pier, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Purchasing Agent reported in writing that bids had been received on Friday, October 29th, 1954, at 10:00 o'clock A.M., on the following items:

(a) Paving Franklin Avenue, from 47th to 49th Streets; and a portion of 49th Street - 2" a.c. surface course laid upon a 5" plant mixed cement treated base. Bids were received from Griffith Company, H. C. Dennis, R. E. Hazard Contracting Company, Daley Corporation and M. H. Golden Construction Company.

(b) Paving Kendall Street, from Garnet Street to Hornblend Street - 4" a.c. Bids were received from M. H. Golden Construction Company, H. C. Dennis, R. E. Hazard Contracting Company, Daley Corporation and Griffith Company.

(c) Paving 29th Street, from Island Avenue to K Street - 5" c.c.. Bids were received from Gilman Grading Company, Al E. Riley, Inc., H. C. Dennis, John B. Henry and T. B. Penick & Sons.

It was moved by Councilman Schneider, seconded by Councilman Burgener, that bids were publicly opened, examined and declared, and that the Purchasing Agent's report thereon be accepted. The motion carried.

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.

At this time a majority of the members of the Council signed:

Contract with the San Diego Gas & Electric Company for Logan Avenue Lighting District No. 1.

Contract with the San Diego Gas & Electric Company for Adams Avenue Lighting District No. 1.

Contract with the San Diego Gas & Electric Company for Roseville Lighting District No. 1.

Contract with the San Diego Gas & Electric Company for Pacific Beach Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the installation of a Storm Drain and appurtenances in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street; Public Rights of Way in Lots in Boulevard Gardens, Gardena Home Tract; portion of Lot 1, in plat showing Lots 1 and 2, in the southwesterly portion of Pueblo Lot 256; and in portions of Pueblo Lots 264 and 265; on Resolution of Preliminary Determination No. 120416; all papers in connection with the matter were again presented.

RESOLUTION NO. 120982, recorded on Microfilm Roll No. 87, continuing until the hour of 10:00 o'clock A.M. of Tuesday, November 9th, 1954, the hearing on the construction of a storm drain system and appurtenances in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street, Public Rights of Way in Lots 1, 2, 47, 48, 49, 50, 85, 86, 87, 88, 112 and 113, Boulevard Gardens; Lots 11, 12, 13 and 14, Gardena Home Tract; portion of Lot 1, in plat showing Lots 1 and 2, in the southwesterly portion of Pueblo Lot 256, and in portions of Pueblo Lots 264 and 265, as provided in Resolution of Preliminary Determination No. 120416, adopted September 28th, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

By Unanimous Consent, at the request of the Mayor, the matter of fire insurance for The City of San Diego was brought up at this time.

Mr. Ewart Goodwin addressed the Council. He outlined the problem of bidding on City Insurance. He mentioned the insurance paid on a big fire loss in Balboa Park, on a building he described as the Civic Auditorium. He said the insurance bid forms have been improved. He said that fire insurance is different from other commodities; that for example the depreciation on 20-year old buildings, like the Civic Auditorium, is a big factor on loss payments. He said the matter of a proposed insurance contract should be considered further; and suggested that all bids be rejected and new specifications drawn.

The Mayor said that the low bid being considered was \$3000.00 below other bids, that it was in order, and could be accepted.

Councilman Schneider said the low bidder can perform his contract; and this bid should not be thrown out.

Councilman Dail asked the Purchasing Agent, Harold Shaw, what qualifications for bidders were in the specifications. Harold Shaw replied that the Company should have an A plus 5A rating. He said that the lowest bidder had been rated A plus 4B; but his account was guaranteed by an A plus 5A Company, as a re-insurer. He said that a re-insuring notice would be attached from a Los Angeles Company and from Lloyds of London.

Councilman Dail said three cancellations would have to be secured if it were desired to cancel the policy.

Councilman Wincote requested that a yellow sheet, with very fine print, to be made a part of the contract be read. Harold Shaw presented this yellow re-insurance notice, stating the re-insuring company's rating would agree with other large insurance companies.

The Mayor said the City is getting A plus 5A insurance protection.

Councilman Kerrigan read the small print on the yellow form above referred to, which had been submitted by Sam T. Loftin, District Manager of the Farmers Insurance Group.

Mr. Ewart Goodwin spoke again. He said this insurance exchange agreement was like a "blank check".

Councilman Godfrey inquired as to the assets of the insuring group. He was answered by Ewart Goodwin. They had a reserve of about \$100,000.00 according to Mr. Goodwin's statement. The Mayor said they had \$10,000,000.00 assets according to their statement.

A new speaker, Mr. Hastings Garland, said that the low bid was legal; but that it was also legal to re-advertise for bids. He asked that all bids be thrown out, the specifications revised, and the matter re-advertised.

Harold Shaw said that a bidder does not have to be a capital stock company, according to this year's specifications.

Mr. Ralph Corbett spoke at this time, representing the Home Insurance Company of New York. He said, "we are dealing with millions of dollars of liability". He suggested that the matter be delayed "until members of the Insurance Fraternity discuss the matter in conference with the Council".

The Mayor inquired if Sam T. Loftin, as low bidder, wished to speak "in his own defense".

Mr. Sam T. Loftin said the City Manager, the Purchasing Agent and the City Attorney are all capable; and he rests his bid case with the City Council. He said the City Charter provisions, the specifications and all requirements have been complied with. He mentioned that the other four bidders submitted Identical Bids. He stated, our bid was low and legal in all respects; and we collaborate with Lloyds of London, the oldest established insurance company. He said his Company was rated high enough to fully protect the City's interests.

A motion was made by Councilman Burgener, seconded by Councilman Schneider, that the bid of the Farmers Insurance Group be accepted.

Councilman Dail said it is not a good policy to accept this bid. Sam T. Loftin offered to answer Mr. Dail's objections.

Councilman Wincote said "we have a 60-day period to pass on the bids"; and stated he would vote "No." on the motion.

Councilman Schneider said he was assured the low bidder can perform; so he seconded the motion. He stated that it is an honest bid made legally.

Councilman Godfrey said the matter of the bid feature was covered by a Charter Amendment; and said the low bid was a legal bid.

Mr. Henry Bianchini, of 740 - 20th Street, said that a low-premium policy writer may not be able to perform; and stated that he does not think too much of a low bidder.

Thereupon, RESOLUTION NO. 120983, recorded on Microfilm Roll No. 87, accepting the bid of Sam T. Loftin for furnishing fire insurance for The City of San Diego for a period of five years, in accordance with City specifications and proposal for a total price of \$20,718.86; authorizing the City Manager to execute a Power of Attorney on the part of the City authorizing the Fire Insurance Exchange to act as the City's Attorney in Fact in the handling of all matters pertaining to said fire insurance; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The roll call on the motion to adopt this Resolution showed as follows: Yeas--Councilmen Burgener, Schneider, Kerrigan, Godfrey and Mayor Butler. Nays--Councilmen Wincote and Dail. Absent--None.

RESOLUTION NO. 120984, recorded on Microfilm Roll No. 87, referring to Council Conference the matter of furnishing fire insurance for The City of San Diego, and formulating a policy on the same for the future, 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 considering a Proposed Freeway on State Highway Route 200, from 18th Street to Home Avenue, lying between F and G Streets for the entire distance, the Mayor called upon Mr. E. E. Wallace, Engineer for the State Highway Department, to outline the State Highway Commission's plans in this connection.

District Engineer, E. E. Wallace, stated this was part of the overall freeway plan for San Diego County. The easterly-westerly freeway, of which this project is a part, will run to the easterly limits of the City of El Cajon. He said bid forms have already been prepared for the section lying between Euclid Avenue and College Way.

Assistant District Engineer R. B. Luckenbach, showed a wall map of the entire project; the section under discussion being marked in red, with blue-line roads indicating existing freeways, and the remainder of the easterly-westerly freeway above referred to.

Engineer Wallace said it would cost about \$3,000,000.00 to construct the portion lying between College Way and Campo Way. He said the State has funds available for this work.

Engineer Wallace said the section from 18th Street to Home Avenue is the only link in the freeway system now missing. All possible alternate routes, besides the one under discussion, have been considered and none are satisfactory. He did not know of any better plan for connecting the existing freeways.

Mayor Butler said that F and G Streets will be one-way streets under the plans proposed.

In answer to questions by Councilman Dail, Assistant District Engineer R. B. Luckenbach said they plan to remove all structures in the entire block between F and G Streets, for the full length of the freeway.

The Mayor said it is a case where private interests have to be eliminated for the public good.

Engineer R. B. Luckenbach said that less than 1% of the State Highway Department's negotiations go into condemnation proceedings.

Mr. B. O. Connors, a resident of 22nd Street, objected to the unanimous consent hearing relative to insurance being held ahead of this present hearing. In answer to his questions he was assured by representatives of the State Highway Department that the actual construction would involve only property lying between the north side of G Street and the south side of F Street; the two streets mentioned to be maintained as one-way streets.

Mr. Henry Bianchini, of 740 - 20th Street, asked if Highway 101 had been considered. He inquired, "Why sacrifice hundreds of homes and cut out the heart of the City for another road". He said there was room for further study before proceeding with this construction work.

Mr. George R. Tiemann, of 2445 F Street said his people do not want to move. He inquired if people will receive a just price for their property.

Engineer E. E. Wallace explained the method of establishing a fair market price. He said the State Highway Department negotiates with property owners and that less than 1% of the parcels taken go to condemnation proceedings. He said there is plenty of time to negotiate with the people before the construction will start.

Mr. George R. Tiemann said he has no objection to the proceeding, if a fair price is paid property owners.

The Mayor said that the City of San Diego negotiates for its purchases at the highest average market price.

A Mrs. Sands, operator of the El Patio Store, inquired relative to the effect of the project on property on the south side of G Street, near 25th Street. Engineer R. B. Luckenbach said that G Street will be left open, and it will be possible to drive from the freeway onto G Street at various points. The lady inquired if she should continue payments on existing paving bonds, and was advised it might be well to do so.

Mr. Harry B. Hall said he has sold two houses on terms in the affected area, and wanted to know how this matter will be handled. R. V. Luckenbach said the State will pay the net proceeds on a contract sale to the original owners through escrow, on existing trust deeds.

Mr. Malcolm Bishop asked how the plan would affect property in the ~~in the~~ 3200 block on G Street. He was told that all property in his block would be affected by the project.

Mr. W. J. Langdon, living at 762 Cerro Gordo Street, inquired if F Street, between 27th and 28th Streets will be improved. Engineer Luckenbach could not say definitely if this street will be improved.

Mrs. Iona Hubbard, with property on the north side of G Street, near 32nd Street, inquired what effect it would have on her holdings. Engineer Luckenbach could not give details relative to this location. He invited property owners to visit the State Highway Offices, where specific inquiries could probably be answered.

Mrs. Roberts, owner of property between 25th and 26th Streets on G Street, asked, "Why take so much property". Engineer Luckenbach replied that they needed an 8-lane road, and all land lying between F and G Streets would be required for the improvement. The Lady inquired relative to down payments for the purchase of property. Engineer Luckenbach said these matters will go through escrow, and distribution of funds will be made from escrow to the parties interested.

Mrs. Beulah Robinson said she has a new house at the northeast corner of 31st and F Streets. Due to a cloverleaf arrangement, this property will be within the limits of the improvement, according to Engineer Luckenbach.

Councilman Dail suggested that property owners consult the Highway Department offices at Taylor and Bean Streets, for specific answers to individual questions.

Mrs. Louise Henderson, of 2239 F Street, asked if income is considered in fixing prices paid; saying that she has two stores and about six rentals. The matter of zoning and location will be considered, according to Engineer Luckenbach.

A Navy Chief Petty Officer, from 18th and F Streets, was told that the block north and south of this intersection might be involved by Engineer Luckenbach.

A lady inquired relative to prices paid for property in an industrial zone. Engineer Luckenbach said the zoning would be considered.

A lady inquired relative to the effect the project would have on the business district near 30th Street. Engineer Luckenbach said a proposed cloverleaf might affect any property lying between 30th and 31st Street and between E and G Streets.

Mr. James A. McNutt, living at 719 - 18th Street, asked questions relative to the purchase price. He feared the money paid by the State would not give sufficient replacement allowance for improvements. Engineer Luckenbach suggested he contact the State Highway appraisal Department; and said that income produced is a factor in an appraisal.

A lady inquired how soon the work will proceed. It will take about two years to start the actual work according to Engineer Luckenbach. The lady, Mrs. C. S. Cardenez, of 721-30th Street, was assured the work proposed is a full freeway. There will be an intersection at 25th Street, and a clover leaf easterly of 30th Street, according to the Engineer. He had no definite information as to the effect of the work on property at 721 - 30th Street.

Mr. Manning Jordan, of 2992 G Street, was told his property would be affected, by Engineer Luckenbach

Officer Arthur Hoopes of 738 - 18th Street inquired how his property would be affected, and was answered by Engineer Luckenbach.

District Engineer E. E. Wallace outlined in detail the procedure followed by the State Highway Commission. He said the question now is the proper location of the proposed freeway, which he believes had been determined.

All interested persons having been heard, RESOLUTION NO. 120985, recorded on Microfilm Roll No. 87, was adopted on motion of Councilman Godfrey, seconded by Councilman Burgener. Said Resolution read as follows:

"RESOLUTION NO. 120985. BE IT RESOLVED, by the Council of The City of San Diego that the State Highway Commission be advised that it is the consensus of this Council that in the matter of the relocation and improvement as a freeway of a portion of State Highway Route 200 in The City of San Diego, between 18th Street and one-tenth mile west of Home Avenue, in accordance with the Division of Highways map, being a portion of City Clerk's Document No. 500303, a public hearing by the State Highway Commission is unnecessary".

By unanimous consent, at the request of Attorney Morey Levenson, the appeal of Vista Park Land Co., by Martin L. Glint, from decision of the Board of Zoning Adjustment relative to single family dwellings in an R-2 Zone on Lots 974, 975, 976 and 977 of Clairemont Unit No: 6, was referred back to said Board of Zoning Adjustment, on motion of Councilman Godfrey, seconded by Councilman Kerrigan.

The hour of 10:00 o'clock A.M. having arrived, the time set for a hearing relative to the Proposed House Moving Ordinance, as amended, the new draft of the ordinance and all papers in connection therewith were presented.

Attorney Morey Levenson made certain oral objections. He said that Section 91.34, on page 3, should spell out the matter of who issues the moving permits.

Deputy City Attorney Firestone said this section does not stand alone; that Section 91.32 takes care of the matter.

Attorney Morey Levenson spoke relative to the time limit of February 5th, next, for removal of structures purchased from the Government in old housing projects.

A motion made by Councilman Dail, seconded by Councilman Wincote, carried to delete the words, "and with any additional requirements imposed after the inspection," from Section 91.34 of the new ordinance draft. This was on page 3 of the new Ordinance.

Attorney Morey Levenson said the clause, "Except in case of an emergency" should be added in Section 91.39, relative to the moving of structures, and the blocking of streets. Attorney Levenson said the Chief of Police has no discretion in the matter under the present wording. This was on page 8 of the new Ordinance.

Attorney Morey Levenson said that Section 33.2201 relative to bonds was wrong. He said that the conditions objected to should be corrected after moving the structure, not before. He said in many cases the seller does not know what the buyer intends to do with the house; and further stated that this section, as worded now, is unconstitutional.

Councilman Dail said this section was a material part of the Ordinance; that the seller must see that a bond is secured, or cash deposited. He said the bond indemnifies the City to see that the building code will be complied with by the interested parties.

Councilman Kerrigan asked if this regulation could be enforced. The legality of the bond regulation was discussed by Attorney Morey Levenson and by Councilmen Kerrigan and Wincote. The State Highway Department is exempted from this requirement, according to Morey Levenson.

Deputy City Attorney Firestone said it was a matter of Policy, and that this section would protect the public.

It "slides the bond back to the seller", according to the City Manager. He said this bond provision would protect the buyer.

Councilman Godfrey said it was a good regulation.

Attorney Morey Levenson said the responsibility should be placed on the Owner of the structure.

The owner of the Ace House Moving Company spoke. He objected to the bonding provisions of the proposed ordinance. He cited buildings he is purchasing from the Mayfair Company; the outlet for the structures and the future locations being uncertain.

Under section 91.36 a bond is to be posted, according to Deputy City Attorney Firestone; and it is immaterial who posts the bond. No bond is required when moving a building to a storage lot, according to Attorney Firestone.

Section 23.01 was objected to by the owner of the Ace House Moving Company. His questions were answered by Attorney Firestone.

The Mayor said that this section can be amended at any time.

Councilman Dail wanted to remove the section objected to.

Councilman Schneider said the ordinance should be modified.

Attorney Clifford Fitzgerald spoke relative to the use of cash bonds, property owners bonds, and surety bonds. He objected to the elimination of the use of property bonds.

Councilman Godfrey said that in many cases property bonds are no good; but that cash and surety bonds are satisfactory.

Attorney Clifford Fitzgerald said the Courts of the State accept property bonds.

The matter of a surcharge for moving buildings over a public street was discussed by Attorney Clifford Fitzgerald. He said no surcharge should be required if the building is moved to a new spot on the same property. No special permit is required if the building is moved to another location of the same property, according to Attorney Firestone. It was agreed the City Attorney should make any necessary change in the matter of a surcharge, in the new ordinance draft. Councilman Godfrey made such a motion, which was seconded by Councilman Dail; but no roll was called.

Attorney Clifford Fitzgerald objected to the provision that the seller must secure a bond. He said it was sometimes impossible for the seller to put up a bond, due to lack of information as to the destination of the building, etc.

Housemover George W. Dolan spoke of the moving of a house from a location near 33rd Street and Grim Street, which had to be cut in half in order to be moved. He mentioned a house near 24th and Market Streets which was unfinished due to insufficient funds. He made further comments in connection with the matter of housemoving bonds; the amounts of which were not large enough to cover the required work.

Mr. Black of the local Telephone Company referred to his letter dated October 25th, 1954. He said the telephone company pays \$10,000.00 a year and up in connection with housemoving work. He mentioned General Order Number 95 as fair and reasonable. A height for utility wires of 16 feet at the curb line and 18 feet at the center of the street is specified by said General Order No. 95.

The San Diego Gas & Electric Company representative spoke. He favored General Order No. 95 as establishing the correct height limits which should be used by utility installations.

All interested persons having been heard in connection with the proposed new House Moving Ordinance, RESOLUTION NO. 120986, recorded on Microfilm Roll No. 87, referring to Council Conference the proposed Ordinance Amending the San Diego Municipal Code, by adding thereto sections regulating moving and wrecking of structures and regulating the sale of substandard structures intended to be moved; and providing that said proposed Ordinance Amending the San Diego Municipal Code, regulating moving and wrecking of structures, etc., be again listed on the Council meeting calendar for Tuesday, November 9th, 1954; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 120987, recorded on Microfilm Roll No. 87, accepting the bid of Mission Pipe & Supply Company to furnish The City of San Diego with its requirements of Clay Pipe and Accessories for a period of six months, from November 1st, 1954 to April 30th, 1955, at prices shown in schedule attached to said Resolution; awarding the contract for furnishing same to said Mission Pipe & Supply Company; authorizing the City Manager to execute a contract for furnishing said clay pipe and accessories; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120988, recorded on Microfilm Roll No. 87, accepting the bid of Electric Supplies Distributing Company to furnish The City of San Diego with Electrical Fixtures at a price of \$1,530.93, plus State Sales Tax, terms 1% - 10th prox., net 30 days; awarding the contract for same to said Electric Supplies Distributing Company; authorizing the City Manager to execute a contract for furnishing of said electrical fixtures; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120989, recorded on Microfilm Roll No. 87, accepting the bid of Stauffer Chemical Company to furnish the City of San Diego with approximately 150 tons of Ferric Sulfate for a period of six months beginning November 1, 1954, and ending April 30, 1955 at \$56.00 per ton plus State Sales Tax, f.o.b. Alvarado Filtration Plant; awarding the contract for same to said Stauffer Chemical Company; authorizing the City Manager to enter into and execute a contract for furnishing of said Ferric Sulfate, pursuant to specifications therefor on file in the office of the City Clerk; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 120990, recorded on Microfilm Roll No. 87, accepting the bid of B. F. Goodrich Company to furnish Item 1, 4,500 feet 1½" Fire Hose at \$0.63 per foot coupled; and Item 2, 15,000 feet 2½" Fire Hose at \$0.96 per foot coupled, with calendered tube, or a total price of \$17,235.00 net plus State Sales Tax; awarding the contract to said B. F. Goodrich Company; authorizing the City Manager to execute a contract for furnishing of said Fire Hose pursuant to specifications therefor on file in the office of the City Clerk; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120991, recorded on Microfilm Roll No. 87, accepting the bid of Garlinghouse Brothers to furnish The City of San Diego with Metal Concrete Curb Forms at a total price of \$1,033.52 plus State sales tax; awarding the contract for same to said Garlinghouse Brothers; authorizing the City Manager to enter into and execute a contract for furnishing of said Metal Concrete Curb Forms pursuant to specifications therefor on file in the office of the Purchasing Agent; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120992, recorded on Microfilm Roll No. 87, accepting the bid of Astra Flooring Company to furnish and install approximately 1173 square feet of 1/2" thick rubber mat flooring in Restaurant at Municipal Golf Club House, Balboa Park, for the sum of \$1,590.00; awarding the contract for same to said Astra Flooring Company; authorizing the City Manager to execute a contract for furnishing of said flooring pursuant to specifications therefor on file in the office of the City Purchasing Agent; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120993, recorded on Microfilm Roll No. 87, approving the plans, specifications and wage scale; and authorizing the publishing of notice to contractors calling for bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of a storm drain in 53rd Street, from Imperial Avenue to Naranja Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120994, recorded on Microfilm Roll No. 87, rejecting the bid received by the Purchasing Agent on October 6th, 1954, for Central Ventilation Duct at the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120995, recorded on Microfilm Roll No. 87, approving the plans, specifications and wage scale; and authorizing the publishing of notice to contractors calling for bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing Ventilation Ducts at the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120996, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to purchase for The City of San Diego 90 to 110 pound scrap rail from the Atchison, Topeka and Santa Fe Railway Company at a price ranging from \$33.00 to \$40.00 per net ton of 2,000 pounds; quantities not to exceed 25 tons during any one month for the period ending June 30th, 1955, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 120997, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to purchase in the open market certain parts for 5/8" Trident, Style 3 meter, as fully set forth in said Resolution, at the prices and discounts shown in said Resolution, for a total price of \$1,632.95, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120998, recorded on Microfilm Roll No. 87; authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with one (1) 1-1/2 cubic yard capacity Dragline, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 500382, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 120999, recorded on Microfilm Roll No. 87, approving the plans and specification; approving the wage scale; and authorizing the publishing of notice to contractors calling for bids for the improvement of Gardena Avenue, Frankfort Street, Milton Street, Napier Street and Littlefield Street, as shown in specifications bearing Document No. 500384, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121000, recorded on Microfilm Roll No. 87, approving the plans and specifications contained in Document No. 500386; approving the wage scale; and authorizing the publishing of notice to contractors calling for bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of Wabash Boulevard Section "B" - Miscellaneous Improvements; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121001, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to advertise for sale and sell certain automobiles and automotive equipment belonging to the Shops and Equipment Division of the Department of Public Works which is no longer desirable for use or retention by the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. The equipment included a 1941 GMC Screen Canopy, a 1946 Mercury 4-door Sedan, a 1946 Ford 4-door Sedan, a 1946 Ford 2-door Sedan, a 1947 Ford 2-door Sedan, Five 1947 Ford 4-door Sedans; Six 1947 Chevrolet 4-door Sedans; and a 1946 Willys Jeep with Cab.

RESOLUTION NO. 121002, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to advertise and sell the old Point Loma Standpipe, which is no longer desirable for use or retention by the City; the same to be removed by the purchaser thereof; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121003, recorded on Microfilm Roll No. 87, authorizing and directing the Purchasing Agent to rent for various periods of time, as needed, until June 30, 1955, a heavy dozer at \$50.00 per day, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A continued item, being a communication from the City Planning Commission reporting on the tentative Record of Survey Map for a two lot division of a portion of Pueblo Lot 104; recommending denial because the properties do not front upon a dedicated street and the lots would be substandard and would not comply with the zoning of the area, was presented.

After a little discussion, the matter was again continued until Tuesday, November 9th, 1954, on motion of Councilman Wincote, seconded by Councilman Schneider.

A continued item, being a communication from the City Planning Commission submitting a Resolution denying the tentative map for the redividing of Lots 1 and 2, Block 43, Paradise Hills No. 3; inasmuch as the new lot design does not meet the approval of the Planning Department; nor meet the requirements of Section 11535 of the Business & Professions Code, State Map Act, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the matter was again continued until Thursday, November 18th, 1954.

Communication from the Police Department, City of Coronado, and Resolution of the Coronado City Council, expressing appreciation to the City of San Diego for the assistance rendered by the Police Department during recent emergencies, was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the Chief of Police.

Communication from Clairemont Town Council relative to traffic problems at the Jellett Street crossing of the Santa Fe Railroad; and at the intersection of Jellett Street with Morena Boulevard; was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager.

Communication from Maude Erwin appealing for help in carrying on a "Thrift Shop" at 4017 Bonita Mesa Road, Chula Vista, California, was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager.

Communication from Ray S. Jones submitting his resignation from the Board of Zoning Adjustment was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, ordered filed.

Communication from Herbert C. Kelly and Frank F. Faust protesting the improvement of Winona Avenue, etc., under Resolution of Intention No. 120271; and regarding land needed for straightening University Avenue, etc.; was presented and on motion of Councilman Schneider, seconded by Councilman Wincote, referred to the City Manager.

Communication from Mrs. Minnie Koch protesting against a Convention Hall at the site of the Downtown Plaza was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from R. M. Irving relative to the Civil Defense program was presented and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered sent to the City Manager.

RESOLUTION NO. 121004, recorded on Microfilm Roll No. 87, directing notice of filing of Assessment Roll No. 2297, for paving and otherwise improving the Alleys in Block 66, Ocean Beach, under Resolution of Intention No. 115493, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121005, recorded on Microfilm Roll No. 87, directing notice of filing of Assessment Roll No. 2295, for paving and otherwise improving of Birch Street, between Thor and Una Streets, under Resolution of Intention No. 116894, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121006, recorded on Microfilm Roll No. 87, directing notice of filing of Assessment Roll No. 2296, for the paving and otherwise improving of Poe Street and Evergreen Street, under Resolution of Intention No. 114500, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121007, recorded on Microfilm Roll No. 87, awarding to T. B. Penick & Sons, a co-partnership, the contract for paving and otherwise improving the Alley in Block 3, Ocean Beach, under Resolution of Intention No. 119786, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121008, recorded on Microfilm Roll No. 87, awarding to H. C. Dennis the contract for paving and otherwise improving of the Alley in Block 88, Ocean Beach Extension No. 2; Alley in Block 76, Ocean Beach; and Bacon Street, under Resolution of Intention No. 119651, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121009, recorded on Microfilm Roll No. 87, awarding to Gilman Grading Co., a co-partnership, the contract for sidewalking and otherwise improving 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, under Resolution of Intention No. 119652, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121010, recorded on Microfilm Roll No. 87, awarding to H. C. Dennis the contract for paving and otherwise improving of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, under Resolution of Intention No. 119500, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121011, recorded on Microfilm Roll No. 87, awarding to R. E. Hazard Contracting Co., a corporation, the contract for paving and otherwise improving of Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley in Block 29, Loma Alta No. 2; West Point Loma Boulevard and Famosa Boulevard, under Resolution of Intention No. 119653, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 121012, recorded on Microfilm Roll No. 87, awarding to A. W. Thorpe the contract for sidewalking and otherwise improving of Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Hubner Road, under Resolution of Intention No. 119787, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121013, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains in the Alley in Block 16, La Mesa Colony, 73rd Street; and Public Right of Way in Lot 40, La Mesa Colony; also approving Plat No. 2644, showing the assessment district; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121014, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving of the Alley in Block 2, Ocean View and Block 5, Ocean Beach Park; also approving Plat No. 2634, showing the assessment district; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121015, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Jefferson Street, Moore Street, Conde Street and Harney Street, within the limits and as particularly described in said Resolution; also approving Plat No. 2662, showing the assessment district; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A proposed Resolution approving plans, drawings, etc. for the installation of sidewalks on Pacific Beach Drive, between Riviera Drive and Jewell Street, was referred to the City Attorney, on motion of Councilman Schneider, seconded by Councilman Wincote.

RESOLUTION NO. 121016, recorded on Microfilm Roll No. 87, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Sea Breeze Drive, Roanoke Street and Calle Gaviota, within the limits and as particularly described in said Resolution; also approving Plat No. 2629, showing the assessment district; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121017, recorded on Microfilm Roll No. 87, for paving and otherwise improving of Dwight Street, between Boundary Street and the Alley in Block 18, City Heights, under Resolution of Intention No. 120268, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121018, recorded on Microfilm Roll No. 87, for the paving and otherwise improving of F Street, between 39th Street and Boundary Street, under Resolution of Intention No. 120269, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121019, recorded on Microfilm Roll No. 87, for the installation of sewer mains in Market Street, Pitta Street, J Street and Public Rights of Way, under Resolution of Intention No. 120270, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121020, recorded on Microfilm Roll No. 87, for paving and otherwise improving of Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5 and 6, Block 28, Fairmount Addition to City Heights, under Resolution of Intention No. 120271, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121021, recorded on Microfilm Roll No. 87, directing notice inviting sealed proposals for furnishing of electric current for the lighting of the ornamental street lights in La Jolla Lighting District No. 1, for a period of one year beginning January 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121022, recorded on Microfilm Roll No. 87, directing notice inviting sealed proposals for furnishing of electric current for the lighting of the ornamental street lights in La Jolla Shores Lighting District No. 1, for a period of one year beginning September 15th, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121023, recorded on Microfilm Roll No. 87, directing notice inviting sealed proposals for furnishing of electric current for the lighting of the ornamental street lights in Midway Drive Lighting District No. 1, for a period of one year beginning October 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 121024, recorded on Microfilm Roll No. 87, for furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District Number Two, for a period of eleven months and twenty-five days from and including March 5, 1955, to-wit; to and including February 29th, 1956, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 121025, recorded on Microfilm Roll No. 87, for furnishing of electric current for Talmadge Park Lighting District Number Four, for a period of one year beginning April 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

11/4/54

RESOLUTION OF INTENTION NO. 121026, recorded on Microfilm Roll No. 87, for furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District Number Two, for a period of eleven months and fourteen days from and including March 16, 1955, to-wit; to and including February 29, 1956, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 121027, recorded on Microfilm Roll No. 87, for the closing of the portion of the Alley adjacent to the westerly line of Block A, of Wells and Lanes' Tecolote Heights, according to Map thereof No. 1487, lying between the southerly line of July Street and a line drawn westerly at right angles to the easterly line of said Alley, from the southwesterly corner of Lot 9, in said Block A, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 121028, recorded on Microfilm Roll No. 87, for the closing of that portion of Glendora Street, lying between the easterly line of Del Rey Street and the westerly right of way line of California State Highway Route XI-SD-2-SD, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121029, recorded on Microfilm Roll No. 87, appointing time and place for hearing protests against the proposed furnishing of electric current for the lighting of ornamental street lights located in Crown Point Lighting District No. 1, for a period of eleven months and sixteen days from and including February 15, 1955, to-wit: to and including January 31, 1956; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121030, recorded on Microfilm Roll No. 87, appointing time and place for hearing protests against the proposed furnishing of electric current for the lighting of ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1955, to-wit: to and including February 29th, 1956; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121031, recorded on Microfilm Roll No. 87, for the installation of sewer mains and appurtenances in the Alley in Block 16, La Mesa Colony; 73rd Street; and Public Right of Way in Lot 40, La Mesa Colony, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121032, recorded on Microfilm Roll No. 87, for paving and otherwise improving of the Alley in Block 2, Ocean View and Block 5, Ocean Beach Park, as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121033, recorded on Microfilm Roll No. 87, for paving and otherwise improving of portions of Jefferson Street, between Ampudia Street and a line 225.00 feet northwesterly of Harney Street; Moore Street, between Trias Street and Arista Street; Conde Street, between Moore Street and Congress Street; and Harney Street, between Moore Street and Congress Street; as fully described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A proposed Resolution of Preliminary Determination for the installation of sidewalks on Pacific Beach Drive, between Riviera Drive and Jewell Street, was referred to the City Attorney, on motion of Councilman Godfrey, seconded by Councilman Wincote.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121034, recorded on Microfilm Roll No. 87, for paving and otherwise improving portions of Sea Breeze Drive; Roanoke Street, between Sea Breeze Drive and Calle Gaviota; and portions of Calle Gaviota; as fully described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121035, recorded on Microfilm Roll No. 87, ascertaining and declaring the wage scale to be paid in connection with the work of paving and otherwise improving of the Alley in Block 3, La Mesa Colony, between the easterly line of 67th Street and the westerly line of 68th Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121036, recorded on Microfilm Roll No. 87, ascertaining and declaring the wage scale to be paid in connection with the work of paving and otherwise improving of Carleton Street, between Clove Street and Plum Street; Plum Street, between Carleton Street and Fenelon Street; and Dickens Street, between Clove Street and Plum Street; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121037, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of installing sewer mains in Myrtle Avenue and the Alley in Block 8, Bungalow Park Addition, as described in Resolution of Intention No. 118862, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121038, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of paving and otherwise improving the Alley in Block 102, Central Park, as described in Resolution of Intention No. 118484, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121039, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of paving and otherwise improving the Alley in Block 56, Ocean Beach, as described in Resolution of Intention No. 118554, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121040, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of paving and otherwise improving Byron Street, between Scott Street and the Mean High Tide Line of the Bay of San Diego, as particularly described in Resolution of Intention No. 118860, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121041, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of paving and otherwise improving Grand Avenue, between Cass Street and Ingraham Street, as particularly described in Resolution of Intention No. 118555, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121042, recorded on Microfilm Roll No. 87, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of paving and otherwise improving Thorn Street, between Fairmount Avenue and 45th Street; and Highland Avenue, between Thorn Street and Redwood Street; as particularly described in Resolution of Intention No. 118861, and to be assessed to pay the expenses thereof; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121043, recorded on Microfilm Roll No. 87, granting property owner permission to improve a portion of the Alley in Block 9, La Mesa Colony, by private contract, in accordance with plans, etc., contained in Document No. 500296, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121044, recorded on Microfilm Roll No. 87, authorizing the City Manager to execute a contract with O. D. Arnold & Sons, a partnership, for the installation and completion of the unfinished improvements and the setting of the monuments required for O. D. Arnold's Hazelwood Heights Unit No. 3 subdivision; and directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121045, recorded on Microfilm Roll No. 87, adopting the final Map of O. D. Arnold's Hazelwood Heights Unit No. 3 subdivision and accepting the public streets, portion of a public street and unnamed easements shown on this Map together with any and all abutter's Rights of Access in and to Chollas Parkway adjacent to the northwesterly line of Chollas Parkway, as dedicated on said Map, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121046, recorded on Microfilm Roll No. 87, authorizing and empowering the City Manager to do all the work in connection with the replacement of 460 feet of 6-inch cast iron water main on Rigel Street, from the north property line of Dalbergia Street to a point 60 feet south of the north property line of Main Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121047, recorded on Microfilm Roll No. 87, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with Foster and Kleiser Co. of portion of Lot 7, Block 5, Florence Heights, at 401 West Washington Street, for a term of five years at an annual rental of \$60.00, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121048, recorded on Microfilm Roll No. 87, authorizing the City Manager to execute Utilities Agreement No. 6025 with the State of California, whereby the City's 36" water main crossing, Highway Project XI-SD-200-Sd, A R/W 6025, will be relocated entirely at State expense; part of the work to be done by the State and part by the City, in accordance with Document No. 500686, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121049, recorded on Microfilm Roll No. 87, granting permission to The Pacific Telephone and Telegraph Company to install two underground fuel tanks, metal access doors and one transformer vault underneath the sidewalk area, between the curb line and the property line, on the west side of Seventh Avenue, adjoining Lots 23, 24, 25 and the north half of Lot 26, Block 5, Crittenden's Addition, at locations shown on plot plan No. YS-2910-A1; subject to eight conditions specified in said Resolution; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121050, recorded on Microfilm Roll No. 87, granting a revocable permit to L. Remmerde, 1736 Bervy Street, to install a 4-inch cast iron sewer line between the property line and the sidewalk; said sewer line to be placed one foot outside the property line and run in a northeasterly direction, parallel to the southeasterly line of Lot 1, Block 3, Week's Addition; to point of intersection with public sewer; the proposed sewer to serve property at 1208 Buenos Avenue; subject to certain conditions; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121051, recorded on Microfilm Roll No. 87, granting permission to Wurster Construction Corp., (James L. Woody, 123 Roosevelt Street, National City, California), to install a 4-inch cast iron sewer line between the property line and the sidewalk; said sewer line to be placed one foot outside the property line and run in a southwesterly direction, parallel to the southeasterly line of Lots 12 and 24, Block 63, Middletown Addition, to point of intersection with public sewer; subject to certain conditions; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121052, recorded on Microfilm Roll No. 87, approving the claim of Roy French Kidd, filed under Document No. 499994, in the amount of \$6.99; authorizing the City Auditor to pay said claim; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121053, recorded on Microfilm Roll No. 87, approving the claim of Tommie Byron Shows, Sr., on file under Document No. 497327; authorizing the City Auditor to draw his warrant for \$125.15 in payment of said claim; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121054, recorded on Microfilm Roll No. 87, denying the claim of Mrs. Pearl J. Cooper, filed under Document No. 499383, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121055, recorded on Microfilm Roll No. 87, denying the claim of T. T. Crittendon, filed under Document No. 497798, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121056, recorded on Microfilm Roll No. 87, denying the claim of Blanche S. Eason, filed under Document No. 499382, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121057, recorded on Microfilm Roll No. 87, denying the claim of Sim J. Harris Company, filed under Document No. 495178, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121058, recorded on Microfilm Roll No. 87, denying the claim of Mr. and Mrs. Paul O. Johnson, filed under Document No. 499565, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121059, recorded on Microfilm Roll No. 87, denying the claim of Fred E. Manning, filed under Document No. 499992, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121060, recorded on Microfilm Roll No. 87, authorizing Mr. Don B. Vynne, Supervisor of Aquatics, Park and Recreation Department of the City, to attend the annual meeting of the California Association of Harbor Masters and Port Captains, to be held in Berkeley, California, November 5th and 6th, 1954; authorizing all necessary expenses in connection with said trip; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121061, recorded on Microfilm Roll No. 87, vacating an easement for a right of way for water mains and appurtenances thereto, over and across a portion of Lot 15 of Eureka Lemon Tract, according to map thereof No. 753; as fully described in said Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121062, recorded on Microfilm Roll No. 87, vacating an unnamed easement shown on the subdivision map No. 1764 of Oak Park Annex; being the easterly 6.0 feet of Lots 93 and 94 of said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121063, recorded on Microfilm Roll No. 87, accepting the quitclaim deed executed on the 30th day of September, 1954, by Elmer Engelstad and Geneva Engelstad, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, the subdivision named Engelstad's Aztec Manor Unit No. 1, being a subdivision of those portions of Lots 27 and 28 of La Mesa Colony, as per Map No. 2994; authorizing and directing the City Clerk of said City to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121064, recorded on Microfilm Roll No. 87, accepting the quitclaim deed executed on the 30th day of September, 1954, by Elmer Engelstad and Geneva Engelstad, quitclaiming to The City of San Diego all water mains, and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Engelstad's Aztec Manor, Unit No. 2, being a subdivision of those portions of Lots 27 and 28 of La Mesa Colony, according to Map No. 2995; authorizing and directing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the said County Recorder; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121065, recorded on Microfilm Roll No. 87, accepting the subordination agreement, executed by The Connecticut Mutual Life Insurance Company, beneficiary and Union Title Insurance & Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870, known as Miscellaneous Map No. 36; authorizing and directing the City Clerk to file the said deed of record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121066, recorded on Microfilm Roll No. 87, accepting the subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Security Title Insurance Company, trustee, bearing date October 6th, 1954, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 31, La Mesa Colony, according to Map No. 346, to the right of way and easement for street purposes heretofore conveyed to the City of San Diego through, along and across a portion of said property above described; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121067, recorded on Microfilm Roll No. 87, accepting the deed of Bror Danielson, executed in favor of The City of San Diego, conveying to said City all of Lot 4, Block 54, Campo Del Dios Unit 3, according to Map thereof No. 1841; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121068, recorded on Microfilm Roll No. 87, accepting the deed of Eileen Clare Key, executed in favor of The City of San Diego, conveying to said City all of Lot 4, Block 62, Campo Del Dios Unit 3, according to Map thereof No. 1841; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121069, recorded on Microfilm Roll No. 87, accepting the deed of Anna M. Lorand, executed in favor of The City of San Diego, conveying to said City all of Lot 19, Block 78 and Lot 2, Block 60, both in Campo Del Dios, Unit 3, according to Map thereof No. 1841; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the City Properties Department for recording when escrow instructions have been complied with; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121070, recorded on Microfilm Roll No. 87, accepting the deed of C. Vernon Beeson and O. Eileen Beeson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 31, La Mesa Colony, according to Map thereof No. 346; setting aside and dedicating to the public use as and for a public street the land therein conveyed, and naming the same 67th Street; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121071, recorded on Microfilm Roll No. 87, accepting the deed of John R. Hare and Anna F. Hare, executed in favor of The City of San Diego, conveying to said City an easement and right of way for street purposes through, along and across a portion of Lot 31, La Mesa Colony, according to Map thereof No. 346; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same 67th Street; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121072, recorded on Microfilm Roll No. 87, accepting the deed of Harry L. Foster and Myra Foster, George H. Foster and Jo Ann Foster, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of the alley in Block 266 of San Diego Land and Town Company's South Chollas Addition; according to Map thereof No. 579; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121073, recorded on Microfilm Roll No. 87, accepting the deed of La Jolla Country Club, Inc., executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870, and known as Miscellaneous Map No. 36; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this Resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121074, recorded on Microfilm Roll No. 87, accepting the deed of Moran Construction Company, executed in favor of The City of San Diego, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 1 through 8, inclusive, Block 12, Tres Lomas, according to Map thereof No. 2160; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121075, recorded on Microfilm Roll No. 87, accepting the deed of N. K. Caldes, executed in favor of The City of San Diego, conveying to the City an easement and right of way for storm drain purposes through, along and across a portion of Lot 32, Block 10, Morrison's Marscene Park, according to Map thereof No. 1844; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, reading of the next ordinance in full was dispensed with by not less than four votes of the Council.

ORDINANCE NO. 6299 (New Series), recorded on Microfilm Roll No. 87, Amending The San Diego Municipal Code by Amending Sections 101.0101.23, 102.01 and 102.02 thereof and by adding thereto a new section to be numbered 102.01.1, all REGULATING SUBDIVISIONS, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--- None.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6300 (New Series), recorded on Microfilm Roll No. 87, Appropriating the sum of \$1,014.29 from the Unappropriated Balance Fund of The City of San Diego, for the purpose of providing funds for the final payment to the Public Housing Administration, Housing and Home Finance Agency, for relinquishment of Veterans' Housing Project CAL-V-4568 to The City of San Diego, 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--None. Absent--None.

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 next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6301 (New Series), recorded on Microfilm Roll No. 87, establishing the grade of the Alley in Block 19 of Swan's Addition according to Map No. 947, between the south line of Laurel Street and a line parallel to and distant 360 feet southerly from said south line, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

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 next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6302, (New Series), recorded on Microfilm Roll No. 87, establishing the grade of 44th Street, between the south line of Maple Street and the south line of Laurel Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas-- Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

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 next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6303, (New Series), recorded on Microfilm Roll No. 87, establishing the grade of Laurel Street, in the City of San Diego, California, between the west line of 44th Street and the west line of Highland Avenue, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

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 next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6304 (New Series), recorded on Microfilm Roll No. 87, establishing the grade of 70th Street, between a line parallel to and distant 40.00 feet northerly from the northerly line of Amherst Street and the southerly boundaries of La Mesa Colony and Blethen Subdivision, according to Maps numbered 346 and 2259 respectively, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, an Ordinance approving and adopting proposed Amendment of Rule X of the Rules of the Civil Service Commission of The City of San Diego, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Rule X mentioned above regulates Leaves of Absence, Vacations, etc.

On motion of Councilman Wincote, seconded by Councilman Burgener, an Ordinance of The City of San Diego, California, changing the name of a portion of Campo Drive to ARAGON DRIVE, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Burgener, seconded by Councilman Wincote, an Ordinance of The City of San Diego, California, changing the name Bescano Road to LA JOLLA SCENIC DRIVE, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, an Ordinance of The City of San Diego, California, changing the names of certain streets and establishing the limits of the streets in "ROLANDO TRACT", was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey and Mayor Butler. Nays--None. Absent--None.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 1:10 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk,

By

Clark M. Fote
Deputy.

John D. Butler

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, November
9, 1954

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

The meeting was called to order by the Mayor at 10:08 o'clock A.M.

The Reverend Elwell Drew, of the North Park Community Church, was presented by the Mayor. Reverend Drew gave the invocation.

Minutes of the Regular Meetings of November 3 and November 4, 1954, were presented to the Council by the Clerk.

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

The Purchasing Agent reported in writing that bids had been received November 5, 1954, at 10:00 A.M. for paving and otherwise improving Alley Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, from H. C. Dennis, Gilman Grading Co., John B. Henry, T. B. Penick & Sons, Al E. Riley, Inc.

It was moved by Councilman Schneider, seconded by Councilman Dail, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report thereon was accepted.

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

The Purchasing Agent reported in writing that bids had been received November 5, 1954, at 10:00 A.M. for sewer mains and appurtenances in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, from H. C. Dennis, Cameron Bros. Constr. Co., Taylor & Sloan, L. B. Butterfield, Charles J. Dorfman, Beason Construction Co., H. H. Peterson, Walter H. Barber & H. R. Breeden, L. Castillo & Russell Thibodo Constr. Co.

It was moved by Councilman Schneider, seconded by Councilman Dail, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report thereon was accepted.

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

The Purchasing Agent reported in writing that bids had been received November 5, 1954, at 10:00 A.M. for paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, from M. H. Golden Construction Co., R. E. Hazard Contracting Co., H. C. Dennis, Daley Corporation, Griffith Company.

It was moved by Councilman Schneider, seconded by Councilman Dail, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report was accepted.

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

The Purchasing Agent reported in writing that bids had been received November 5, 1954, at 10:00 A.M. for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, et al, from Griffith Company, M. H. Golden, H. C. Dennis, R. E. Hazard, Daley Corporation.

It was moved by Councilman Schneider, seconded by Councilman Dail, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report was accepted.

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

Invocation
Minutes approved
Reports on 1911 Act
Bids

The Purchasing Agent reported in writing that bids had been received November 5, 1954, for paving and otherwise improving Soto Street and Castelar Street, from H. C. Dennis, R. E. Hazard, M. H. Golden, Daley Corporation, Griffith Company.

It was moved by Councilman Schneider, seconded by Councilman Dail, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report thereon was accepted.

On motion of Councilman Schneider, seconded by Councilman Dail, 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 furnishing electric current for Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1954, the Clerk reported that bid had been received from San Diego Gas & Electric Company.

On motion made and seconded, the bid was publicly opened and declared. It was accompanied by certified check in the sum of \$331.06 written by San Diego Trust and Savings Bank.

On motion of Councilman Schneider, seconded by Councilman Burgener, bid 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 set for hearing on paving and otherwise improving of E Street, F Street, 28th Street and 29th Street, under Resolution of Intention No. 120404, the Clerk reported that written protests had been received from J. Karn and from Myrtle K. Morrison. They were presented to the Council.

Councilman Schneider said that the City Engineer wants the proceedings returned to his office, inasmuch as the Freeway is to go through the property.

The City Engineer recommended that the proceedings be referred back.

On motion of Councilman Schneider, seconded by Councilman Dail, the proceedings were referred back to the City Engineer.

(There was a later action, during this meeting under a reconsideration. It will be found again in these minutes).

The Mayor requested that the next item be taken up at this time, out of order.

Carl Reupsch, of the Harbor Department, appeared, but was not heard immediately.

The Mayor spoke of the paving of Storage Area "A" near 10th Avenue Pier as being in the storm drain area.

Mr. Reupsch stated that it is agreed that if the pier is completed first, it would be necessary to tear up the paving for the drain. He told the Council that steel and volcanic ash are coming, and that a pier is needed. Mr. Reupsch declared that there was a good bid received.

Councilman Schneider asked if it is essential that the paving be laid down right away.

Mr. Reupsch's reply was "yes".

RESOLUTION NO. 121076, recorded on Microfilm Roll No. 87, accepting bid of H. C. Dennis for paving Storage Area "A" near 10th Avenue Pier, for \$53,432.00; awarding contract, authorizing and instructing majority of the Harbor Commission to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Councilman Dail spoke about action in connection with improvement of E and F Streets, 28th and 29th Streets. He declared that the proceedings should be abandoned.

The Mayor said that the Council had taken its action upon the City Engineer's recommendation.

The City Engineer said that the proceedings would have to be abandoned, that he needs to revise them in connection with what the State does regarding the proposed freeway.

On motion of Councilman Wincote, seconded by Councilman Dail, the action was reconsidered.

RESOLUTION NO. 121077, recorded on Microfilm Roll No. 87, abandoning proceedings heretofore taken for improvement of E Street, F Street, 28th Street and 29th Street, under Resolution of Intention No. 120404, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Report on Bids for 1911
Act proceedings
Hearings
121076 - 121077

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120405 for sewers and appurtenances in Gregory Street, the Clerk reported that no written protests had been received.

The Mayor inquired ~~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. 120406 for paving and otherwise improving La Jolla Hermosa 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 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. 120407 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 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. 120426 for 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, the Clerk reported that written protests had been received from E. A. Brelin; Samuel H. Perlmutter, and Edward C. Hall, agent for the M. Hall Company and M. Hall Estate Trust. They were presented.

Asked for a report, the City Engineer spoke of there being 3 protests; 1.9%.

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

Jack Karn told the Council that it is a shame to make an assessment, and to get somebody else to pay. He said that he is against it, that his property does not contribute to the drain. He stated that the City has to be fair.

Councilman Wincote declared that the water comes down 4th Avenue,

There was discussion between Councilman Wincote and Mr. Karn.

The City Engineer showed a map and explained the situation to members of the Council over the table.

Ed Hall appeared, but was not heard immediately.

The City Engineer, looking at the map, told the Council that Mr. Karn is not in the district.

Mr. Karn said that he owns property at 11th and E, also.

Councilman Schneider said that is in the district.

Mr. Karn looked at the map, and asked how much it would cost.

The Engineer said that the estimate is \$350. per lot.

Mr. Karn said that his property will not be benefitted; it is almost level.

Councilman Schneider moved to overrule the protests.

Mr. Hall asked for reduction in the assessment district size, or that the Engineer spread the assessment on a different basis. He stated that he does not understand the method of assessment levy. He said that there should be assessment where benefit is derived. He stated that the Council should be carefully informed regarding the assessment, where property is fully improved. He declared that assessment is spreading outside the boundaries of the work.

The City Engineer said that method of levying the assessment is not determined until the work is done. He said that he thinks lots are equally benefitted.

Councilman Schneider declared that it would not be fair, that proposed assessment is not on the usual pattern.

The City Engineer said that on all storm drain projects, effort is being made to put the finger on the proper method.

Councilman Kerrigan referred to payment being on a 50%-50% basis.

The City Engineer told of one storm drain project planned on portion of Ash Street. He spoke of \$394,000 as being total cost; City to put up portion of the cost.

Councilman Dail said that if it is the only improvement in the area, it should be a larger district.

There was discussion between Councilman Wincote and the City Engineer regarding the benefit.

Councilman Wincote declared that 3rd Avenue property is benefited.

The City Engineer contended that although no drain is to be put in, water runs from the area protested by Mr. Hall.

Councilman Burgener said that there would be no answer unless there would be an assessment on the whole city.

Councilman Godfrey pointed out that the City is contributing substantially; the City is the biggest contributor of all.

Councilman Godfrey and the City Engineer stated that this is the last hearing.

Mr. Hall stated that from the few calls he had made to persons in the area, he had learned that they had not read the notice, and that they did not know the extent of the work. He said that in a letter he had suggested that the City Engineer figure assessment on a unit basis. He said that property owners should pay for extra size main on account of future connections. He contended that he would already have paid for his assessment. Mr. Hall told the Council that he had wanted for years to correct inconvenience due to storm water. It "just does not stack up", he stated. He mentioned the City Engineer speaking of various kinds of drainage districts. He said that there are no curb inlets north of C Street more than 20 feet. He said that plan contemplates "letting water lay there".

The City Engineer said that he would like to have the designing engineers here to answer Councilman Godfrey, in defense of the plan. He said that he thinks that what is proposed is right. He offered to re-check and report further to the Council. He spoke of no commitments having been made regarding the assessment.

Councilman Dail spoke of being interested in future and present facilities.

Mr. Hall agreed that if there is adequate engineering, property owners would be getting a great convenience.

The City Engineer pointed out that he could extend the improvement, but that it would cost a lot more money. He contended that the size is adequate.

There was discussion between the City Engineer and Mr. Hall.

Councilman Wincote spoke to the City Engineer from the map about lines for the future. He said that people on 3rd Avenue will be better served than on others.

The City Engineer told the Council that he can give a complete report in a week. He said that he does not like to give an answer off hand.

Councilman Dail moved to continue the hearing 1 week - week to week, if necessary. Motion was seconded by Councilman Schneider.

Mr. Hall repeated that people don't know what is proposed to be done.

Chester Dohrman, former Councilman, stated that he feels ridiculous. He said that he came down, principally, for information, and that he does not want to be arbitrary. He said that it deserves study regarding design and assessment. He wondered if he could pay the same cost as others.

Councilman Schneider asked Mr. Dohrman if his business depends on pedestrians.

Mr. Dohrman said "no", but that he would like to have the improvement at 9th and B.

Councilman Wincote stated that the City is in trouble on every storm drain job.

RESOLUTION NO. 121078, recorded on Microfilm Roll No. 87, continuing hearing on Resolution of Intention No. 120426 for construction of storm drain system and appurtenances 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, until 10:00 A.M., Tuesday, November 16, 1954, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2286 made to cover costs and expenses of paving and otherwise improving Alleys in Block 45 W. P. Herbert's Subdivision, under Resolution of Intention No. 115391, the Clerk reported an appeal from Mrs. Elsie Schaede.

The City Engineer, asked for a report, stated that there is an appeal of 4.2%.

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. 121079, recorded on Microfilm Roll No. 87, overruling and denying appeal of Mrs. Elsie Schaede from the Street Superintendent's Assessment No. 2286 made to cover costs and expenses of work of paving and otherwise improving Alleys Block 45 W. P. Herbert's Subdivision, under Resolution of Intention No. 115391; overruling and denying all other appeals; confirming and approving the Assessment, 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 Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120584 of Preliminary Determination for paving and otherwise improving Alley Block 18 La Mesa Colony, 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. 121080, recorded on Microfilm Roll No. 87, determining that improvement of Alley Block 18 La Mesa Colony under Resolution No. 120584 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. 120585 of Preliminary Determination for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission 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. 121081, recorded on Microfilm Roll No. 87, determining that improvement of Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 235 and 236 Mission Beach 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. 120586 of Preliminary Determination for paving and otherwise improving Alley Block 255 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.

RESOLUTION NO. 121082, recorded on Microfilm Roll No. 87, determining that improvement of Alley Block 255 Pacific Beach under Resolution No. 120586 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120587 of Preliminary Determination for sewers and otherwise improving 47th Street, Aurora Street, Uvas Street, Market 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.

RESOLUTION NO. 121083, recorded on Microfilm Roll No. 87, determining that improvement of 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way under Resolution No. 120587 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120588 of Preliminary Determination for grading and sidewalks on Tipton Street and Rincon Street and Ewing Street, in Cosgrove Mesa Subdivision, 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, indicating opposition to the improvement.

Mrs. Dave Wright (or Brite) told the Council that she does not want sidewalks, and that a group of owners do not want them.

Asked for a check on the original petition, the Clerk stated that it was 55%.

The Mayor referred to the improvement having been started, based on a majority.

By request, the Clerk read the petition.

Mrs. Wright spoke of having protested several times on the same proposal. She referred to there being a minimum setback, and told the Council that if she puts her car in the garage, with sidewalks installed, she will have to park it in the street instead - because it would protrude over the sidewalk.

The Mayor told the protestants that in order for the City Engineer to make a check of percentages, a signed petition is needed. He suggested that they go to the City Clerk's office to obtain such a petition.

Councilman Godfrey moved to continue the hearing 1 week.

Councilman Wincote said that this is the time set for the hearing, and that any protest made should be today.

Councilman Kerrigan told of having "been in the middle of this thing for 3 years". He referred to a meeting held on the subject, at which 75 people were present for the improvement; 75 against it. He recommended that the hearing be continued.

The Mayor repeated that the Council should have a protest, for the City Engineer to figure out statistic-wise.

Councilman Kerrigan moved to continue the hearing 1 week. Motion was seconded by Councilman Godfrey.

Councilman Schneider asked if there had been misrepresentation.

Mrs. Wright's reply was "yes".

Councilman Dail stated that Councilman Kerrigan had worked with the property owners on the scene.

The roll was called on the motion, resulting in

RESOLUTION NO. 121084, recorded on Microfilm Roll No. 87, continuing hearing on proposed grading and construction of sidewalks in Tipton Street, Rincon Street and Ewing Street, in Cosgrove Mesa Subdivision, under Resolution of Preliminary Determination No. 120588, until 10:00 o'clock A.M., Tuesday, November 16, 1954, 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 continued hearing for storm drain and appurtenances in Weeks Avenue, Naples Street, Savannah Street, et al, on Resolution of Preliminary Determination No. 120416, it had been determined previously to continue the hearing from week to week until November 23, 1954, no one appeared to be heard.

RESOLUTION NO. 120185, recorded on Microfilm Roll No. 87, continuing hearing on construction of storm drain system and appurtenances in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street, Public Rights of Way, et al., under Resolution of Preliminary Determination No. 120416, until 10:00 o'clock A.M., Tuesday, November 16, 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 Seventh Avenue Lighting District, the Mayor handed in a letter from Hamilton Marston. Before filing the letter, he read it to the Council.

Among other things, the letter says that Mr. Marston does not wish to enter protest of proceedings for year 1955, as the major items of administrative and publication costs have already been incurred, but quoted from City report that annual cost for current is only \$51 for 5 posts, increased by incidental expense of assessment to \$171.68. It says that \$10 per post would not be out of line with what City expends for traffic protection in other areas; that there is considerable traffic on the street as public seems to believe it is a through street, whereas it has a narrow turn at Upas Street, is tree lined and dark, and terminates at a canyon.

Councilman Schneider spoke of the City Manager having had a recommendation on the subject of the City assuming the cost for current in the ornamental street lighting districts.

The Mayor said that while it was discussed, the idea was discarded.

Councilman Wincote asked if the assessment would be 3 times as much as the actual costs of the current.

Councilman Wincote said that it couldn't be worked out with the Gas Co.

City Attorney J. F. DuPaul told the Council that the Gas Co. gets no amount over the actual current. He spoke of the Council being required by law to advertise and post the district.

Councilman Wincote wondered if the assessment were paid in advance the extra cost could be avoided.

Mr. DuPaul replied that if the people pay directly, that is fine.

Councilman Wincote said that the Marston family owns 1 whole side. He said that it should be checked, and the Manager answer the letter.

On motion of Councilman Wincote, seconded by Councilman Dail, the letter was referred to the City Manager and to the City Attorney for report.

RESOLUTION NO. 121086, recorded on Microfilm Roll No. 87, confirming and adopting as a whole Seventh Avenue Lighting District No. 1, filed in office of City Clerk October 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The roll was called on the motion to refer the letter. Motion carried.

There were no protests, verbal or written.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Eighth Avenue 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. 121087, recorded on Microfilm Roll No. 87, confirming and

adopting as a whole Eighth Avenue Lighting District No. 1 filed in office of the City Clerk October 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Council discussed the question of the cost of furnishing electric current in the ornamental street lighting districts.

Councilman Dail spoke of difficulty which sometimes arises in getting petitions in the downtown districts. He said that the Council should set up a net work, and that there should be contact with the Downtown Business Association. He stated that the system is not uniform, now.

There was discussion between Councilmen Dail and Kerrigan regarding the idea of setting up districts.

Councilman Dail said that the shoe should be put on the other foot, regarding initiation of proceedings.

RESOLUTION NO. 121088, recorded on Microfilm Roll No. 87, referring to Council Conference the matter of initiation of proceedings for setting up ornamental street lighting districts, and the method of assessment for furnishing current, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the Clerk reported that no protests had been received in connection with hearing on proposed ordinance approving and adopting proposed amendment of Rule X of the Rules of the Civil Service Commission of the City of San Diego.

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

No one appeared to be heard. A communication from San Diego Municipal Employees' Association, Inc., giving complete endorsement to the proposed amendment, and urging adoption by the Council, was presented.

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

The agenda noted that the Ordinance was not ready for adoption, although introduced November 4, 1954.

The Clerk reported that due to holiday, the required number of days between introduction and adoption at this meeting had not elapsed.

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 sections, regulating moving and wrecking structures, and amendment sections regulating sale of Substandard Structures intended to be moved, and repealing sections of the Municipal Code, which had been continued from previous hearing, Councilman Kerrigan moved to introduce the ordinance.

Allan Firestone, Deputy City Attorney, distributed copies of the ordinance. He spoke of there being 3 changes from the previous draft: deletion on page 3 and additions on page 10.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance amending San Diego Municipal Code by adding Sections 91.31, 91.32, 91.33, 91.34, 91.35, 91.36, 91.37, 91.37, 91.38, 91.39, 91.40 and 91.41 Regulating Moving and Wrecking of Structures and amending Section 33.2201 regulating Sale of Substandard Structures intended to be moved, and repealing Sections 33.2202, 33.2203, 33.2204.1, 33.2204.2, 33.2210, 33.2210.1, 62.14, 62.14.1, 62.14.2 and 91.15, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Petition of Al DeSure, DeSure's, Broadway at Seventh, requesting additional 30 days for continuance of "going out of business" sale at 702 Broadway, was presented.

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

RESOLUTION NO. 121089, recorded on Microfilm Roll No. 87, accepting bid of H. W. Grizzle for The Construction of Fire Station Building for Fire Engine Company No. 27 at 5064 Clairemont Drive at Cole Street, for \$51,210; 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 Dail, adopted.

The next item listed on the agenda for paving Storage Area "A" near 10th Avenue Pier, was handled at the beginning of the meeting.

Resolution accepting bid of William H. Clint - lowest of 3 bids - for construction of Sanitary Sewer Outfall at Underpass of Wabash Boulevard at Olive Street, was presented.

The City Engineer requested a continuance for 1 week.

On motion of Councilman Schneider, seconded by Councilman Wincote, the resolution was continued 1 week.

Hearings 121088
Petitions
Res-re-bids, cont.

RESOLUTION NO. 121090, recorded on Microfilm Roll No. 87, accepting bid of Harbor Tire & Supply Co., for Recapping of Passenger and Truck Tires for period of 6 months, beginning November 1, 1954, at discount of 57% from list price, including option to renew for additional 6 months; 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.

RESOLUTION NO. 121091, recorded on Microfilm Roll No. 87, accepting bid of Royal Pipeline Construction Company, Inc. for installation of Small Water Main Replacements, Group No. 16; 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.

RESOLUTION NO. 121092, recorded on Microfilm Roll No. 87, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Library Furniture, in accordance with Document No. 500694, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121093, recorded on Microfilm Roll No. 87, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 30 tons of 26" Palm Fibre Stalks, in accordance with Document No. 400696, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121094, recorded on Microfilm Roll No. 87, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for San Vicente Aqueduct Connection, under Document No. 500687; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The continued communication from the Planning Commission recommending denial of Tentative Record of Survey Map for 2 lot division of portion of Pueblo Lot 104, City Attorney J. F. DuPaul said that Mr. Oldfield wants 1 more week.

The Clerk stated that Frank Nottbush, Attorney, had called, and stated that he will file a map.

On motion of Councilman Dail, seconded by Councilman Schneider, the continued matter was continued for one week - to November 16, 1954.

Councilman Wincote asked what is to be done if another week is wanted. That question was not answered.

Communication from the City Engineer recommending amendment to proceedings for improvement of Alley Block 2 Swan's Addition between Olive Street and the canyon to the north, to include a cut-off wall, was presented.

RESOLUTION NO. 121095, recorded on Microfilm Roll No. 87, adopting recommendation of City Engineer filed in office of City Clerk November 5, 1954, under Document No. 500614; authorizing City Engineer to amend proceedings for improvement of Alley Block 2 Swan's Addition in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from The National Foundation For Infantile Paralysis, Incorporated, 3609 Fourth Avenue, dated October 29, 1954, signed by A. I. Dickman, was presented. It requests permission to imprint water bills of the City with "Join The March of Dimes--the Need is Great".

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

Communication from Linda Vista Medical Center, 2351 Ulric Street, San Diego 11, dated November 3, 1954, signed by R. E. Bowers, M.D., president, was presented. It urges early and serious consideration to access road between Clairemont and Highway 395.

Councilman Kerrigan moved to refer the communication to the City Manager. Councilman Burgener asked for reference to Conference.

The Mayor stated that the item is still on the Conference agenda.
On motion of Councilman Kerrigan, seconded by Councilman Wincote, there was a reconsideration.

RESOLUTION NO. 121096, recorded on Microfilm Roll No. 87, referring to Council Conference communication from Linda Vista Kiwanis Club, by R.E. Bowers, M.D., President, re access between Clairemont and Highway 395, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from San Diego Convention and Tourist Bureau, 499 West Broadway, dated November 4, 1954, signed by Mitch Angus, Executive Manager, was presented. The communication requests that \$9,532.45 balance of \$11,500 allocation to San Diego City & County Convention Bureau be transferred to San Diego Convention and Tourist Bureau.

RESOLUTION NO. 121097, recorded on Microfilm Roll No. 87, granting request of San Diego Convention and Tourist Bureau, for transfer of balance of allocation to San Diego City & County Convention Bureau to the San Diego Convention and Tourist Bureau, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from The Salvation Army, 830 8th Avenue, San Diego, dated November 3, 1954, signed by Sr. Major Daniel G. Rody, Commanding Officer, was presented. It requests permission to place kettles at various locations, outlined in the letter, from November 26 through December 24.

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

Communication from Edward M. Berol, attorney, submitting copy of application of Tanner Motor Tours, Ltd. and Gray Line Motor Tours Co., addressed to Public Utilities Commission of State of California for increase approximating 5% in their sight-seeing tours, was presented.

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

Communication from Mrs. Florence D. Bean, 452 Casselman St., Chula Vista, Calif., opposing Shattuck Plan in the Plaza, being personally financially interested in the Plaza Theatre, was presented.

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

Communication from H. W. Merkley, 3655 Fifth Avenue, San Diego 3, opposing condemnation proceedings of block south of the Plaza to build auditorium and provide parking of cars, was presented.

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

Communication from Charles A. Small, 876 Golden Park Avenue, San Diego 6, dated Nov. 3 '54, opposing Shattuck plan for auditorium, was presented.

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

RESOLUTION NO. 121098, recorded on Microfilm Roll No. 87, directing notice of filing of Street Superintendent's Assessment No. 2298 made to cover costs and expenses of paving and otherwise improving Wunderlin Avenue, under Resolution of Intention No. 116721, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 121099, recorded on Microfilm Roll No. 87, accepting bid of M. H. Golden Construction Co., and awarding contract, for paving and otherwise improving Franklin Avenue and 49th Street, under Resolution of Intention No. 119895, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that the low bid is 22.4% below the estimate.

RESOLUTION OF AWARD NO. 121100, recorded on Microfilm Roll No. 87, accepting bid of T. B. Penick & Sons, a partnership, and awarding contract for paving and other Griffith Company

wise improving Kendall Street, under Resolution of Intention No. 119896, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 3.5% below estimate.

accepting bid of T. B. Penick & Sons,

RESOLUTION OF AWARD NO. 121101, recorded on Microfilm Roll No. 87, for paving and otherwise improving 29th Street, under Resolution of Intention No. 119897, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 21.8% below estimate.

RESOLUTION NO. 121102, recorded on Microfilm Roll No. 87, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving East and West Alley in Block 4 West Teralta, Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta; approving Plat No. 2632 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121103, recorded on Microfilm Roll No. 87, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Franklin Avenue and 28th Street; approving Plat No. 2648 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 121104, recorded on Microfilm Roll No. 87, for paving and otherwise improving Alley Block 255 Hoel's Subdivision, under Resolution of Intention No. 120265, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 121105, recorded on Microfilm Roll No. 87, for paving and otherwise improving Alleys Block 4 Ocean View, and Block 2 Sunset Grove, under Resolution of Intention No. 120266, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 121106, recorded on Microfilm Roll No. 87, for paving and otherwise improving Dudley Street, under Resolution of Intention No. 120267, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121107, recorded on Microfilm Roll No. 87, for paving and otherwise improving East and West Alley Block 4 West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121108, recorded on Microfilm Roll No. 87, for paving and otherwise improving Franklin Avenue and 28th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121109, recorded on Microfilm Roll No. 87, appointing time and place for hearing protests, and directing notice of said hearing, for Talmadge Park Lighting District No. 2, for furnishing electric current for one year from and including March 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121110, recorded on Microfilm Roll No. 87, appointing time and place for hearing protests, and directing notice of said hearing, for Talmadge Park Lighting District No. 3, for furnishing electric current for one year from and including March 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

121101 - 121110

RESOLUTION NO. 121111, recorded on Microfilm Roll No. 87, directing City Engineer to furnish the Council with diagram of property affected and benefited by work and improvement on paving and otherwise improving Jewell Street, under Resolution of Intention No. 118979 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121112, recorded on Microfilm Roll No. 87, granting petition contained in Document No. 496476 for paving and otherwise improving 51st 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 the street, together with other improvements as needed; directing City Engineer to consolidate assessment district with assessment districts heretofore ordered by Resolutions Nos. 110186 and 113395, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121113, recorded on Microfilm Roll No. 87, establishing a parking time limit of 36 minutes, between hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

South side of Island Avenue, between Second and Third Avenues;

East side of Fourteenth Street, between Broadway and E Street;

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

RESOLUTION NO. 121114, recorded on Microfilm Roll No. 87, authorizing City Manager to employ Griffith Company to remove and replace 93 square feet of sidewalk, shown on Drawing No. 11021-L in connection with improvement of Commercial Street, for \$51.15, payable from Ordinance No. 5341 (New Series) - in connection with contract with Griffith Company for improving Commercial Street under 1911 Street Improvement Act Proceeding, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121115, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to do all work in connection with moving 4 floodlight poles at Memorial Community Center baseball diamond, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states Director of Public Works has recommended the work, that City Manager has submitted estimates indicating that it can be done by City forces more economically than if let by contract.

Resolution authorizing and empowering the City Manager to do work in connection with repair and restoration of under-water floodlighting at Municipal Pool, Morley Field, Texas and Upas Streets, Balboa Park, by City forces in accordance with recommendation of Director of Public Works, was presented.

Councilman Godfrey asked why it should be repaired. He pointed out that the pool is not open at night, and that the under-water floodlighting is unneeded. He asked for a delay of one week.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the Resolution was continued 1 week.

RESOLUTION NO. 121116, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to enter into contract retaining Charles Shatto as independent contractor to perform organ recitals for term commencing November 1, 1954 and terminating June 30, 1955, at monthly rate of \$269.00 in accordance with terms and conditions set out in agreement filed with City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121117, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to execute, for and on behalf of the City, modification of lease agreement with Gibbs Flying Service Inc. of land, buildings and improvements, being portion of Montgomery Field, and allied activities, lease agreement filed in office of City Clerk as Document No. 105894 as amended by Documents 385593 and 417231; more particular

description of property and terms and conditions as set forth in Document No. 500899 filed in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121118, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to execute, for and on behalf of the City, Assignment and Amendment of Lease Agreement among Gibbs Flying Service Inc., Union Oil Company of California, and The City of San Diego, covering portion of Lots 11, 12 and 16 New Riverside (Montgomery Airfield) together with certain buildings and improvements; more particular description of property and terms and conditions set forth in Assignment and Amendment of Lease Agreement filed in office of City Clerk as Document No. 500900, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121119, recorded on Microfilm Roll No. 87, authorizing Director of Water Department to sell in bulk supply additional amount of water from City water mains to M. H. Golden Construction Company for use at its Mission Valley asphalt plant, between October 11, 1954, and November 15, 1954, in amount up to but not in excess of 40,000 cubic feet, on express understanding that the Company will pay to City for water so delivered the regular City ordinance rates; approving amount heretofore served in excess of amount limited in Resolution No. 119119, provided that the Company pay to City for excess water the ordinary city ordinance rates for the excess, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121120, recorded on Microfilm Roll No. 87, approving Change Order No. 1, dated October 22, 1954, heretofore filed with City Clerk as Document No. 500775, issued in connection with contract between The City of San Diego and Sim J. Harris Co., for construction of storm drain in Olney Street and Grand Avenue, contract contained in Document No. 498141 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$1,076.41, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121121, recorded on Microfilm Roll No. 87, approving request of Al E. Riley, Inc., dated October 13, 1954, contained in Change Order No. 1, for extension of 45 days, to and including November 29, 1954, heretofore filed with City Clerk as Document No. 500777, in which to complete contract for construction of addition to Pacific Beach Recreation Building, contract contained in Document No. 492416, on file in office of City Clerk; extending completion time to November 29, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121122, recorded on Microfilm Roll No. 87, approving request of Southwest Welding & Manufacturing Co., dated October 21, 1954, contained in Change Order No. 3, for extension of 30 days, to and including November 22, 1954, heretofore filed with City Clerk as Document No. 500779, in which to complete contract for construction of Redwood Village Standpipe and Cathodic Protection (Housing and Home Finance Agency Project Calif. 4-CF-18), contract contained in Document No. 488251 on file in office of City Clerk; extending time of completion under contract to November 22, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121123, recorded on Microfilm Roll No. 87, 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 Southerly 15 feet of Lot 2 Block 6 Homeland Villas, 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 Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121124, recorded on Microfilm Roll No. 87, granting permission to W. F. W. Blackwell, 4475 Illinois Street, San Diego 16, to install 50-foot driveway on westerly side of Illinois Street, between Meade Avenue and Madison Avenue, adjacent to Lot 9 Illinois Manor; to provide access to 5 garages on Boundary Street between Meade and Madison Avenues, on conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121125, recorded on Microfilm Roll No. 87, granting permission to Mrs. Mary Burriel, 540 North 36th Street, to install 4-inch cast iron sewer line

between property line and sidewalk; to be placed 1 foot outside property line and run downward opposite southerly line of Lot 26 Block 2 G. H. Crippens Addition, to point of intersection with public sewer; to serve property at 540 North 36th Street, on conditions set out, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121126, recorded on Microfilm Roll No. 87, granting permission to Maude W. Deeble, care Fritz A. Nachant, 1864 National Avenue, San Diego 13, to install a 47-foot driveway on east side of Eleventh Avenue, between points 53 feet and 100 feet south of the south side of C Street, also a 30-foot driveway on south side of C Street, between points 68 feet and 98 feet east of the east line of Eleventh Avenue, adjacent to Lots A and B Block 29 Horton's Addition, subject to conditions set out, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121127, recorded on Microfilm Roll No. 87, granting permission to Handlery Hotels, Inc., to install and maintain electrical conduit underneath sidewalk on south side of Beech Street, between Seventh and Eighth Avenues, for purpose of connecting telephone facilities between El Cortez Hotel and El Cortez Hotel Annex, on conditions set out, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121128, recorded on Microfilm Roll No. 87, granting permission to San Diego Branch of the National Association for the Advancement of Colored People to conduct annual sale of "Freedom" seals: corners of 4th, 5th and 6th Avenues and Broadway; Logan Avenue and Sampson Street in Logan Heights; 30th Street and Imperial Avenue; and 25th Street and Imperial Avenue, November 10, 11, 12, 13, 1954, between hours of 9:00 A.M. and 6:00 P.M., for raising funds for use of National Association for the Advancement of Colored People in fight against racial and religious inequalities in the country, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121129, recorded on Microfilm Roll No. 87, allowing claim of Clyde Dauben, 1734 Plover Street, San Diego, for refund of \$125.50, being portion of sewer connection fee of \$135.00 paid by claimant September 27, 1954, evidenced by Building Inspection Receipt No. 29141; authorizing and directing City Auditor and Comptroller to issue warrant in said sum, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121130, recorded on Microfilm Roll No. 87, authorizing E. W. Blom, Assistant City Manager to attend meeting of Senate Interim Committee on Subdivision Development and Planning, to be held in Sacramento, California, November 18 and 19, 1954; authorizing incurring of all necessary expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121131, recorded on Microfilm Roll No. 87, authorizing George Fletcher, Junior Civil Engineer in Inspection Department, to attend training course on substandard housing, sponsored by American Public Health Association, to be held at Huntington Park, California, November 11 and 12, 1954, and Blake Ross, Planning Technician in Planning Department, to attend said course November 15, 16, 17, 1954; authorizing incurring of all expenses necessary in connection with the trips, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121132, recorded on Microfilm Roll No. 87, authorizing F. O. Waters, Associate Civil Engineer in Water Department, to attend Western Regional Meeting of the National Association of Corrosion Engineers, to be held in Los Angeles, November 17, 18 and 19; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121133, recorded on Microfilm Roll No. 87, accepting quitclaim deed executed on 17th day of August, 1954, by Fred C. Corey, Jr., Wanda Lee Corey, Harlan C. Buckingham, Katherine S. Buckingham and Virginia Juekerman (Care Fred Corey, 939 Silverado, LaJolla), quitclaiming all water mains and appurtenant structures constructed for its (their) use, located in public streets, rights of way, highways and public places, either within or without subdivision named Muirlands Acres Subdivision being subdivision

~~named Muirlands Acres Subdivision being subdivision of portion of Pueblo Lots 1774, 1256;~~
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 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, 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. 6305 (New Series), recorded on Microfilm Roll No. 87, appropriating \$61,000.00 from Capital Outlay Fund for providing funds for construction of Fire Station Building at 5064 Clairemont Drive, at Cole Street, 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 Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Wincote, 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. 6306 (New Series), recorded on Microfilm Roll No. 87, appropriating \$15,000.00 from Unappropriated Balance Fund, for providing additional funds to pay City's share of cost of improvements under 1911 Street Improvement Act Projects, 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 Schneider, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Schneider, 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. 6307 (New Series), recorded on Microfilm Roll No. 87, appropriating \$5,000.00 from Unappropriated Balance Fund, for providing funds for Advertising, Printing, and Miscellaneous Costs, in connection with sale of Pueblo Lots 1296, 1297, 1299, 1279 and 1280 of Pueblo Lands, above La Jolla Shores, 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 Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, 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. 6308 (New Series), recorded on Microfilm Roll No. 87, appropriating \$3,000.00 from Capital Outlay Fund for providing funds for construction of sanitary sewer outfall at underpass of Wabash Boulevard at Olive 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 Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, reading was dispensed with by vote of not less than 4 member 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. 6309 (New Series), recorded on Microfilm Roll No. 87, appropriating \$2,000.00 from Capital Outlay Fund, for providing funds for construction of picnic

area at East San Diego Park, 54th Street and University Avenue, 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, 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. 6310 (New Series), recorded on Microfilm Roll No. 87, appropriating \$1,200.00 from 1950 Mission Bay Recreation Facilities Bond Fund, for providing funds for construction of improvements at Santa Clara Point, 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.

In connection with the next ordinance, Councilman Schneider asked if the property had been recently acquired, or if it was for resale.

The City Manager told of the location of several parcels affected, and of the fund through which the City may buy dirt cheaply to use for fill.

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, 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. 6311 (New Series), recorded on Microfilm Roll No. 87, appropriating \$1,000.00 from Unappropriated Balance Fund, for providing funds for purchase of fill dirt to be placed on City-owned lots, 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, 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 written or printed copy.

ORDINANCE NO. 6312 (New Series), recorded on Microfilm Roll No. 87, appropriating \$550.00 from Unappropriated Balance Fund, for providing funds for maintaining Municipal Code and Supplemental Service, 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.

In connection with the next item, Councilman Schneider asked about the proposed ordinance.

The City Manager told the Council that it was an amendment, that when the ordinance was adopted, there were errors. He said that this ordinance is to correct them.

City Attorney J. F. DuPaul told of there having been an error in transcription. He, also, said that it is for a correction. Mr. DuPaul said that it is being done at the request of the City Treasurer.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance amending San Diego Municipal Code by amending Sections 32.02 and 32.07 regulating the imposition and collection of the Sales and Use Tax, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen None. Nays--Councilmen None.

The Mayor requested, and was granted, unanimous consent to present the next item, not listed on the agenda. He asked if there was any objection to the proposal to appoint Mr. T. Franklin Schneider to the Board of Directors of the San Diego County Water Authority.

Councilman Godfrey replied "no".

6310 N.S. - 6312 N.S.
Ord. introduced

RESOLUTION NO. 121134, recorded on Microfilm Roll No. 87, confirming and approving appointment by the Mayor of T. Franklin Schneider as member of Board of Directors of the San Diego County Water Authority, as a representative of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

Mr. Dail said that he realized that the subject having to do with travel by City employees is controversial. It asked to introduce an ordinance.

RESOLUTION NO. 121135, recorded on Microfilm Roll No. 87, making a policy with respect to travel expenses of City officers and employees for their attendance at conventions; and with respect to travel expenses for City personnel for the purpose of obtaining technical data or special information - setting out the policy in detail - was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 121136, recorded on Microfilm Roll No. 87, authorizing the Park and Recreation Director to permit use of the Plaza for installation and maintenance of an ice skating platform by the San Diego Downtown Merchants' Association for skating exhibitions in connection with the Christmas holidays, for period commencing December 8 and ending December 24, 1954; authorizing him to permit use of the Plaza for a high school choir to sing on November 22, 1954, in connection with the Christmas holiday season, was on motion of Councilman Schneider, 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. 121137, recorded on Microfilm Roll No. 87, incurring the necessary expenses of Norman Kennedy of the Institute of Transportation and Traffic Engineering, University of California, in traveling to San Diego for purpose of studying the transportation problems of the City as may be determined necessary and beneficial by the City Manager, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:29 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Friday, November 12, 1954 (in lieu of Thursday,
November 11, 1954)

Present---Mayor Butler

Absent----Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey

The Mayor had met with the National Forensic League Congress in the Council Chambers. He telephoned to the City Clerk's office from the Council Chambers at 5:00 P.M. and announced that he had declared the meeting adjourned.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

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

121134 - 121137

November 9 and November 12 Meetings adjourned

ADJOURNED REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 16, 1954

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

The Mayor called the meeting to order at 10:08 o'clock A.M.
On motion of Councilman Kerrigan, seconded by Councilman Schneider, the meeting was adjourned.

ATTEST:
FRED W. SICK, City Clerk

By A. M. Webster Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, November 16, 1954

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

The Mayor called the meeting to Order at 10:09 o'clock A.M.

The Reverend Louis Moore, of St. Joseph's Cathedral, was presented by the Mayor. Father Moore gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Minutes of Tuesday, November 9, 1954, and of Friday, November 12, 1954, were approved without reading, after which they were signed by the Mayor.

Service awards, honoring long-time City employees, were presented by the Mayor, to the following:

- Mrs. Erma F. Bauer, Police Department, telephone operator, Gamewell Police call-box system, and information clerk - 20 years;
- ** Orlyn M. Collins, Electrician, Division of Public Works - 30 years;
- Lynn C. Drebert, Assistant Traffic Engineer, City Engineer's Office - 25 years;

Councilman Godfrey entered.

Roy M. Geier, auto spray painter, repairman and painter, etc., Public Works Equipment Division - 20 years;
Benjamin Romero, Foreman in charge of pipeline maintenance in Production Division of Water Department - 25 years.

** Councilman Kerrigan said that he and Mr. Collins, who had been discharged from the Navy as Lt. Comdr. and he had served together, and that they were boots at the same time. He asked that this be made a part of the record.
Members of the Junior League were welcomed to the meeting by the Mayor. He gave a brief explanation of the Council's procedure, and invited them to his office upon leaving the meeting, for a cup of coffee.

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 El Cajon Boulevard Lighting District No. 1, for one year from and including November 30, 1954; the Clerk reported that 1 bid had been received. It was presented to the Council. Bid was as follows:
San Diego Gas & Electric Co., accompanied by certified check written by

Meetings Called to Order
Meeting adjourned
Visitors welcomed
Service awards
Bids

San Diego Trust & Savings Bank in sum of \$228.48, given Document No. 501105.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current for Montemar Lighting District No. 1, for one year from and including December 16, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council. Bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust & Savings Bank in sum of \$67.32, given Document No. 501104.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was 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. 120577 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 Elva Miller and Arminta Anderson, Mrs. Florence Nosler, Nina C. Russell. They were presented to the Council.

The City Engineer reported a 7.1% protest.

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. 121138, recorded on Microfilm Roll No. 87, overruling and denying protest of Elva Miller and Arminta Anderson, Florence Nosler, Nina C. Russell against Resolution of Intention No. 120577 for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision; North and South Alley Block 27 H. M. Higgins Addition; Broadway; overruling and denying all other protests thereon, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

On motion of Councilman Wincote, seconded by Councilman Burgener, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120578 for paving and otherwise improving Alley Block 30 Park Villas, the Clerk reported that a written protest 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 City Engineer reported that the protest from Mrs. L. A. Willits was 2.5% - asking for information - in case it should be considered as a protest.

RESOLUTION NO. 121139, recorded on Microfilm Roll No. 87, overruling and denying protest of Mrs. L. Ann Willits against improvement of Alley Block 30 Park Villas; overruling and denying all other protests against Resolution of Intention No. 120578, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120579 for paving and otherwise improving Banks Street, ~~under Resolution of Intention No. 120579~~, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Burgener, seconded by Councilman Wincote, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120580 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.

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 Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120426 for storm drains and appurtenances in 4th Avenue, 5th

Hearings

Avenue, 6th Avenue, 7th Avenue, C Street, Broadway, E Street, F Street, 8th Avenue, Market Street, K Street and 10th Avenue; continued from November 9, 1954; the Clerk reported written protests from Samuel H. Perlmutter, E. A. Brelm; Edward C. Hall, Agent for The M. Hall Company and M. Hall Estate Trust; Hotchkiss & Anewalt, Agents, by H. Philip Anewalt, for Mrs. Pauline Settle. They were presented to the Council.

The City Engineer reported that he had information on 3 main questions from last week: regarding extending district north of B Street.

Councilman Schneider asked if the drain in B Street now is as far as 10th Street.

The City Engineer continued, saying that inlets are too small, that water shoots on down past. He spoke of getting out plans for inlets.

There was discussion between the City Engineer and an unidentified man.

The City Engineer said that inlets would not be properly a part of this job.

The man who had been speaking identified his property as being 5 lots, near the post office. He said that the cost proposed is too great, that his assessment will be about \$1750. according to the City Engineer's estimate. He said that the area is picking up the water for the downtown area. He stated that the area where the water is, is not assessed.

The City Engineer continued, stating that enlarging the area beyond 4th Avenue is not included; it would not be proper.

Councilman Wincote, pointing to a map said that it "helps property immensely;" is benefited "this way". The map was not seen by the Clerk.

The City Engineer spoke about area assessment on an area basis, rather than on frontage. He agreed that it is all right to "feather out" the assessment, if the Council wants it that way. He said that it would then be twice as much as for property beyond the 1/2 block.

Councilman Schneider spoke of other areas being benefited.

The City Engineer stated that if the area is changed, proceedings will have to be abandoned.

Councilman Dail wanted to know about future drains, for assessment.

The City Engineer spoke about outlets now; there is no trouble.

Mr. Eckenrode, from the City Engineer's Office, asked for a report by the City Engineer, stated that the "old drains" were put in under 1911 Act proceedings.

Councilman Dail said that there were no large assessments for drains in the past, however.

Councilman Burgener stated that it cannot be determined who contributes to the water.

Answering the Mayor, the City Engineer said that there is a 1.9% protest. He said that he could not defend the district, if it is enlarged.

Councilman Wincote said that it is not possible to agree how it will get "clicking". He pointed out that water comes down 4th, 5th, 6th. He said that if cut off, there will have to be a different district, and added that the City Engineer is not the one to blame.

Councilman Godfrey observed that the policy is not working perfectly; that talk is about several districts while only one is under hearing today. He pointed out that the City pays 1/2 of the cost. If this proceeding is thrown out, many will suffer in the area, according to Mr. Godfrey. He declared that the City cannot find a perfect system.

Councilman Dail pointed out that there is only one other way: a City bond issue.

Councilman Wincote said that the Council has been conscious of the minority protest. This is the first time regarding the present system, according to Councilman Wincote, who stated that extension should be made to the west.

The Mayor agreed with the City Engineer that he could not justify enlargement of the district.

Councilman Dail spoke for stretching out a little bit. He said that if there are improvements, that is a different story. He said that although the City Engineer is the assessing authority, it is up to the Council to determine if the district is equitable.

Councilman Wincote referred to the Council not knowing what it is talking about.

The Mayor stated that the City Engineer has brought in an alternate.

Councilman Godfrey spoke about the realistic, factual approach. He said that this is more than fair - even if not perfect. Mr. Godfrey said that he favors this project as proposed.

Councilman Godfrey moved to overrule the protests. Motion was seconded by Councilman Kerrigan.

Councilman Wincote said that he is willing to vote. He stated that he thought the subject had been referred to Conference.

The City Engineer said that it shall be whatever the Council wishes. He said that he thinks, however, that he can defend this district. He spoke about being picked apart on his districts and assessments as set up, and re-iterated that he can defend this district.

Councilman Dail spoke about larger area, less assessment, and less protest.

Councilman Wincote said that the flood control, with matching by the Council is most difficult. He said that he blames the Council as much as the Engineer.

The Mayor stated that there may be 7 different opinions.

Councilman Burgener said that this is different from the Tecolote protest.

Councilman Wincote pointed out that there are cool-headed, common-sense business men who have protested on this project, and that they are just.

The roll was called on the motion,

Hearing (downtown drain)

Councilman Kerrigan moved to refer proceedings to the City Attorney for Resolution Ordering work.

The Mayor said that the subject might be referred to Conference.

Councilman Schneider seconded the motion to refer proceedings to the Attorney.

The City Engineer said that it is determined "how", at the time of the assessment hearing.

The roll was called, and the proceedings were referred to the City Attorney for Resolution Ordering Work, after

RESOLUTION NO. 121140, recorded on Microfilm Roll No. 87, overruling and denying protests of Samuel H. Perlmutter, E. A. Brelin; Edward C. Hall, Agent for The M. Hall Company and M. Hall Estate Trust; Hotchkiss & Anewalt for Mrs. Pauline Settle Ney, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Wincote, Schneider, Dail. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120697 of Preliminary Determination for paving and otherwise improving Alley Block 14 City 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. 121141, recorded on Microfilm Roll No. 87, determining that proposed improvement of Alley Block 14 City Heights, under Resolution No. 120697 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. 120698 of Preliminary Determination for paving and otherwise improving Alleys Block 35 Parish and Loomis Subdivision, the Clerk reported that no written protests had been received.

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

Richard L. Parsons said that it was black top, and that it needs some kind of a lenient job on the E-W alley.

John R. Bosch told the Council that he owns 2 lots, and that he wants to get in and out. He stated that when he bought there was black, with the alley in good shape.

The Mayor said that the 1911 Act proceeding will provide a way to get in and out. He stated that the City will not maintain "black top", that 5" of concrete is the City policy.

Councilman Dail stated that the City Engineer should state why 5" concrete is required for alleys.

The City Engineer said that when the policy was established, there was not much differential in cost between 2 types. He pointed out that there is much adobe in the alley, that narrow alleys have to have hand work done where asphalt is used. He pointed out that there are no written protests.

RESOLUTION NO. 121142, recorded on Microfilm Roll No. 87, overruling and denying protest of Richard L. Parsons and John R. Bosch against improvement of Alleys Block 35 Parish and Loomis Subdivision; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121143, recorded on Microfilm Roll No. 87, determining that improvement of Alley Block 35 Parish and Loomis Subdivision under Resolution No. 120698 of Preliminary Determination No. 120698 is feasible, and 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 No. 120699 of Preliminary Determination for improvement of Alley Block A Sunset Crest, 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. 121144, recorded on Microfilm Roll No. 87, determining that proposed improvement of Alley Block A Sunset Crest, under Resolution No. 120699 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.

Hearings

121140 - 121144

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120700 of Preliminary Determination for improvement of 40th 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. 121145, recorded on Microfilm Roll No. 87, determining that improvement of 40th Street, under Resolution No. 120700 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry the burden of proposed assessment, also finding and determining that public convenience and necessity require 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 continued hearing on Resolution No. 120588 of Preliminary Determination for grading and sidewalking Tipton Street, Rincon Street and Ewing Street, the Clerk reported that written protests had been received from Jack W. Barnett, owner, with F. S. Barnett, from Mr. & Mrs. Robert S. Treibu, and others. The protests were presented to the Council.

The City Engineer reported 38.7% protest, based on the statement that the property owners don't want the sidewalk.

The Mayor stated that the Council is guided by the majority.

Councilman Wincote asked if petitions had not been consolidated.

The file shows several petitions.

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

A. N. Leitzell told the Council that he is not against sidewalks. He pointed out that the matter had been brought up 2 years ago; failed to get a majority then. It was brought up again, he said. Mr. Leitzell reported that the Council has on a file a petition out of 115, 69 who don't want the sidewalks in the area, submitted to the Engineer last Spring. He spoke of there having been 3 or 4 petitions. He charged that the thing is now being split up.

A map was presented by an unidentified man, later learned to be Jack W. Barnett.

Mr. Leitzell said that under the proposal, the area is going to end up with part walks.

Mr. Barnett spoke regarding the petition of opposition, and explained from the map which he spread out on the Council table.

An unidentified woman told the Council that there are still adequate facilities.

The City Engineer stated that he is trying to give the property owners what is wanted (referring to the areas in which walks would be installed). He showed a map of what is proposed to be installed, and agreed that it is a variance from the usual procedure.

There was discussion by several persons, including the Council and City Engineer over the map.

Mrs. Mary L. Harvey, who lives on Tipton Street, said that she is not protesting. He stressed the need for consideration to the area filled with small children, and mentioned that point several times during her verbal presentation. She said that it is for the safety of the children that the sidewalks are proposed. She mentioned the downhill curve, with cars flying down hill. Mrs. Harvey said that it is a neighborhood being filled with small children. She said that it was her fault that the first petition failed, it having been taken overseas by her husband with other papers. She said that her husband was killed; then the petition was returned to her. She said that protestants do not have children, whereas she has 3.

Councilman Kerrigan referred to short lots on 1 side; they are excluded; not assessed; left out of the job.

Mr. Barnett said that is not true.

Councilman Wincote asked who is eliminated.

The City Engineer said that plans were drawn according to the petition.

Mr. Barnett declared that there is a difference between plans and the notice.

Councilman Wincote read the notice.

The City Engineer pointed out that improvement covers "portions".

Mr. Leitzell stated that a majority of the people in the 115 lots don't want sidewalks; they are not violently opposed to sidewalks. He referred to coming into the area to split it up, with sidewalks in a portion. Answering Councilman Schneider, he asked why there should be sidewalks on one side, not on the other. He spoke of area across the street where sidewalk is on the side; petition calls for a different improvement.

Councilman Dail stated that those eliminated will eventually want sidewalks installed. He declared that mistake No. 1 was for the Council not to insist on sidewalks being installed at the time the subdivision was laid out. He said that the condition works a hard ship, and is dangerous. Mr. Dail said that the Council should overrule the protests, and let the work continue. He repeated that protests should be overruled.

Mr. Leitzell said that the improvement, as proposed, would not provide sidewalk to the school.

Councilman Dail told the protestants that in accepting Linda Vista (as a new subdivision) the City insisted on sidewalks.

Mr. Leitzell stated that a majority of the people don't want sidewalks.

Councilman Godfrey pointed out that property owners can't be both for and against sidewalks.

Mr. Barnett said that the chopping up is awful.

Mr. Leitzell said that he wants the thing settled - one way or the other.

Councilman Dail moved to overrule the protests. Motion was seconded by Councilman Schneider.

Mr. Barnett spoke regarding comments which had been made about democratic procedure, and the feasibility. He declared that the proposal is both undemocratic and unfeasible.

Douglas D. Deaper, Deputy City Attorney, said that the feasibility has only to do with the economical part of the proceedings.

Mr. Barnett charged that the Council is just jumping around. He said that Mrs. Hill (a proponent), who no longer lives in the neighborhood, started the proceeding. He said that it is unfair, and an abortion. Mr. Barnett stated that the majority is not being recognized.

Councilman Dail and Mr. Barnett carried on a discussion.

Councilman Dail said that documents before the Council are in the majority.

Mr. Barnett told the Council that he did not protest the last time; that the proposal is cut and dried at this time. He said that he had changed his mind, that he owes an apology, and came down to tell the Council why he feels as he does.

Councilman Wincote spoke directly to Mr. Barnett about breaking out portion of the sidewalk.

Mr. Barnett replied that some people are out of town.

Mr. Barnett said that until the Resolution is changed, they will have sidewalks.

RESOLUTION NO. 121146, recorded on Microfilm Roll No. 87, overruling and denying protest of Property Owners against Resolution No. 120588 of Preliminary Determination for sidewalking and grading Tipton Street, Rincon Street and Ewing Street in Cosgrove Mesa Subdivision, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121147, recorded on Microfilm Roll No. 87, determining that grading and construction of sidewalks in Tipton Street, Rincon Street and Ewing Street, in Cosgrove Mesa Subdivision, under Resolution No. 120588 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 Schneider, adopted.

After action had been taken on the preceding improvement for sidewalks, Councilman Godfrey said that if the contract is awarded, property owners who are concerned about gaps can correct that situation by arranging with the contractor to have the work done. Asked for a verbal report, the City Engineer stated that estimate for work is approximately 35¢ or 36¢ per square foot.

There was no action.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination No. 120416 for storm drain system and appurtenances in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street, Public Rights of Way in Lots 1, 2, 47, 48, 49, 50, 85, 86, 87, 88, 112 and 113 Boulevard Gardens; Lots 11, 12, 13, 14 Gardena Home Tract; portion of Lot 1 plat showing Lots 1 and 2 in southwesterly portion Pueblo Lot 256, and in portions of Pueblo Lots 264 and 265, under said Resolution, the agenda showed that the hearing was to be continued again from week to week until November 23, 1954.

RESOLUTION NO. 121148, recorded on Microfilm Roll No. 87, continuing hearing on construction of storm drain system and appurtenances in Weeks Avenue, Naples Street, et al, under Resolution No. 120416 of Preliminary Determination to 10:00 o'clock A.M., Tuesday, November 23, 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 furnishing electric current for lighting ornamental street lights in Sunset Cliffs Lighting District No. 1, for 11 months and 17 days from and including January 15, 1955, 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. 121149, recorded on Microfilm Roll No. 87, confirming Engineer's Report and Assessment for Sunset Cliffs Lighting District No. 1, filed in office

Hearings

121146 - 121149

of the City Clerk October 8, 1954; adopting report as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2287 for paving and otherwise improving Scott Street, Ingelow Street and Jarvis Street, under Resolution of Intention No. 112754, the Clerk reported that written appeal had been received from Dudley H. Hosea. It was presented to the Council. There were no verbal appeals, and no additional written ones.

The City Engineer reported a 6.9% appeal, regarding cost of improvement. RESOLUTION NO. 121150, recorded on Microfilm Roll No. 87, overruling and denying appeal of Dudley H. Hosea from the Street Superintendent's Assessment No. 2287 for paving and otherwise improving Scott Street, Ingelow Street and Jarvis Street, under Resolution of Intention No. 112754; confirming and approving said Assessment; authorizing and directing Street Superintendent to attach his warrant and issue it 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2288 for paving and otherwise improving Alley Block 25 Ocean Beach, under Resolution of Intention No. 116281, 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. 121151, recorded on Microfilm Roll No. 87, confirming and approving Street Superintendent's Assessment No. 2288 for paving and otherwise improving Alley Block 25 Ocean Beach under Resolution of Intention No. 116281; 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 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. 2289 made to cover cost and expenses of paving and otherwise improving Alley Block 43 Normal Heights, 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. 121152, recorded on Microfilm Roll No. 87, confirming and approving Street Superintendent's Assessment No. 2289 made to cover cost and expenses of paving and otherwise improving Alley Block 43 Normal Heights, under Resolution of Intention No. 111457; 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 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, a hearing set in addition to consideration by the Council on October 28th, 1954, for request re restoration and maintenance of pavement or surfacing in 5500 Block of Waverly Avenue, in Bird Rock Addition, the Mayor made a statement. He said that the Council had discussed the matter in conference for 1-1/2 hours. In addition, Councilmen had heard reports from the City Engineer on Beaumont Avenue, he stated. The Mayor announced that it is the feeling of the Council that it will re-iterate its policy regarding laying spraying to lay dust and maintenance for 1 year.

Councilman Burgener spoke to Capt. Charles J. Whiting, and others, regarding damage to trees.

Captain Whiting, USN, told the Council that there had been a meeting of property owners in the block last night regarding 1911 standard proceedings with amendments. He said that they want 2" black asphalt plant mix, taken away by the City, returned to the street.

The Mayor stated that the Council is opposed to the request.

Councilman Dail said he would go for it, if 2 streets in his district get the same thing.

Councilman Kerrigan commented that there are dozens of similar streets in his district.

Councilman Schneider spoke to Captain Whiting regarding oiling privately, or or under 1911 Act Petition with the City spraying.

Councilman Burgener stated that there is disagreement on the quality of the material removed.

Councilman Kerrigan was excused.

An unidentified woman told of discussion had with the Street Department.

Hearings
121150 - 121152

The Mayor stated that records show that the street had been rutted to a point where it had to be scarified. He said that the Council feels it has to stay with the existing policy. He declared it to be unfair to taxpayers if the City were to continue to maintain Waverly Avenue.

Councilman Wincote spoke of not going to follow in the future, regarding not scarifying.

Councilman Burgener announced that he had an analysis of tests, which he read as a conclusion of the Engineer's tests.

Someone else attempted to speak, whereupon, the Mayor declared that the hearing had been closed.

Captain Whiting said that the property owners will rest the entire case on whether or not the street had a particular type of improvement. He stated that the southerly 100 feet is still there - and is solid. He said that if the Water Department had not torn up the street, it would still be in good condition. He referred to having paid for the "bottom coat".

Councilman Dail said that it is a fact if it is asphalt or oil. He spoke of having the same thing on Iona Drive. He referred to petition for improvement, having 60% signatures.

Councilman Godfrey asked why a recording by a shorthand reporter had been made at the last hearing.

An unidentified woman stated that where machines did not tear up the strip, it is the same as her driveway. She said that taxpayers had not been asked at the time the improvement upon the street was torn up.

Councilman Dail wondered if people of the area are willing to pay for oil penetration.

Captain Whiting said that they are not willing to settle for a 1-year maintenance.

Councilman Godfrey stated that the Council wants to be very fair; many people are fair. He said that they paid for, and got, oil treatment of the street.

Captain Whiting told of having spoken to Mr. Gallagher (Richard L. Gallagher, Director of Public Works) who classed it is an oiled street.

Councilman Kerrigan returned.

Captain Whiting said that when it is not a 1911 Act, it is apparently the same as oiled.

Councilman Godfrey referred to the policy of maintaining an oil-surfaced street for 1 year.

The Mayor re-iterated that the hearing had been closed. He said that it is now up for Council discussion.

Councilman Burgener told of plant mix having been used for repairs on the street (which apparently accounted for the appearance of such material on the surfacing).

Councilman Godfrey pointed out that additional material had come from patching. He continued to read the policy, which he had begun during an earlier statement. He said that it had started as an oil treatment, and that it had become uneconomical to continue.

Councilman Schneider moved to deny the request, and file it. Motion was seconded by Councilman Kerrigan.

Captain Whiting said that he wanted a chance to present the case, and it had been denied.

The Mayor stated that the Council had given 3 hours to the matter, that property owners had received a fair case, and hearings. He said that if they don't concur, they are at liberty to sue the City.

The roll was called on the motion, resulting in

RESOLUTION NO. 121153, recorded on Microfilm Roll No. 87, denying demand against the City of San Diego for restoration and maintenance of pavement in 5500 Block of Waverly Avenue, in Bird Rock Addition, and filing such demand, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--None.

An unidentified woman said that the "end of the street was not patched, after the Resolution had been adopted.

The hour of 10:00 o'clock A.M. having arrived, the time hearing on ordinance incorporating portion of Lot 16 Ex-Mission Lands (Horton's Purchase) into R-4, CP and C Zones, and repealing Ordinance No. 5809 New Series insofar as it conflicts - property at southeast corner of Federal Boulevard and Altadena Avenue - the Mayor asked Glenn A. Rick, Planning Director, for a report.

Mr. Rick stated that the matter had been before the Planning Commission in May, and that it had been referred back regarding denial. He spoke of a compromise plan offered. He stated that there is one objection.

Eli Levenson, attorney, told the Council that the matter has been batted back and forth since last March, regarding the 1 protestant. He stated that it had been suggested that he and Mr. Segel (Russell Segel, petitioner) meet with property owners. He showed drawing of the property, and proposed development. Mr. Levenson told of having met property owners on other streets, and that except for 2 petitions, signatures were obtained for C and CP Zones. He said that when the matter was returned to the Planning Commission,

Hearings

it was suggestion of the Planning Director. He said that there was no suggestion of a subdivision to be made, at that time. Mr. Levenson told about there being no intention to build on the property, except for the 1 building proposed. He said that it is adaptable to C Zoning. He told the Council that catercorner there was announcement in the paper yesterday of a shopping center consisting of 40 acres. He contended that the request for filing of a subdivision is without merit. Mr. Levenson said that when the building (apparently the existing building on the adjacent property), it was R-1 Zone. There were no requirements made, he stated. He contended that he just wants an adjacent building, and sees no reason to subdivide. He said that improvements are in, and that petitioner is being asked to compromise with what he had not bargained for. Mr. Levenson said that he had been told that there is to be a subdivision required on the west. He maintained that it should be C and CP; that petitioner is willing to go on with R-4, but with no subdivision. He said that there was a question of 10-foot strip regarding widening of Federal Boulevard; 10-foot strip to be deeded to the City along C Zone. Mr. Levenson pointed out that the State Department has abandoned its plan to widen Federal Boulevard. He said that if it is continued, then the 10-foot strip will be deeded. He contended that requirement of subdivision is for the purpose of providing as a provision the 10 feet. He said, further, that the property should not be cut up by subdivision. In Mr. Levenson's opinion, the property is commercial.

Mr. Rick said that there is no untruth in Mr. Levenson's statement, but that he and Mr. Levenson look at the picture differently. He stated that the Council and the Planning Commission have a policy regarding requirement for subdivision. He said that has been broken once, on the Segel property. He told the Council that he does not know that it is correct to say that a subdivision is wanted for the purpose of acquiring a 10-foot strip. That is not the only reason to subdivision, according to Mr. Rick. The situation, as proposed, has happened before, many times, he stated. He stated that there is the matter of traffic from a market and shopping center. That should not be sloughed off, Mr. Rick said.

Councilman Schneider spoke directly to Mr. Rick regarding C and CP zones.

Mr. Levenson referred to an original idea, and wanting to go back to it.

Mr. Rick showed the Council a map of the property, and described the condition from it. Mr. Rick told of getting an expansion of the zone to move the building.

Mr. Levenson spoke of not originally intending to build. He said that a copy of an agreement is on file with the Planning Department.

Mr. Rick told the Council that the Planning Commission will ask the same provisions from Mr. Demers, Mr. Cotton, and from Safety, as asked from Mr. Segel.

Mr. Levenson asked, inasmuch as property is to be commercial, why there should be restrictions placed on it for a subdivision map.

Councilman Wincote spoke about possibility of being turned back regarding the requirement on subdivision.

Councilman Dail related to Mr. Levenson discussion he had with Mr. Segel, and there having been agreement - now this comes up. He said that he thought Mr. Segel was going to file a map.

Mr. Levenson said that if that were so, he would not be at this meeting. He said that there is not so much concern with the C Zone as the overall plan.

Mr. Rick said that the agreement mentioned by Mr. Levenson does not alter the thinking.

Councilman Wincote, speaking directly to Mr. Levenson, said that he might be surprised with the provisions of the subdivision.

Mr. Levenson told of Mr. Segel having already lost 2 clients over this issue.

Mr. Rick, answering a question put by the Mayor on the matter of time, said that the ordinance would be effective 31 days after adoption, or on filing of the map. He spoke of being able to draw map and get approval in 3 weeks; final map 4 or 6 weeks. He declared that it is improper to have single-family lots facing a parking lot and a market.

Councilman Burgener felt that a little piece of R-4 zone would be detrimental.

Mr. Levenson spoke of having agreement in writing, signed, regarding proposed beautification of the area.

Mr. Rick said that the Council has an ordinance, to be either adopted, or sent back.

Councilman Godfrey spoke of Council's interest in area on the corner. He said that there are 2 approaches: R-4 being undeveloped and an eyesore - and a buffer regarding a planted and fenced area. He said that an indefinable area means nothing. He spoke of R-4 zone, with R-1 use across the street. He asked about the buffer.

Mr. Rick said that R-4 had been agreed to; now there is a change, and wanting to go back for another compromise.

Councilman Dail said that Mr. Segel had said he had no intention to put in the R-4.

Mr. Levenson stated that there is no intention to improve.

Councilman Dail spoke directly to Mr. Levenson regarding subdivision on C and CP.

The Mayor announced that the Council would recess the meeting after this matter has been concluded.

Councilman Godfrey spoke of "merit to this arrangement".

Councilman Schneider moved to file the ordinance, and draw an ordinance for C and CP Zone of additional area - instead of R-4 on area not developed.

Councilman Dail spoke to Mr. Levenson regarding expression.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was referred back to the Planning Commission in connection with "intent of the Council".

At 12:10 o'clock Noon the Council took a recess until 2:00 o'clock P.M., this date.

Upon reconvening, at 2:03 o'clock P.M., the roll call showed the following:
 Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
 Absent---Councilman Burgener
 Clerk----Fred W. Sick

Almost immediately, Councilman Burgener entered.

Communication from Higgs, Fletcher and Mack, attorneys at law, Suite 726 Bank of America Building, San Diego 1, dated 9 November 1954, signed by William E. Sommer, was presented. The communication was entitled Re: Correction of Minutes of City Council of October 14, 1954. It represents C. M. Rodefer regarding his and Paul V. Pierik's appearance in connection with approval of Tentative Map of Rodefer Hills, Mergho Division. It states that at page 202 of minutes of October 14, "A motion was made by Councilman Dail, seconded by Councilman Wincote, that the subdivision tentative map be approved; Bandini Street to be paved as a responsibility of the subdivider". It says, further, that at the time motion was made, and before being seconded and passed, Mr. Pierik requested that ~~that~~ the conditioning language "as a responsibility of the subdivider" be deleted from the motion. The communication states that Councilman Dail agreed and asked that motion be seconded and approved as amended; that Councilman Wincote then seconded the motion and it was passed by the Council as amended. Communication says that the Resolution itself, being No. 120733, correctly reflected the change; that Councilman Dail's attention was called to the incorrectness of the minutes the following day, and he stated that minutes would be changed. The communication requests that minutes be corrected to reflect the true situation as set out, and to reflect Resolution as passed. It requests, further, that the matter be put on today's agenda.

Mr. Sommer reviewed his communication, and said that the Resolution is correct, but that the minutes are not, regarding Bandini Street.

Councilman Dail told of his motion, reviewed the minutes, and his motion.

Douglas D. Deaper, Deputy City Attorney, was asked about action to be taken. Mr. Deaper told the Council that physical change cannot be made in the document, but action can be taken to show an agreement with the Resolution.

Councilman Dail moved to change the minutes to agree with the Resolution. Motion was seconded by Councilman Schneider.

Councilman Wincote said that it was Mr. Rodefer's responsibility to get agreement from other property owners. He said that the Resolution had better be checked.

Councilman Dail stated that the Resolution (referred to) is all right, in that it does not refer to responsibility.

Mr. Sommers asked for correction of the minutes.

Councilman Wincote stated that "Mr. Rodefer has to be responsible".

Glenn A. Rick, City Planning Director, told the Council that the Resolution should not be changed.

RESOLUTION NO. 121154, recorded on Microfilm Roll No. 87, showing through this Resolution, that Minutes of October 14, 1954, in connection with Rodefer Hills, Mergho Division - page 202 - reflect Resolution No. 120733 adopted that day as being the intent of the motion in connection therewith, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The next item was taken up, out of order. It was the continued communication from the City Planning Commission recommending denial of division of portion of Pueblo Lot 104 into 2 parcels, was considered.

Leonard Oldfield told the Council that he understood lots were to be 10,000 and that letter to the effect that they were not to be subdivided, had been filed. It was filed immediately, according to him. He said that he thought that covered the situation. Mr. Oldfield stated that he had been advised by his doctor that he was not to keep the property, that a variance to the ordinance had been granted, and that he had property transferred to 4 parcels. Mr. Oldfield stated that he did not know that the Health Department objected to more cesspools, and that he had authorized return of the money (apparently to persons who had purchased). He then said that he sold 2 parcels on the north side, that the title and trust company missed by 1 day filing regarding the 4th piece of property. He said that he was keeping the piece returned to him. He told of putting in concrete walls and driveway. He stated that the title company made the error. Mr. Oldfield said that he understood the letter verified everything. He said that he could include with the original piece, and that he wants to clean it up.

Councilman Wincote pointed out that Mr. Oldfield had said that he would file a map.

Mr. Oldfield answered that Glenn A. Rick, City Planning Director, had said that the variance is dead.

Mr. Rick said that the Matchinski subdivision calls for street through the Oldfield property. He said that he asked Mr. Oldfield for the same thing.

Reconvene, after recess
 Communications
 121154

Mr. Oldfield said that he objected to the street; with setback he has too small a portion. He talked to Councilmen Burgener and Wincote over a map not seen by the Clerk. Rick

Mr./spoke of permitting 94.8 feet on each side to be divided.

There was discussion over the table by several persons. Someone, during the discussion, said that there is a total of 10,900 square feet.

Councilman Wincote said that with cut of the road it would not.....

The comment was not finished. Instead, Mr. Rick said "Oh, no".

Councilman Wincote said that garbage trucks can't come in.

Mr. Oldfield said that people who bought like that.

Councilman Wincote said that Mr. Oldfield could slide over, for more area for others.

Mr. Oldfield said "no".

The over-the-table discussion by several persons was continued.

Councilman Wincote asked why Mr. Oldfield can't go to the west.

Mr. Oldfield said that there are several reasons why he cannot: setback, irrigation, fruit trees, and a tremendous old cypress.

Councilman Wincote spoke about having sold 2 parcels, with more left.

Mr. Oldfield said that shallot lots are not wanted.

Mr. Rick said that there are alternatives: petition for zone variance; provisions for private easement. He said that if Mr. Oldfield wants to give the money back he can start over and divide.

Councilman Godfrey said that Mr. Matchinski could modify his property.

Mr. Rick's reply was that he is willing.

Mr. Oldfield went up to look at a map, not seen by the Clerk.

Mr. Rick said that the problem has to be faced.

Mr. Oldfield told the Council that the Navy does not want a through street, regarding its radar. Why put through a through street, he asked. He said that the Navy doesn't object to a private road. He said that the Navy is going to put in further installations on Ft. Rosecrans, and that they don't want the road.

Mr. Rick insisted that the road should go through. He said that he does not see why the Navy would object.

Mr. Oldfield said that thousands of cars would crowd in, and that it would be a rat race all day and night. He said that when he moved up there on Pt. Loma, there was nothing.

Mr. Rick stated that the water line could be cut off, to save area.

Mr. Oldfield said that Mr. Matchinski will give easement.

Councilman Wincote stated that Mr. Oldfield is hurting 2 people, to whom he sold.

Mr. Oldfield said that he will grant a 40 foot line; he does not want cars running in and out.

The over-the-table discussion continued.

Mr. Oldfield said that nobody is bothered "except us".

Frank Nottbush, Sr., attorney, joined in the general conversation.

Mr. Oldfield said that if the 40-foot road is left, he will give additional sq. ft. zoning. He referred to the Knight and Bailey properties (purchased from Mr. Old-

field). Rick

Mr./said that he does not want a 40-foot easement to the City, but that it should be private.

Councilman Kerrigan was excused.

Mr. Rick stated that Mr. Oldfield should submit a plat showing the change of property.

Mr. Oldfield said that he can bring in a map in 1 week; the Title Co. takes longer.

Councilman Kerrigan returned

Councilman Schneider moved to file the matter. There was no second.

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

RESOLUTION NO. 121155, recorded on Microfilm Roll No. 87, accepting bid of William H. Clint for construction of sanitary sewer outfall at Underpass of Wabash Boulevard at Olive Street, for the sum of \$2,738.00; 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 Wincote, adopted.

RESOLUTION NO. 121156, recorded on Microfilm Roll No. 87, accepting bid of Los Angeles Chemical Company for furnishing 20,000 Lbs. of Activated Carbon at price of \$12.623 per cwt. 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Hearing (unscheduled) on
communication
121155 - 121156

RESOLUTION NO. 121157, recorded on Microfilm Roll No. 87, accepting bid of United States Pipe & Foundry Co. for furnishing approximately 2,200 lineal feet of Class 150, 6" Cast Iron Cement Lined Pipe @ \$1.552 per ft., f.o.b. foundry Decoto, California, plus State Sales Tax, with truck delivery to Chollas Pipe Yard $\frac{1}{4}$ \$.16126 per ft.; 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121158, recorded on Microfilm Roll No. 87, authorizing and directing Purchasing Agent to purchase in open market parts for 5/8" Style 2 meter (set out in the Resolution, less 53-5% discount, or total price of \$1,607.33, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121159, recorded on Microfilm Roll No. 87, authorizing and directing Purchasing Agent to purchase in open market parts for 5/8" Type "G" Worthington Meter (set out in the Resolution), terms 35 & 2% plus State Sales Tax, or total price of \$1,443.44, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121160, recorded on Microfilm Roll No. 87, 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, portion of Pueblo Lot 1297 and Lot 15 La Jolla Shores Terrace (Section B), under Document No. 500972; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item on the agenda - re division of portion of Pueblo Lot 104 - was acted upon earlier in this meeting.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Amantea Mar Vista, was presented.

RESOLUTION NO. 121161, recorded on Microfilm Roll No. 87, suspending Sections 102.09 1 & 2, 102.1608, 102.17-c of San Diego Municipal Code in connection with Tentative map of Amantea Mar Vista, 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 Amantea Mar Vista, for 13-lot subdivision of portion of Pueblo Lot 193, located in Point Loma area immediately east of subdivision of Azure Vista, was presented.

RESOLUTION NO. 121162, recorded on Microfilm Roll No. 87, approving Tentative Map of Amantea Mar Vista, subject to 10 conditions, 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 Amantea Mar Vista (Extended), was presented.

RESOLUTION NO. 121163, recorded on Microfilm Roll No. 87, suspending Sections 102.09-1 & 2, 102.05, 102.11-2, 102.16-8, 102.17-c of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Amantea Mar Vista (Extended) for 23-lot subdivision of portion Pueblo Lots 145 and 193, located on Point Loma south of present subdivision of Amantea Mar Vista, immediately east of Azure Vista Housing Project, was presented.

RESOLUTION NO. 121164, recorded on Microfilm Roll No. 87, approving Tentative Map of Amantea Mar Vista (Extended), subject to 8 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recom-

mending approval of Tentative Map for 1-lot division of portion of Lot 11 Inspiration View, located on Bear Drive southeasterly of Dove Court - by Record of Survey - was presented.

RESOLUTION NO. 121165, recorded on Microfilm Roll No. 87, approving Tentative Map for Record of Survey for 1-lot division of portion of Lot 11 Inspiration View, and making finding in connection therewith, 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 for 2-parcel division of Lot 35 Block 12 Tres Lomas, fronting on Calle Tocan at Calle Aguadulce in Parsdise Hills Area - by Record of Survey - was presented.

RESOLUTION NO. 121166, recorded on Microfilm Roll No. 87, approving Tentative Map for division of Lot 35 Block 12 Tres Lomas submitted by William F. Lahey, and making finding in connection therewith, 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 Survey for 10lot division of portion of Pueblo 1256, located in La Jolla on southerly side of El Paso Real between subdivision of Muirlands and recent subdivision of Burgener's Holly Glen - by Record of Survey - was presented.

RESOLUTION NO. 121167, recorded on Microfilm Roll No. 87, approving Tentative Map for 1-lot division of portion of Pueblo Lot, submitted by John D. Lyerly, and making finding in connection therewith, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Board of Architectural Review, signed by P. C. Kelley, Secretary, dated Nov. 9, 1954, was presented. It asks, in detail, about making formal inquiry as to status of plans for its functions in the future.

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

Communication from Board of Architectural Review, signed by P. C. Kelley, Secretary, dated Nov. 9, 1954, was presented. It submits Resolution amending its rules relative to frequency of meetings.

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

Communication from the Street Superintendent, with Assistant City Manager's signature of approval, recommending denial of petition contained in Document No. 496815 "to close East 30 feet and the West 30 feet of Dodson Street between Market Street and the Alley adjacent, northerly", was presented. It states that the Council by Resolution No. 99640 adopted September 28, 1954, denied a petition. The communication mentions that the previous denial was on account of the street providing auxiliary access to adjacent property which provides considerable off-street parking for the Filipino-American Veterans' Assn, American Veterans' Assn, San Diego Buddhist Church, and restaurants in the vicinity, and that conditions have not changed; and that the restaurant is planning to use the street for access to parking lot for off-street parking.

RESOLUTION NO. 121168, recorded on Microfilm Roll No. 87, denying petition requesting closing of East 30 feet and west 30 feet Dodson Street between Market Street and Alley adjacent, northerly, in accordance with recommendation of Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The next item on the agenda, being communication from Higgs, Fletcher & Mack, attorneys, in behalf of C. M. Rodefer, re minutes of October 14, 1954, was acted upon earlier in the meeting.

Communication from G. E. Maskall, chemical eng., 1114 Car St., enclosing newspaper clipping in which it was stated the San Diego Chamber of Commerce offered Los Angeles industries, plagued by smog places in San Diego, was presented. It states that action as in the clipping outlines can stem from ignorance, and should be stopped before it is too late. It declares that more industry will bring more smog.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was referred to the Clerk's file.

Communication from A. W. Reed on a number of subjects, requesting that he be heard December 7, 1954, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the Council agreed to hear Mr. Reed, and directed the Clerk to place the item on the December 7, 1954, agenda.

Communication from Samuel Frankenberger, 1848 Sunset Blvd., San Diego 3, dated November 9, 1954, expressing belief that best location for a civic auditorium is in the eastern part of Balboa Park, was presented.

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

Communication from Mrs. C. H. Parsons, Los Angeles, Calif., dated Nov. 10, 1954, no street address, was presented. It states that as a stock holder in Preferred Theatres Corporation, she protests proposal to place auditorium in the Plaza.

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

Communications from Joseph V. Maule, 67 W. Laurel Ave., Sierra Madre, Calif., dated Nov. 6, 1954; Mrs. George B. Sheldon, 8407 La Mesa Blvd., La Mesa, Calif., dated November 4, 1954; Jos. E. Merrill, 3519 O 37th Street, San Diego, Calif., dated 11-5-54; Stella M. Fanning, Brea, Calif. (no street address), dated Nov. 5, 1954 - all protesting Shattuck Plan for convention hall, etc., at the Plaza Site - were presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, they were filed.

RESOLUTION NO. 121169, recorded on Microfilm Roll No. 87, directing Notice of filing of assessment and of the time and place for hearing thereof - No. 2300 - for paving and otherwise improving Catoctin Drive, under Resolution of Intention No. 114249, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121170, recorded on Microfilm Roll No. 87, directing Notice of filing of assessment and of the time and place for hearing thereof - No. 2299 - for paving and otherwise improving Logan Avenue and Florence Street, under Resolution of Intention No. 116621, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 121171, recorded on Microfilm Roll No. 87, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract, for paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, under Resolution of Intention No. 120005, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that low bid is 8.4% below the estimate.

RESOLUTION OF AWARD NO. 121172, recorded on Microfilm Roll No. 87, accepting bid of L. Castillo and Russell L. Thibodo Const. Co., a joint venture, for sewers in Figueroa Boulevard, Magnolia Avenue, et al., under Resolution of Intention No. 120009, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that low bid is 23.0% below the estimate.

RESOLUTION OF AWARD NO. 121173, recorded on Microfilm Roll No. 87, accepting bid of Griffith Company, a corporation, for paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, under Resolution of Intention No. 120006, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that low bid is 22.2% below the estimate.

RESOLUTION OF AWARD NO. 121174, recorded on Microfilm Roll No. 87, accepting bid of Daley Corporation, a corporation, for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Lane, Sycamore Drive, et al, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION OF AWARD NO. 121175, recorded on Microfilm Roll No. 87, accepting bid of Griffith Company, a corporation, for paving and otherwise improving Soto Street,

and Castelar Street, under Resolution of Intention No. 120008, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that low bid is 21.8% below the estimate.

RESOLUTION OF AWARD NO. 121176, recorded on Microfilm Roll No. 87, accepting bid of San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in Pacific Highway Lighting District No. 1, for one year from and including November 5, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121177, recorded on Microfilm Roll No. 87, approving plans, drawings, typical cross-sections, profiles and specifications for storm drains in Talbot Street and Gage Drive, approving Plat No. 2636 showing exterior boundaries of district to be 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 Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 121178, recorded on Microfilm Roll No. 87, for sewers in Gregory Street, under Resolution of Intention No. 120405, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 121179, recorded on Microfilm Roll No. 87, for paving and otherwise improving La Jolla Hermosa Avenue, under Resolution of Intention No. 120406, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121180, recorded on Microfilm Roll No. 87, for paving and otherwise improving Quimby Street, under Resolution of Intention No. 120407, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121181, recorded on Microfilm Roll No. 87, for electric current for lighting ornamental street lights located in Eighth Avenue Lighting District No. 1, for one year from and including January 11, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121182, recorded on Microfilm Roll No. 87, for electric current for lighting ornamental street lights located in Seventh Avenue Lighting District No. 1, for one year from and including January 11, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 121183, recorded on Microfilm Roll No. 87, for paving and otherwise improving Alley Block 3 La Mesa Colony, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 121184, recorded on Microfilm Roll No. 87, for paving and otherwise improving Carleton Street, Plum Street and Dickens Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121185, recorded on Microfilm Roll No. 87, for storm drains in Talbot Street and Gage Drive, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121186, recorded on Microfilm Roll No. 87, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 18 La Mesa Colony, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121187, recorded on Microfilm Roll No. 87, ascertaining and

declaring wage scale for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121188, recorded on Microfilm Roll No. 87, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 255 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121189, recorded on Microfilm Roll No. 87, ascertaining and declaring wage scale for sewers in 47th Street, Aurora Street, Upas Street, Market Street, Public Right of Way, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121190, recorded on Microfilm Roll No. 87, establishing parking time limit of 2 hours between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted on G Street between State Street and Union 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. 121191, recorded on Microfilm Roll No. 87, prohibiting parking of Automobiles at all times:

West side of 13th street, between National Avenue and Commercial Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121192, recorded on Microfilm Roll No. 87, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of following locations:

51st Street at Dick Street;
Alumni Place at Saranac Street;
Venice at Niagara;
Venice at Narragansett;
Venice at Del Monte;

49th Street at Hilltop Drive, was on motion of Councilman Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution, continued from meeting of November 9, 1954, was considered at this time. The City Manager spoke of rehabilitation of the swimming pool before being taken over by the Navy. It is the plan, now, to open it at night.

RESOLUTION NO. 121193, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to do all the work in connection with repair and restoration of under-water floodlighting at Municipal Pool, Morley Field, Texas and Upas Streets, in Balboa Park, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Resolution says Director of Public Works has recommended repair and restoration of floodlighting, 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. 121194, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to do all work in connection with connection of ends of existing drains in Block 52 C. L. Carr's Subdivision, east of 27th Street, between Island and Market, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

In connection with the next item, the Mayor stated that the proposal had gone out to bid.

The City Manager said that this is the same as "the other one": \$200.00 per month, or 5%.

RESOLUTION NO. 121195, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager, for and on behalf of the City, to execute lease agreement with

Mitchell N. Angus and Peggy Ann Angus, Tom H. Haynes and Betty B. Haynes, Frank J. O'Doul and Jean O'Doul, and Lawrence L. Knezerich, of portion of Lots 15, 16, 17, 23, 24 Lemon Villa, for Pitch and Putt Golf Course in East San Diego Recreation Center at 54th and University, for total term of 25 years at flat rental or percentage whichever is greater; description of property and terms and conditions set forth in form of lease agreement filed in office of City Clerk as Document No. 5013247, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121196, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, a Revocable Use and Occupancy Permit with San Diego City Schools for permission to maintain transmitting antenna on lighting tower of Balboa Stadium under terms and conditions set forth in form of Use and Occupancy Permit, copy filed in office of City Clerk as Document No. 501330, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121197, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Bank of America National Trust & Savings Association, Five Points Branch, for collection of water bills of The City of San Diego, to take effect as of first day of November, 1954, terms and conditions to be as set forth in agreement on file in office of City Clerk as Document No. 501331, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121198, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Manning Edmondson, 1865-69 Garnet Street, Pacific Beach District, for collection of water bills of The City of San Diego, agreement to take effect as of first day of November, 1954, terms and conditions to be as set forth in agreement on file in office of City Clerk as Document No. 501332, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121199, recorded on Microfilm Roll No. 87, approving and confirming agreements for non-resident sewage service heretofore executed and filed with City Clerk as Documents 497758, 497759, 497760, 497761, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121200, recorded on Microfilm Roll No. 87, approving Change Order No. 1, dated November 8, 1954, heretofore filed with City Clerk as Document No. 501052, issued in connection with contract between The City of San Diego and W. V. Hutchinson Co. for construction of storm drain in 47th and Marilou, contained in Document No. 500360; changes amounting to decrease in contract price of \$85.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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RESOLUTION NO. 121202, recorded on Microfilm Roll No. 87, 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 Lots 6 and 28 Eureka Lemon Tract, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

** RESOLUTION NO. 121201, recorded on Microfilm Roll No. 87, approving Change Order No. 6, dated November 8, 1954, heretofore filed with City Clerk as Document No. 501054, issued in connection with contract between City of San Diego and Teyssier & Teyssier for construction of the College Heights Branch Library, contract contained in Document No. 487737 on file in office of City Clerk; changes amounting to increase in contract price of \$113.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121203, recorded on Microfilm Roll No. 87, granting permission to Ruth E. Kelso, 2018 Thomas Street, San Diego, to install 4-inch cast iron sewer line between property line and sidewalk, to be placed 1 foot outside property line and to run in northerly direction, parallel to easterly line of Lot 21 Block 222 Pacific Beach, to

point of intersection with public sewer; to serve property at 1176 Hornblend Street; 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 Wincote, adopted.

RESOLUTION NO. 121204, recorded on Microfilm Roll No. 87, granting permission to Mission Valley Country Club (L. M. Hughes, General Manager of Camino Del Rio Properties, Inc) to install house sewer and house drainage lines at not less than 1/8" per foot slope from Mission Valley Golf Club to City Sewer Trunk Line on south side of Camino Del Rio and use increased size of pipe when lesser slope is necessary; to install a "foot vent" in kitchen where continuous vent on so-called "island" sink is impractical, owing to structural reasons, to connect floor drains indirectly; subject to approval of Acting Director of Building Inspection Department and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121205, recorded on Microfilm Roll No. 87, granting permission to Paul E. Wedgewood, M.D., 2440 Third Avenue, San Diego, to install house sewer and house drainage lines at not less than 1/8" per foot slope from building at 2440 Third Avenue to City sewer connection; subject to approval of Acting Director of Building Inspection Department and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121206, recorded on Microfilm Roll No. 87, granting permission to Union Oil Company of California, Petroleum Building, Los Angeles 15, California, to install 1 35-foot driveway on east side of Euclid Avenue north of Imperial Avenue; 1 35-foot driveway and 1 50-foot driveway on northerly side of Imperial Avenue east of Euclid Avenue, adjacent to Lots A and B Block 16 Las Alturas No. 4, at locations shown on Union Oil Company Drawing SW1118 dated September 23, 1954, on file in office of City Clerk, upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121207, recorded on Microfilm Roll No. 87, allowing bill of San Diego Convention and Tourist Bureau, bearing date November 5, 1954, in sum of \$15,171.46 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund of City of San Diego for fiscal year 1954-1955 for said sum, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121208, recorded on Microfilm Roll No. 87, authorizing City Attorney to settle property damage portion of case of Freddy v. The City of San Diego for \$250.00; authorizing and directing City Auditor and Comptroller to draw warrant in amount of \$250.00 payable to Great American Indemnity Company which settled entire case including damages for personal injuries, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121209, recorded on Microfilm Roll No. 87, approving claim of Butchers Union Local 229 on file in office of City Clerk under Document No. 491373 in amount of \$69.35; authorizing and directing City Auditor and Comptroller to draw his warrant in favor of Butchers Union Local 229 in said amount, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121210, recorded on Microfilm Roll No. 87, approving claim of Mrs. L. Florentin, on file in Office of City Clerk under Document No. 499874; authorizing and directing City Auditor to draw warrant in favor of Mrs. L. Florentin in amount of \$9.50 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121211, recorded on Microfilm Roll No. 87, granting claim of Roy Hasha for refund of sewer permit fees and connection charges in sum of \$125.50, for which claimant did not receive any consideration; directing Auditor and Comptroller to issue warrant therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121212, recorded on Microfilm Roll No. 87, approving claim of Standard Drug Company on file in office of City Clerk under Document No. 496450 in amount of \$406.32; authorizing and directing City Auditor and Comptroller to draw warrant in favor of the Company in said sum in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121213, recorded on Microfilm Roll No. 87, denying claim of V. L. Brooks on file in Office of City Clerk under Document No. 499573, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121214, recorded on Microfilm Roll No. 87, denying claim of Albert Cohen on file in Office of City Clerk under Document No. 495885, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121215, recorded on Microfilm Roll No. 87, denying claim of Gertrude Cohen on file in office of City Clerk under Document No. 495886, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121216, recorded on Microfilm Roll No. 87, denying claim of Farmers Insurance Exchange on file in office of City Clerk under Document No. 499868, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121217, recorded on Microfilm Roll No. 87, authorizing E. W. Blom, Assistant City Manager to serve on the Committee, and attend the meeting of the Highway Development Committee of the State Chamber of Commerce, to be held in San Francisco, December 2 and 3, 1954; authorizing him to incur the expenses in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121218, recorded on Microfilm Roll No. 87, authorizing Councilman George Kerrigan and Paul Beerman, Director of the Water Department, to attend meeting of Board of Directors of The Metropolitan Water District, to be held in Los Angeles Tuesday, November 23, 1954; authorizing incurring of all necessary expenses in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121219, recorded on Microfilm Roll No. 87, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Security Title Insurance Company, trustee, bearing date October 22, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 28 Lemon Villa, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file 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 Kerrigan, adopted.

RESOLUTION NO. 121220, recorded on Microfilm Roll No. 87, accepting subordination agreement, executed by George C. Vanderburg, beneficiary, and Pacific Coast Title Insurance Company, trustee, bearing date October 29, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 18 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121221, recorded on Microfilm Roll No. 87, accepting quitclaim deed, executed on the 6th day of October, 1954, by Cardiff Homes, Inc., quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, as shown on City of San Diego Drawings Nos. 10748-L through 10749-L, either within or without MIGUEL VISTA, being subdivision of portion of Blocks C and K, together with portion Potrero Street, formerly Cuyamaca Avenue, all in Narragansett Heights; 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121222, recorded on Microfilm Roll No. 87, accepting quitclaim deed of San Diego Gas & Electric Company, former San Diego Consolidated Gas & Electric Company, a corporation, bearing date November 3, 1954, quitclaiming portion of Pueblo Lot 281 (it being the purpose of quitclaim deed to quitclaim unto Grantee all right, title, interest and claim in and to the property, acquired by Grantor by virtue of easement dated August 9, 1934, executed by Harry R. Moore, recorded on 31st day of December, 1934, in Book 371 at Page 68 Official Records of County of San Diego); 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121223, recorded on Microfilm Roll No. 87, accepting quitclaim deed of San Diego Gas & Electric Company, formerly San Diego Consolidated Gas & Electric Company, a corporation, bearing date November 3, 1954, quitclaiming portion of Pueblo Lot 281, excepting portion lying north of north right of way line of San Diego River Floodway, shown on San Diego City Planning Commission Drawing No. 22.0.251 (being purpose to quitclaim unto Grantee, all right, title, interest, and claim of Grantor in and to the property, acquired by virtue of easement dated November 8, 1939, executed by Consuelo H. Williams, recorded on 13th day of February, 1940, Book 994 Page 280 Official Records of County of San Diego); authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121224, recorded on Microfilm Roll No. 87, accepting quitclaim deed of San Diego Gas & Electric Company, formerly San Diego Consolidated Gas & Electric Company, a corporation, bearing date November 3, 1954, quitclaiming Lot 74 City Gardens (being purpose of quitclaim deed to quitclaim to Grantee, all right, title, interest and claim in and to real property, acquired by virtue of certain easement dated December 2, 1943, executed by Laurel Palmer, recorded 31st day of May, 1944, Book 1687 page 209, Official Records of San Diego County, California); authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121225, recorded on Microfilm Roll No. 87, accepting deed of Raymond B. Talbot, as Tax Collector of County of San Diego, State of California, executed in favor of The City of San Diego, a municipal corporation, bearing date November 4, 1954, conveying Lot 27 City Gardens; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121226, recorded on Microfilm Roll No. 87, accepting deed of Raymond B. Talbot, as Tax Collector of County of San Diego, State of California, executed in favor of The City of San Diego, a municipal corporation, bearing date November 4, 1954, conveying Lot 17 Block 19 and Lots 7 and 8 Block 56 Sellers 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, California, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121227, recorded on Microfilm Roll No. 87, accepting deed of Gertrude I. Poole and Lillian M. Urch, bearing date September 2, 1954, conveying Lot 4 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 Wincote, adopted.

RESOLUTION NO. 121228, recorded on Microfilm Roll No. 87, accepting deed of Robert E. Hill and Patricia Hill, bearing date October 22, 1954, conveying portion of Pueblo Lot 1281; 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 Wincote, adopted.

RESOLUTION NO. 121229, recorded on Microfilm Roll No. 87, accepting deed of Florence Scripps Kellogg, bearing date December 12, 1953, conveying portion of Pueblo Lots 1281 and 1297; 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 Wincote, adopted.

RESOLUTION NO. 121230, recorded on Microfilm Roll No. 87, accepting deed of La Jolla Country Club, Inc., bearing date October 7, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1262; setting aside and dedicating land to public use as and for public street, naming it Girard 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 Wincote, adopted.

RESOLUTION NO. 121231, recorded on Microfilm Roll No. 87, accepting deed of San Diego Unified School District, bearing date October 19, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1262; setting aside and dedicating land to public use as and for public street, naming it Girard 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, seconded by Councilman Wincote, adopted. Schneider ++

RESOLUTION NO. 121232, recorded on Microfilm Roll No. 87, accepting deed of Hulen E. Dunn and Lenna E. Dunn, bearing date October 20, 1954, conveying easement and right of way for street purposes in portion of Lot 18 La Mesa Colony; setting aside and dedicating land to public use as and for public street, naming it Seminole 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 Wincote, adopted.

RESOLUTION NO. 121233, recorded on Microfilm Roll No. 87, accepting deed of The First National Trust and Savings Bank of San Diego, bearing date November 3, 1954, conveying easement and right of way for street purposes in portion of Lot 23 La Mesa Colony; setting aside and dedicating land to public use as and for public street, naming it Seminole 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 Wincote, adopted.

RESOLUTION NO. 121234, recorded on Microfilm Roll No. 87, accepting deed of Department of Veterans' Affairs of State of California, and Wallace C. Johnson and La Vera M. Johnson, bearing date October 27, 1954, conveying easement and right of way for street purposes in portion of Lot 35 La Mesa Colony; setting aside and dedicating land to public use as and for public street, 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121235, recorded on Microfilm Roll No. 87, accepting deed of Violet Beck, John F. Nobbs and Shirley Nobbs, bearing date October 26, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 27 and 28 Block 52 C. L. Carr'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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121236, recorded on Microfilm Roll No. 87, accepting deed of Arthur J. Cesario and Roseafton Cesario, bearing date October 6, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 28 Lemon Villa; 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 Wincote, adopted.

RESOLUTION NO. 121237, recorded on Microfilm Roll No. 87, accepting deed of Richard D. Corey and Norma J. Corey, bearing date October 29, 1954, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1297; 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 Wincote, adopted.

RESOLUTION NO. 121238, recorded on Microfilm Roll No. 87, accepting deed of Francisco Sanchez and Victoria Sanchez, bearing date November 1, 1954, conveying

easement and right of way in Lot 42 Block 92 E. W. Morse 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 Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 6313 (New Series), recorded on Microfilm Roll No. 87, approving and adopting proposed amendment of Rule X of the Rules of the Civil Service Commission of The City of San Diego, was adopted on motion of Councilman Schneider, seconded by Councilman Burgener, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

The City Manager explained it. Councilman Kerrigan said that departments have right to set vacations. The Mayor said that it is usually a matter of seniority in big departments.

ORDINANCE NO. 6314 (New Series), recorded on Microfilm Roll No. 87, changing name of portion of Canpo Drive to Aragon Drive, 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. Nays--None. Absent--None.

ORDINANCE NO. 6315 (New Series), recorded on Microfilm Roll No. 87, changing name of Bescano Road to La Jolla Scenic Drive, 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. Nays--None. Absent--None.

ORDINANCE NO. 6316 (New Series), recorded on Microfilm Roll No. 87, changing names of certain streets and establishing limits of the streets; in "Rolando Tract" (annexed to the City of San Diego) - all as set forth in detail in the Ordinance, 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. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 6317 (New Series), recorded on Microfilm Roll No. 87, amending The San Diego Municipal Code by amending Sections 32.02 and 32.07 Regulating Imposition and Collection of the Sales and Use Tax, 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. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 6318 (New Series), recorded on Microfilm Roll No. 87, amending The San Diego Municipal Code by adding Sections 91.31, 91.32, 91.33, 91.34, 91.35, 91.36, 91.37, 91.38, 91.39, 91.40 and 91.41 Regulating Moving and Wrecking of Structures and Amending Section 33.2201 Regulating the Sale of Substandard Structures intended to be moved, and repealing Sections 33.2202, 33.2203, 33.2204.1, 33.2204.2, 33.2210, 33.2210.1, 62.14, 62.14.1, 62.14.2 and 91.15, 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. 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, 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. 6319 (New Series), recorded on Microfilm Roll No. 87, appropriating \$71,000.00 from Capital Outlay Fund for providing funds for acquisition of Lots A and B Block 214 Horton's Addition, located at 5th Avenue and Date Street, was on motion on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote, adopted: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, reading in full was dispensed with by vote of not less than 4 members of the Council. There

6313 N.S. - 6319 N.S.
Ord introduced

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

ORDINANCE NO. 6320 (New Series), recorded on Microfilm Roll No. 87, appropriating \$30,000.00 from Unappropriated Balance Fund for providing funds to cover cost of preparing cooperative preliminary report on a comprehensive sewage plan for the Metropolitan San Diego area, was on motion of Councilman Wincote, 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 Wincote, Ordinance establishing rate for Sewage Service for certain agreements heretofore executed - filed with City Clerk as Documents 497758, 497759, 497761, 468011, and 490792, \$12.00 per family unit per year payable in advance and subject to revision - 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 Schneider, seconded by Councilman Godfrey, Ordinance dedicating portion of Lot 12 Ex-Mission Lands (Horton's Purchase) for street purposes and naming same 43rd Street, 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 Schneider, 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.

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

RESOLUTION NO. 121239, recorded on Microfilm Roll No. 87, authorizing Paul Beermann, Director of Water Department of the City of San Diego, to attend meeting in San Francisco on November 16, 1954, with City Attorney and Assistant City Attorney, and the officials of the California Water and Telephone Company; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121240, recorded on Microfilm Roll No. 87, authorizing and directing City Attorney and Assistant City Attorney to proceed to San Francisco for purpose of negotiating with officers of California Water and Telephone Company for revision of contract now existing between The City of San Diego and said Company for service of water to the City and County of San Francisco upon several pending cases, decision of which will materially affect like situations within The City of San Diego; authorizing incurring of necessary expenses in connection therewith, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 2:55 o'clock P.M. He announced that members of the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 18, 1954

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Archie Everett, agent for George Aposhian, from decision of the Board of Zoning Adjustment, Resolution No. 8517, denying application No. 13422 to operate rest home at 1203 Sunset Cliffs Blvd. - with a maximum of 20 patients - on Lots 17, 18, 19 Block 11 Sunset Cliffs, in Zone R-1, finding of facts was presented and read to the Council by the Clerk.

Dave South, Planning Department Zone Administrator, showed pictures and a plat. He told of opposition. Mr. South stated that the Zoning Adjustment Board had denied the application by a vote of 4-1. He mentioned the applicant having 3 lots, and that he could have a 3-unit apartment.

*** Louis Karp, attorney, answering a question, said that Mr. Aposhian is the owner; Mr. Everett acted as his agent. He related that the appellant had come to the Zoning Adjustment Board's meeting as a spectator, and was not prepared for the protestants who appeared against him. He spoke of at least 6 variances having been granted on the property - a large mansion in the Sunset Cliffs area. Mr. Karp told about there having been granted grants since 1938, and that the area zoning had not been broken down as a result. He said that he realized that the Council would recognize the situation, and would not grant variances to break down the neighborhood. He related the previous operations, including the officers' club on the premises, boarding house, etc. Mr. Karp maintained that the huge residence is no longer usable as R-1 property, and that it would cost \$200,000.00 to replace. He spoke of the property at the rear being developed with most homes. He said that the property is designed and built for the proposed purposes, that there would be no mentally or physically handicapped persons in residence there. He stated that a conditional use could be written into a variance to prohibit such use. Mr. Karp maintained that the Zoning Adjustment Board does not give an answer to use of the premises.

The Mayor pointed out that it is not up to the Zoning Adjustment Board to provide an answer.

Mr. Karp stated that Mr. Aposhian moved in under an R-1 use, although there had been duplex use, and cutting up was under way.

Councilman Schneider told of the existing use of Casa de Mana in La Jolla, as an elderly persons' home.

Mr. Karp, answering a question, said that the property is not in escrow; it is not to be sold; it is to be used by Mr. Aposhian. Answering Councilman Kerrigan's question about regulations, Mr. Karp contended that could be done.

Speaking about the variances, Councilman Kerrigan asked if they were made over opposition of the neighborhood.

Glenn A. Rick, City Planning Director, answered that the area was sparsely developed when Mrs. Warburg made application for rest home on the premises. He told the Council that it was then difficult to find places for elderly persons.

Councilman Wincote spoke to Mr. Rick about 3 dwellings on the property.

Mr. Rick spoke about the owner being able to have 3 units, as has been done. The theory would be 3 units in 1 big house, he said.

James E. Bunker, attorney, appeared in behalf of all neighbors, except 2, in opposition to the variance. He said that he lives in the neighborhood, and he was appearing in his own behalf, also. He made reference to the colored map of protest which had been shown. He referred to opposition of Mr. and Mrs. Passmore and Mr. Hept. He stated that Curtis and Griffith favor the variance. He pointed out that Mrs. Griffith had signed individually, without her husband's signature, so he questioned that. He agreed that the house is a white elephant, but said that neighbors had bought for the peace and quiet. He agreed, also, that Mr. Aposhian knew what he bought. He said that it is not a commercial area, and that only the Thursday Club on top of the hill had any other than the zone as it exists on the Aposhian place. Mr. Bunker maintained that "previous variances have no place here." He said that he understood that the variance would be automatic if there was no opposition.

Councilman Kerrigan disagreed with the last statement. ^{Mr. Bunker -} He said that as far as the previous variances were concerned there was provision by Resolution regarding there being no mentally incompetent people. He said that those in a rest home need exercise. He said that the Council can be sympathetic, but that the Council has to leave out the emotional factor. He said that the tax burden has been mentioned previously, and that should be before the "tax board" for adjustment, where the property becomes a white

Hearing *** Councilman Godfrey entered the meeting

elephant. He said that Casa de Mana was different, in that it was a commercial enterprise (a hotel). He pointed out that it cannot be agreed that there will be no mental charges. He said that the owner had bought, knowing of the situation. It was Mr. Bunker's contention that a rest home would be detrimental. He said that if this variance is granted, others will ask for the same. He stated that houses are in the \$12,000 bracket; one \$20,000; the one next to the subject property is higher. Mr. Bunker pointed out that the variance would be to protect only one, who knew all the facts when he bought.

Councilman Dail asked for reference to Glenn A. Rick regarding use of the property.

Mr. Rick said that it had been used as a different use - which does not permit a permanent different use.

Mr. Karp stated that there is not a financial situation involved, but that a nearby school is a commercial use. He pointed out that owners who had bought and built in the neighborhood knew of use of the residence as an officers' club. Mr. Karp told the Council that the property would be operated not for financial purposes. He said that the school is about 5 blocks away, on another street, answering questions on that point.

Mr. South pointed out that portion of the school is in C Zone, whereas a part of it is R-2.

Councilman Wincote spoke directly to Mr. Bunker regarding becoming elderly, and of the people who don't want to have to take care of them.

Mr. Bunker declared that there are other areas in which people can be cared for.

Councilman Schneider expressed concern over the logical use of the property.

Councilman Kerrigan said that petitioner is not asking for a variance, but for a conditioned use. According to him, conditioned use can be put in any zone.

Earl Kail, ~~who~~ told the Council that his property is separated from appellant's only by an alley. He said that the property in question is not entirely separated by a wall; the tennis court is open.

Councilman Godfrey spoke about variance being granted on a legal basis, and then asked what the legal basis.

Douglas D. Deaper, Deputy City Attorney, quoted from the San Diego Municipal Code regarding facts on a conditional use, there being 3 of them.

Councilman Godfrey spoke about the use being necessary to the welfare of the area.

Mr. Deaper said that referred to the neighborhood, or community.

Mr. Rick pointed out reference is made to the immediate community.

RESOLUTION NO. 121241, recorded on Microfilm Roll No. 87, overruling and denying appeal of Archie Everett, agent for George Aposhian, 1203 Sunset Cliffs Blvd., from the decision in denying application No. 13422 by Resolution No. 5417, for permission to operate a rest home at 1203 Sunset Cliffs Blvd., with a maximum of 20 patients, on Lots 17, 18, 19 Block 11 Sunset Cliffs, in Zone R-1; sustaining the decision of Board of Zoning Adjustment in denying the application, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Petition of Mrs. Paula Scheel, 3619 Alabama Street, dated November 11, 1954, in behalf of The Share With Others Club, requesting permission for a flower selling project on January 10, 14, 15, 17, 21, 22, 24, 28, 29, 1955, with all proceeds going to the March of Dimes, was presented.

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

Petition of individuals, submitted by H. W. Peterson on letterhead of The Shores Gift Shop, 2168 Avenida de la Playa, La Jolla, dated November 8, 1954, requesting consideration of proposition of lighting existing walk along the sea-wall fronting the general area of Kellogg Park from Avenida de la Playa northward approximately 2100 feet, was presented.

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

RESOLUTION NO. 121242, recorded on Microfilm Roll No. 87, accepting bid of American Pipe and Construction Co. for furnishing requirements of Reinforced Concrete Pipe for period of 6 months (11/1/54 to 4/30/55) in accordance with schedule attached thereto; 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 Kerrigan, seconded by Councilman Burgener, adopted.

The next item was taken up out of order, at the request of the Mayor.

Howard Turrentine, attorney, appeared.

Communication, continued from a previous consideration, from the Planning Commission, signed by Harry C. Haelsig, was read. It submits tentative map for redividing Lots 1 & 2 Blk 43 Paradise Hills No. 3, to permit both lots to front on Roanoke Street instead of Reo Drive. It says redivision eliminates alley access to the

Hearing
121241 - 121242 -
Petitions
Communication (out of order)

new Lot 1 and the back yard of Lot 1 will be adjacent to front yard of Lot 3 to the south. It reports that additional 10-foot dedication is needed for widening Reo Dr., which is a Major Street, and corner cutoff is needed at corner of Reo & Roanoke and at corner of Roanoke and the alley. The communication says that inasmuch as new lot design does not meet approval of Planning Department, and as proposed redivision does not meet requirements of Section 11535 Business & Professions Code, State Map Act, the Planning Commission has recommended that it be denied. The Commission's report was read by the Clerk.

Glenn A. Rick, City Planning Director, stated that the report makes clear the reason for denial. He said that he was personally hesitant to recommend denial. Mr. Rick told of the Major Street Plan, but that denial is not fair, on that account. He showed the Council the property, on a map. He declared that it is not fair to impose the conditions for the dedication. Mr. Rick stated that he can't help but agree with the petitioner, although he disagrees with the Planning Commission - but the Council had asked for his opinion. He pointed out the property on a map, and said that owner is not agreeable to dedication. He said that it shows a house built over 2 lots, and that logical location is on Reo.

Councilman Burgener declared that a corner lot can face residence either way.

Councilman Kerrigan asked how one got around the law.

Mr. Turrentine said that law referred to was regarding filing of a map. He referred to background of the property. He said that it originally faced on Reo; there is no sewer; it was changed to face on Roanoke. He spoke of a permit for a house to the east. Mr. Turrentine told of remaining lot having been sold, loan granted, but that a permit had been denied on the 2nd lot. He said that the owner has a piece of property, but that the City wants a portion of it.

Mr. Rick spoke of the 1 house as being all right. He told the Council that this is a good example of why a subdivision map should be required. He said that if it had been located first, the house would have had an adequate yard.

Councilman Burgener moved to overrule the recommendation, not require the easement - conditioned on getting together with the Planning Director. The motion was seconded by Councilman Wincote.

Councilman Wincote declared that there should be requirement regarding the rear yard.

Councilman Kerrigan said that he doesn't know how the request can be granted, legally.

The Mayor said that Mr. Turrentine should prepare a statement, and work out details with Mr. Rick.

The roll was called on the motion, resulting in

RESOLUTION NO. 121243, recorded on Microfilm Roll No. 87, overruling and denying the decision of the Planning Commission in its decision to deny division of Lots 1 and 2 Block 43 Paradise Hills No. 3 - at the southeast corner of Reo Drive and Roanoke Street, which now have frontage on Reo Drive - declaring that easement shall not be required for widening Reo Drive and corner cutoff at corners of Reo Drive & Roanoke Street and at Roanoke Street and the Alley - on condition that the owner of the property "get together with the Planning Director", was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the final map of College View Estates Unit No. 3, subject to posting of an adequate bond to insure installation of required improvements, was presented. (This item was brought up under unanimous consent, requested by and granted to the City Manager.

RESOLUTION NO. 121244, recorded on Microfilm Roll No. 87, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Tooley Hotels, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for College View Estates Unit No. 3 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 Wincote, adopted.

RESOLUTION NO. 121245, recorded on Microfilm Roll No. 87, adopting Map of College View Estates Unit No. 3, and accepting 55th Street and unnamed easements shown thereon for public purposes; dedicating street and unnamed easements as public street and unnamed easements for 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 Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Map is subdivision of portion of Lot 67 Rancho Mission of San Diego.

Communication from Linda Vista Coordinating Council, Recreation Committee, requesting that City purchase building at Montgomery Junior High School for additional recreational facilities at Linda Vista Community Center, was presented and read - out of order.

Councilman Dail was excused

Councilman Godfrey said that the letter will have to be referred to the City Manager.

Communications
120243 - 121245

A woman, who did not identify herself, but who was later learned to be Mrs. B. G. Starren, chairman, was heard. She said that the community center was large, and widely used, and property is being put into readiness for private (sale). Mrs. Starren told the Council that the Linda Vista area has more children than any comparable area of the City. She referred to having last the community center early; last year, and that customary use had been eliminated.

The speaker told the Council that there is not a spot for "high school kids.". She said that they have been going to Kearny for dances, and that Mr. Smith at at Montgomery "went up in the air regarding the Hallowe'en dance" held at Montgomery. She spoke of need for 20 parents to be present at parties. She stated that people of the area already have ply wood and carpenters, to go to work on the building.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the communication was referred to the City Manager for study of possibility, and for report to the Council.

(The City Manager called for the communication, prior to its having been put on these Minutes).

~~Councilman Dail was excused during the preceding item.~~

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Colony Park, was presented.

RESOLUTION NO. 121246, recorded on Microfilm Roll No. 87, suspending Sections 102.18 and 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Colony Park, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Colony Park, a 12-lot subdivision of portion of Lot 37 La Mesa Colony, located westerly of 69th Street and north of Saranac Street, subject to 11 conditions, was presented.

RESOLUTION NO. 121247, recorded on Microfilm Roll No. 87, approving Tentative Subdivision Map of Colony Park, subject to conditions set out in the Resolution, was on motion of Councilman Schneider, 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 Tentative Map of Muirlands Village Unit No. 2, was presented.

RESOLUTION NO. 121248, recorded on Microfilm Roll No. 87, suspending Sections 102.09 1 & 2, 102.11-2, 102.12-8, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Muirlands Village Unit No. 2, 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 Muirlands Village Unit No. 2, a 64-lot subdivision of Pueblo Lot 1257, located directly east of La Jolla High School, was presented.

RESOLUTION NO. 121249, recorded on Microfilm No. 87, approving Tentative Map of Muirlands Village Unit No. 2, was on motion of Councilman Schneider, 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 Tentative Map of Streamview Heights, was presented.

RESOLUTION NO. 121250, recorded on Microfilm Roll No. 87, suspending Sections 102.09-1 & 2, 102.16-8, 102-17-c of San Diego Municipal Code in connection with Tentative Map of Streamview Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Streamview Heights, 15-lot subdivision of portion of NE 1/4, Section 33, T-16S, R-2W, SBBM, located southerly of Oak Park Annex on extensions of 51st Street and 52nd (Lemona Avenue), subject to 11 conditions, was presented.

RESOLUTION NO. 121251, recorded on Microfilm Roll No. 87, approving tentative map of Streamview Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communications
121246 - 121251

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Loma Valley No. 2, resubdivision of Lots 7, 8, 9 Block 1 Loma Valley, subject to 1 condition, was presented.

RESOLUTION NO. 121252, recorded on Microfilm Roll No. 87, approving Tentative Map for resubdivision of Lots 7, 8, 9 Block 1 Loma Valley, known as Loma Valley No. 2; determining that a final subdivision map need not be filed if owner complies with the 1 condition set out, and within period of 1 year from date of the Resolution files 2 copies of Record of Survey of the property (in accordance with Chapter 15 Division 3 Business and Professions Code) with Planning Department, and that zone variance be obtained for division of land, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for a 4-lot division of portion of Lot 40 La Mesa Colony, located on easterly side of 73rd Street near Saranac, recently annexed to the City, was presented. It states that 73rd St. is rough graded and unimproved except that there exists a 6" water main and sewer is proposed to be installed under 1911 Act proceedings in near future, and that City Engineer has not recommended additional improvements for 73rd Street. It gives a further detailed report on the property, and sets out 3 conditions to be met.

RESOLUTION NO. 121253, recorded on Microfilm Roll No. 87, approving Tentative Map submitted by Vitina Lombardo for 4-lot division of portion of Lot 40 La Mesa Colony subject to 3 conditions; determining that final subdivision map need not be filed in owner complies with the conditions and within 1 year from date of the Resolution files 2 copies of Record of Survey of property (in accordance with Chapter 15 Division 3 Business and Professions Code) with Planning Department, and that zone variance be obtained for division of land, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The item listed on the agenda next, being recommendation for denial of tentative map for redividing Lots 1 and 2 Block 43 Paradise Hills No. 3, was acted upon earlier in the meeting.

Application of Arlene Sexton, et al, for Class "B" Dine & Dance license for Mario's Steak House, 4672 Federal Boulevard, was presented, together with recommendations for granting from interested City departments.

RESOLUTION NO. 121254, recorded on Microfilm Roll No. 87, approving application of Arlene Sexton, et al., and granting license for Class "B" license to conduct public dance at Mario's Steak House, 4672 Federal Boulevard, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations, 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 petition to close Brookes Avenue from alley midway between 7th and 8th "Streets" and Cabrillo Freeway, was presented. Report states that portion of Brookes Avenue proposed to be closed is in deep canyon and is unimproved, that portion of Brookes Avenue connects to Cabrillo Freeway. It says that in order to make certain no future connection to the Freeway will be requested, it is in the public interest to close the adjacent portion of Brookes Avenue, that arrangements have been made to provide easements for drainage channel, existing sewer and utilities.

RESOLUTION NO. 121255, recorded on Microfilm Roll No. 87, granting petition for closing Brookes Avenue from southerly prolongation of easterly line of the Alley in Block 8 Crittenden Addition (Map 303) to westerly line of Cabrillo Freeway, 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 Kerrigan, adopted.

Communication from The San Diego Council of Registered Civil Engineers and Licensed Land Surveyors, 551 Spreckels Bldg., dated November 11, 1954, signed by Thomas H. Shuttleworth, opposing ordinance requiring Record of Surveys in connection with subdivision of City lots, was presented.

Glenn A. Rick, City Planning Director, told the Council that the letter is late.

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

Communication from Mrs. Anna H. Blom, 1244 Cypress Ave., San Diego 3, Calif., dated November 11, 1954 - attention: Mr. Chas. C. Dail - was presented. It opposes the Shattuck Plan for a Civic Auditorium and sports arena on the block south of the Horton Plaza.

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

Communications
121252 - 121255

Communication from American Association of University Women, San Diego Branch, 208 West Juniper Street, San Diego 1, California, dated November 13, 1954, signed by Helen Trevey, corresponding secretary, was presented. It quotes a Resolution of the Board of Directors in favor of immediate, deliberate planning for a Civic Festival Theater; specifically, a type of long-range planning that will take into consideration the opinions of interested cultural groups in the community, and opposes hurried acceptance of any plans such as remodeling Federal Building in Balboa Park.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was filed. It was referred to the Mayor - at his request - for answer.

Communication from Anna C. Bröckett (Mrs. D. T.), dated November 12, 1954, protesting the Shattuck Plan for turning Plaza over, plus half block south, to private financial interests for a Civic Auditorium, was presented. Protest also includes that of her son, Dr. Sheldon I. Brockett, a Major in the Medical Corps, now serving in Germany. She refers to owning property on Broadway.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was ordered filed. (Communication was sent to the Mayor, for reply).

The next item listed on the agenda - communication from Linda Vista Coordinating Council, Recreation Committee - was acted on earlier in this meeting.

Communication from Ernest A. Strout - farms, California, New Mexico, Texas - 7757 Whitefield Place, La Jolla, dated November 15, 1954, was presented. It refers to denial of his claim in connection with cement driveway being broken by City's Garbage Trucks in front of his house.

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

The Mayor asked if any members of the Council could go to welcome the Philippine Sea, coming in from Korea.

Councilmen present said that they were "not available".

The Mayor then said that he would send Mr. Willis from his office to present a key to the City.

RESOLUTION NO. 121256, recorded on Microfilm Roll No. 87, authorizing City Manager to employ Daley Corporation to grade alley terminations at Mohawk and 73rd Street and at Amherst and 72nd Street, in connection with improvement of Mohawk Street, 71st Street and 72nd Street - not to exceed \$306.00 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121257, recorded on Microfilm Roll No. 87, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Terrace Unit No. 2 subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121258, recorded on Microfilm Roll No. 87, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Gardens and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121259, recorded on Microfilm Roll No. 87, authorizing City Manager to accept work on behalf of The City of San Diego in Lomita Village Unit No. 6 Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121260, recorded on Microfilm Roll No. 87, authorizing City Manager to accept work on behalf of The City of San Diego in Cabrillo Heights Business Center and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121261, recorded on Microfilm Roll No. 87, authorizing City Manager to accept work on behalf of The City of San Diego in Miguel Vista Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121262, recorded on Microfilm Roll No. 87, authorizing City Manager to accept work on behalf of The City of San Diego in Fairmount Gardens Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121263, recorded on Microfilm Roll No. 87, requesting Directors of El Cajon-Lakeside Soil Conservation District - pursuant to Section 9293 of Public Resources Code of State of California - to include within district land described in the Resolution (City-owned Upper Otay Reservoir, Lower Otay Reservoir, etc.) was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next Resolution, the City Manager made a verbal explanation. He told of having cut down the requisition, to what the City really wants.

The Housing Coordinator showed members of the Council a map, and explained it - not seen by the Clerk. He spoke of the property being government-owned, with portion abandoned about 4 years, which the City cannot get "under this plan". He pointed out the acquisition, minus some of which is cut out.

Councilman Kerrigan stated that Torrey Pines Housing is to be destroyed, not moved, and added that the City owns the land.

The Housing Coordinator said that the abandoned portion can be purchased on the regular market value.

The City Manager said that the City owns some - and he pointed it out - for park, and needs connecting parcel between parks in the Old San Diego area.

RESOLUTION NO. 121264, recorded on Microfilm Roll No. 87, requesting withdrawal of certain of The City of San Diego's prior applications with respect to transfer of certain United States Temporary Housing Projects (described in the Resolution, and acts of Congress referring thereto also set out in the Resolution) ; directing City Clerk to forward immediately certified copy of the Resolution to Public Housing Commissioner of the United States of America, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121265, recorded on Microfilm Roll No. 87, approving expenditure of \$1,759.50 from funds heretofore appropriated by Ordinance No. 5900 (New Series) for funds to pay award made in Judgment of Condemnation, together with costs, in case of The City of San Diego v. Glen Fries, et al., Superior Court Case No. 190577, for widening Kearny Mesa Road and Orange Avenue; authorizing City Manager to issue requisition in said amount, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121266, recorded on Microfilm Roll No. 87, granting permission to San Diego Transit System, 235 Broadway, San Diego 1, to install and maintain a 2-inch galvanized air line under and across L Street, approximately 155 feet west of west line of 15th Street, for delivering air from compressors located in body shop, north of L Street to service facilities south of L Street - on a revocable basis - and upon conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121267, recorded on Microfilm Roll No. 87, granting permission to City of La Mesa to construct a 10-inch cast iron sewer over and across the City's right of way for El Monte Pipe Line at Pipe Line Station 530*43±, shown on City of La Mesa Drawing No. 919, described in specifications contained in Document No. 501283 on file in office of City Clerk, upon terms and conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121268, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to enter into agreement, for and on behalf of The City, with San Diego State College Foundation for operating, renting and maintaining domestic living quarters located in Aztec Terrace and Aztec Villa for San Diego State College student veterans, together with such other sub-operations as are approved in writing by the City

Manager, for 5 years beginning November 1, 1954, all profits to be payable to the City; more particular description of property and terms and conditions set forth in form of agreement filed in office of City Clerk as Document No. 501293, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

In connection with the next item, Councilman Schneider asked the City Manager about the cost of pavement sections for bus stops. The City Manager said that he would give Mr. Schneider a report on what the Transit System has paid.

RESOLUTION NO. 121269, recorded on Microfilm Roll No. 87, authorizing and empowering City Manager to do all work in connection with construction of 10 concrete pavement sections for bus stops, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Resolution says that City Manager has recommended the construction, 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. 121270, recorded on Microfilm Roll No. 87, congratulating and commending A. George Fish on his well earned recognition by the National Safety Council in convention assembled at Chicago, Illinois, October 18, 1954, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Resolution states that Mr. Fish, Safety Officer of the City has for years faithfully performed duties of his office; that the National Safety Council in meeting at Chicago, October 18, 1954, saw fit to recognize him as general chairman of Public Employees Section by granting a plaque in appreciation of his contribution to the cause of safety in the year 1953-1954.

In connection with the next Resolution, Councilman Schneider asked a question, which was answered and the situation explained by the City Manager.

RESOLUTION NO. 121271, recorded on Microfilm Roll No. 87, rescinding Resolution No. 117823 passed and adopted April 27, 1954, authorizing City Manager to execute lease with Stadium Racing Association, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121272, recorded on Microfilm Roll No. 87, authorizing City Attorney to settle claim of Charles R. Como, on file in Office of City Clerk under Document No. 498974, claiming \$125.00 for \$25.00; directing City Auditor and Comptroller to draw his warrant in favor of Charles R. Como, in amount of \$25.00 in full settlement of the claim, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121273, recorded on Microfilm Roll No. 87, authorizing City Attorney to settle claim of Ira John Carr, on file in Office of City Clerk under Document No. 500333, claiming \$78.70 for \$48.70; directing City Auditor and Comptroller to draw his warrant in favor of Ira John Carr in amount of \$48.70 in full settlement of the claim, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121274, recorded on Microfilm Roll No. 87, denying claim of Rose A. Thomas, on file in Office of City Clerk under Document No. 499929, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121275, recorded on Microfilm Roll No. 87, approving Change Order, dated October 18, 1954, heretofore filed with City Clerk as Document No. 501301, issued in connection with contract between The City of San Diego and William H. Clint for installation of sewer outfall in Drucker's Subdivision, contained in Document No. 499229; on file in office of City Clerk, changes set forth amounting to increase in contract price of \$1,372.00, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121276, recorded on Microfilm Roll No. 87, granting permission to Salvation Army to place and maintain Christmas Kettles in prominent locations from November 26, 1954; through December 24, 1954, at locations set forth in application for solicitation of moneys and toys to provide assistance and Christmas cheer for the underprivileged of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121277, recorded on Microfilm Roll No. 87, accepting subordination agreement, executed by La Mesa-El Cajon Corporation, trustee, and La Mesa-El Cajon Savings & Loan Association, beneficiary, bearing date November 4, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 23 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121278, recorded on Microfilm Roll No. 87, accepting deed of Lester D. Pendarvis and Anne J. Pendarvis, bearing date November 5, 1954, conveying easement and right of way for street purposes in portion of Lot B Block 3 Magnolia Park; setting aside and dedicating land as and for public street, and naming it Albion 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. 121279, recorded on Microfilm Roll No. 87, accepting deed of Charles H. Benton Jr. and Joyce E. Benton, bearing date November 5, 1954, conveying easement and right of way for street purposes in portion of Lot A Block 4 Magnolia Park; setting aside and dedicating land as and for public street, and naming it Albion 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. 121280, recorded on Microfilm Roll No. 87, accepting deed of Albert Steinbaum and Roberta Steinbaum, Harry Steinbaum and Ellen Steinbaum, Jerome Steinbaum and Bernardine Steinbaum, Morris Steinbaum and Frieda Steinbaum; setting aside and dedicating land as and for public street, and naming it 55th 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. 121281, recorded on Microfilm Roll No. 87, accepting deed of R. M. Leiberman and Pearl E. Lieberman, bearing date November 10, 1954, conveying easement and right of way for street purposes in portion of Lot 11 Block 6 Valencia Park; setting aside and dedicating land to the public use as and for public street, and naming it San Jacinto Place; 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. 121282, recorded on Microfilm Roll No. 87, accepting deed of Theodore D. Biller and Faye Viola Biller, bearing date October 26, 1954, conveying easement and right of way for street purposes in portion Lot 23 La Mesa Colony; setting aside and dedicating land to public use as and for public street, and naming it Seminole 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 Schneider, adopted.

RESOLUTION NO. 121283, recorded on Microfilm Roll No. 87, accepting deed of John D. Sullivan and Eleanor D. Sullivan, bearing date November 9, 1954, conveying portion of Pueblo Lot 1281; setting aside and dedicating land to public use as and for park purposes; 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. 121284, recorded on Microfilm Roll No. 87, accepting deed of Donabelle La France and Lorraine M. Mumford, bearing date November 5, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 28 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121285, recorded on Microfilm Roll No. 87, accepting deed of Luis G. Jascen and Iona C. Jascen, bearing date November 9, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 29 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121286, recorded on Microfilm Roll No. 87, accepting deed of Moran Construction Company, bearing date November 5, 1954, conveying easement and right of way for sewer purposes in portion of Lot 44 Block 12 Tres Lomas; 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. 121287, recorded on Microfilm Roll No. 87, accepting deed of Minna F. Beethe and Anna Beethe, bearing date November 3, 1954, conveying Lot 2 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 Schneider, adopted.

RESOLUTION NO. 121288, recorded on Microfilm Roll No. 87, accepting deed of Raymond B. Talbot, as Tax Collector for County of San Diego, bearing date November 8, 1954, conveying:

In Assessor's Map No. 10: Lots 130 & 131

In Assessor's Map No. 10: Lot 260;

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.

The City Manager explained to the Council the provisions the next ordinance:

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

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, reading of the 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 of the Ordinance.

ORDINANCE NO. 6321 (New Series), recorded on Microfilm Roll No. 87, appropriating \$300,000.00 from Capital Outlay Fund, for providing funds for acquisition of Public Housing Properties in The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The City Manager explained to the Council the provisions of the the next ordinance:

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading of the 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 of the Ordinance.

ORDINANCE NO. 6322 (New Series), recorded on Microfilm Roll No. 87, appropriating \$50,000.00 from Unappropriated Balance Fund, for payment of acquisition costs, and purchase of maintenance materials and supplies incidental to acquisition of public housing properties in the City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

In connection with the next item, the City Manager stated that he had given members of the Council a memo., and that they might not want to vote on the ordinance.

Proposed Ordinance appropriating \$50,700.00 from Unappropriated Balance Fund for providing funds for expansion of activities and facilities at Mission Bay Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, continued to next Tuesday - November 23, 1954.

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

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

ORDINANCE NO. 6323 (New Series), recorded on Microfilm Roll No. 87, approp-

121286 - 121288
6321 N.S. - 6323 N.S.
Ord. cont.

riating \$1,000.00 from Capital Outlay Fund, for additional funds for relocation of sewer outfall in Drucker's Subdivision, was on motion of Councilman Schneider, 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 Mayor announced that an "Adjourned Meeting" is scheduled for Friday, November 26, 1954 (That is, the meeting is not to be held). It was decided that Councilman Wincote, as Vice Mayor, was to come and adjourn the meeting.

The next item was presented under Unanimous Consent, by the City Manager. The Manager explained the Resolution to the Council.

RESOLUTION NO. 121289, recorded on Microfilm Roll No. 87, raising no objection in the matter of application to the Public Utilities Commission of the State of California by San Diego Transit System, entitled "Application of San Diego Transit System, a corporation, for certificate of public convenience and necessity to enlarge the area of coverage to the east of the City of National City (part of which is in the City of San Diego) by (1) rerouting Route "W".....etc; directing City Clerk to transmit to Secretary of the Public Utilities Commission a certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The next item was presented under Unanimous Consent, by the City Manager. RESOLUTION NO. 121290, recorded on Microfilm Roll No. 87, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract with Automobile Club of So. California, to furnish The City with 125 Warning and Regulatory Signs at a price of \$1,643.00 including 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 Wincote, seconded by Councilman Schneider, adopted.

The next item was presented under Unanimous Consent, by the City Manager. (The Liquefied Petroleum Gas ordinance).

Councilman Schneider said that he is not in agreement with Councilman Burgener, regarding distances.

Councilman Wincote stated that he does not want to delay the Ordinance.

Councilman Schneider referred to there being no hope to change distances, and that he does not want to stand in the way of the regulations.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance amending San Diego Municipal Code by amending Sections 55.06, 55.06.1, 55.06.2 and 55.06.3 thereof, and by adding thereto new sections numbered 55.06.4, 55.06.5, 55.06.6, 55.06.7, 55.06.8, 55.06.9, 55.06.10, 55.06.11, 55.06.12, 55.06.13, 55.06.14 regulating storage, use, transfer and transportation of Liquefied Petroleum Gas, was introduced, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote. Absent--Councilman Dail.

The Council returned to the communication from Ernest A. Strout relative to denial of his claim for repairs to his driveway, at request of Douglas D. Deaper, Deputy City Attorney. Mr. Deaper told the Council that he can write to Mr. Strout, as a matter of public relations.

Councilman Kerrigan stated that if Mr. Strout disagrees with the attorney, he can go into court.

Mr. Deaper said that when damage was done, the claim time started to run. He spoke of having had a letter.

Councilman Burgener asked about the girl who had been hit and killed last night by a City-owned vehicle.

The City Manager stated the the hydraulic brake system had gone out of control. He said that he will get a full report for the Council.

There was no action.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:37 o'clock A.M. The Mayor announced that members of the Council would go into Conference, immediately.

ATTEST:

FRED W. SICK, City Clerk

By G. M. Hadstein Deputy

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

121289 - 121290
Ord. introduced
Discussion re Claim and re death by City vehicle
Adjournment

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Tuesday, November 23,
1954

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

The meeting was called to order by the Mayor at 10:07 o'clock A.M.

The Reverend Harold Broughton, Park Boulevard Methodist Church, was presented by the Mayor. Rev. Broughton gave the invocation.

The Minutes of the Regular Meetings of Tuesday, November 16, 1954, and of Thursday, November 18, 1954, were presented to the Council. On motion of Councilman Schneider, 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 furnishing electric current for lighting ornamental street lights in La Jolla Lighting District No. 1, the Clerk reported that 1 bid had been received.

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

It was the bid of San Diego Gas & Electric Co., accompanied by certified check in the sum of \$226.02 written by San Diego Trust and Savings Bank, given Document No. 501555.

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

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 in La Jolla Shores Lighting District No. 1, the Clerk reported that 1 bid had been received.

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

It was the bid of San Diego Gas & Electric Co., accompanied by certified check in the sum of \$103.50 written by San Diego Trust and Savings Bank, given Document No. 501556.

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

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 in Midway Drive Lighting District No. 1, the Clerk reported that 1 bid had been received.

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

It was the bid of San Diego Gas & Electric Co., accompanied by certified check in the sum of \$195.36 written by San Diego Trust and Savings Bank, given Document No. 501557.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120785 of Preliminary Determination for installation of sewers in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street, Paradise 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. 121291, recorded on Microfilm Roll No. 88, determining that proposed improvement in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street, Paradise Street, under Resolution No. 120785 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

Invocation
Minutes approved
Bids
Hearing
121291

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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120906 of Preliminary Determination in connection with lighting in Broadway, between 8th Avenue and 14th 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. 121292, recorded on Microfilm Roll No. 88, determining that improvement in Broadway, under Resolution No. 120906 is feasible and that lands to be 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 No. 120907 of Preliminary Determination for improvement of Everts 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. 121293, recorded on Microfilm Roll No. 88, determining that improvement of Everts Street, under Resolution No. 120907 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 120908 of Preliminary Determination for paving and otherwise improving 69th 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. 121294, recorded on Microfilm Roll No. 88, determining that improvement of 69th Street, under Resolution No. 120908 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 continued hearing on Resolution No. 120416 of Preliminary Determination, for storm drain in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street, rights of way ("Tecalote Creek Storm Drain"), the Mayor declared that there is a significant protest. He stated that the Council had looked at it.

The City Engineer told of there being a 68.1% protest.

RESOLUTION NO. 121295, recorded on Microfilm Roll No. 88, sustaining all protests against proposed construction of storm drain system and appurtenances in Weeks Avenue, Naples Street, Savannah Street, Knoxville Street, Public Rights of Way in Lots 1, 2, 47, 48, 49, 50, 85, 86, 87, 88, 112, 113 Boulevard Gardens, Lots 11, 12, 13, 14 Gardena Home Tract, portion Lot 1 Plat showing Lots 1 and 2 in southwesterly portion of Pueblo Lot 256, and in portions of Pueblo Lots 264 and 265, under Resolution No. 120416 of Preliminary Determination; abandoning all proceedings taken heretofore, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Councilman Burgener stated that the City has explored all prospects.

Mr. Moore told the Council that the "situation is still there". He stated that it can be attacked by Soil Conservation. He stated that the Government can go into this type of situation. He declared that it should be looked at as a soil conservation situation - not as a flood control project. The speaker referred to many tributaries.

Councilman Wincote pointed out that people should not be led to believe there is a possibility of the government taking over.

An unidentified woman referred to being not a part of the responsibility for the storm water situation.

An unidentified man said that he thinks the drain will not be abandoned. He asked if it will be posted again.
 The Mayor said that the project is abandoned as of now.
 Councilman Burgener declared that the problem is still there.
 No further action was taken on the conversation, following abandonment.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 120784 for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, under Resolution of Intention No. 120784, the Clerk reported that no written protests had been received.

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

Clare E. Allanson told the Council that he lives on 51st Street, between Orange and Trojan. He referred to being involved; wondered how much; what kind, he asked. The City Engineer explained the improvement.

Mr. Allanson said that he had been told that concrete was to be used. He asked about the assessment spread.

Councilmen Schneider, Wincote and Burgener all joined in an explanation. Councilman Godfrey agreed. Then conversation followed between members of the Council and Mr. Allanson.

Mr. Allanson spoke about drainage. He referred to being all silted up, where new drainage pipes had been put in. He spoke of having talked to the City Engineer about the situation, and that the Engineer had said that the City is trying to get easement. He asked about the number of curb inlets on 51st Street, and if the sidewalk is to be put in next to the curb.

Councilman Burgener told Mr. Allanson that he should make inquiry from the City Engineer for the detailed information.

Mrs. Allanson said that it is not clear. She asked why it says concrete, if it is not.

The Mayor said that it is "loose terminology".

The Councilman Wincote told about the type having been determined by the City Engineer.

The City Engineer stated that the improvement is Portland cement concrete. Councilman Godfrey pointed out that the City Engineer reviews the grade and drainage in connection with improvements.

Mrs. Allanson asked if it (the concrete) will cost more.

The City Engineer replied "yes".

Councilman Dail spoke directly to the Engineer about the improvement.

The City Engineer said that concrete is used only in special conditions. He referred to the steep grade and drainage channel. He stated that asphalt (if used) would erode away.

Mrs. Allanson said that she has no objection; she only wants to know what is to be done. She said that the estimate given on their property is \$5,000. - plus interest.

Councilman Burgener spoke about the lady (Mrs. Allanson) being still confused.

The City Engineer stated that it is concrete in front of the Allanson house.

Mr. Allanson asked how anybody could be within 1/2 block, except those in the block.

The City Engineer showed Mr. and Mrs. Allanson a plat. Councilman Burgener and Schneider joined the City Engineer over the map with the Allansons.

A woman from 5069 Trojan Avenue (thought to be Mrs. Helen J. Wallace), spoke of alley between 51st Street and Altadena Avenue.

The City Engineer spoke about there being no alleys to be paved in this project - only the terminations. He said that if a proper petition is put in, it will be paved.

There was discussion by several over the petition (there were several) and the improvement.

The City Engineer showed from the plans the termination of the alley.

The Clerk, asked about the petitions, said that there were no alleys ~~alleys~~ mentioned in the petitions.

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 item was reconsidered - but shown here, because of continuity - although it was brought up again later.

Marvin Alban told the Councilman that when folks got out a petition, he did not sign, and that he had protested. He said that he does not use the proposed improvement, but gets in on the assessment.

The City Engineer said that the assessment can be worked out, to show Mr. Alban.

The Mayor spoke about the area assessment: 70% - 30%. He said that there would not be a big assessment.

The City Engineer said that it would be about \$50.00 per lot - 50 ft. lot; and would be an area assessment, only.

RESOLUTION NO. 121296, recorded on Microfilm Roll No. 88, overruling and denying protests of Mrs. Alice B. Allanson, Mrs. Helen J. Wallace, and Marvin Alban, against proposed improvement of Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, under Resolution of Intention No. 120784; 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 Wincote, 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. 2290 made to cover costs and expenses of paving and otherwise improving Thorn Street, under Resolution of Intention No. 117129, 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. 121297, recorded on Microfilm Roll No. 88, confirming and approving The Street Superintendent's Assessment No. 2290, made to cover cost and expenses of paving and otherwise improving Thorn Street under Resolution of Intention No. 117129; authorizing and directing Street Superintendent to attach 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 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. 2291 made to cover costs and expenses of paving and otherwise improving Shafter Street and Carleton Street, under Resolution of Intention No. 115495, 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. 121298, recorded on Microfilm Roll No. 88, overruling and denying appeal of D. DiCola, from Street Superintendent's Assessment No. 2291 made to cover cost and expense of work of paving and otherwise improving Shafter Street and Carleton Street under Resolution of Intention No. 115495; overruling and denying all other appeals; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach 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 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. 2292 made to cover cost and expenses of paving and otherwise improving Del Rey Street under Resolution of Intention No. 116056, 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. 121299, recorded on Microfilm Roll No. 88, confirming and approving Street Superintendent's Assessment No. 2292 for paving and otherwise improving Del Rey Street under Resolution of Intention No. 116056; 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 Burgener, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2293 made to cover cost and expenses of paving and otherwise improving 68th Street, 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. 121300, recorded on Microfilm Roll No. 88, confirming and approving Street Superintendent's Assessment No. 2293 made to cover cost and expenses of paving and otherwise improving 68th Street under Resolution of Intention No. 115632; 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 Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2294 made to cover costs and expenses of paving and otherwise improving Keating Street and Linwood Street, under Resolution of Intention No. 115262, the Clerk reported that written appeals had been received from Mrs. Perryman Dodge and from H. O. Parks, president, Travelers Motel Corporation. They were presented.

The City Engineer reported a 2.9% appeal.

H. O. Parks told the Council that his property has no access to Keating

Street. He referred to the dead-end street. Mr. Parks told the Council that he does not have a proper road to his place. He spoke of having been on a road, but when the freeway was put in, the road access was taken away. He referred to Lot 4 and North 1/2 of 5. He repeated that he had no access to Keating, and added for 4 or 5 blocks.

The City Engineer and Councilmen looked at a map, including the Washington Freeway.

Mr. Parks identified his parcel as being "next to the State property".

The City Engineer agreed that the Parks property does not have access, but was given a varied assessment.

Mr. Parks said, again, that he has no benefit from Keating. He said that there was a graded road, but that there had been quite a bit of dirt taken out.

Councilman Burgener referred to the general benefits.

Mr. Parks stated that the property faces on the flood control - right on a ditch. Again, he said that it was not a dedicated road, and spoke about the assessment for \$80.00.

The City Engineer pointed out to the Council the Parks property from a map.

Mr. Parks agreed that he has use of Washington Freeway, but that he will never have any access.

The City Engineer declared that was considered a great deal, before putting out the assessment, which he said was the fairest method. He pointed out that the Parks' property had been given a discount on the assessment. The Engineer said that the Council may change it, if it wishes. He said that he had expected a lot of protest.

Mr. Parks said that Mrs. Miserve has the same problem.

The City Engineer said that there are several in the same position.

Councilman Burgener spoke about there being enough general benefit, on an area basis, to assess the property. He said that it is the same pattern as used all over town. Mr. Burgener told of having taken care of the special condition. He said that if there were an adjustment, he had no idea how many other people would be affected.

The Mayor told of an assessment for \$86.02 on the Parks property.

RESOLUTION NO. 121301, recorded on Microfilm Roll No. 88, overruling and denying appeals of Mrs. Perryman Dodge, and Travelers Motel Corporation by H. O. Parks; from the Street Superintendent's Assessment No. 2294 made to cover costs and expenses of paving and otherwise improving Keating Street and Linwood Street under Resolution of Intention No. 115262; confirming and approving the assessment, authorizing and directing the 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 Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for lighting ornamental street lights in Garnet Street Lighting District No. 1, for one year and 2 days, from and including January 30, 1955, 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 protests were filed.

RESOLUTION NO. 121302, recorded on Microfilm Roll No. 88, confirming the Engineer's Report and Assessment for Garnet Street Lighting District No. 1, filed in office of City Clerk October 19, 1954; confirming the report as a whole, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current for lighting ornamental street lights in Presidio Hills Lighting District No. 1, for 1 year from and including February 1, 1955, 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. 121303, recorded on Microfilm Roll No. 88, confirming the Engineer's Report and Assessment for Presidio Hills Lighting District No. 1, filed in the office of the City Clerk October 19, 1954; confirming the report as a whole, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121304, recorded on Microfilm Roll No. 88, accepting bid of Hawkins & Hawkins, for furnishing 250 All Metal Sight Posts at \$1,075.00 plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121305, recorded on Microfilm Roll No. 88, accepting bid of San Diego Harley-Davidson Co. for furnishing 11 Motorcycles @ \$1,283.60 each, plus State Sales Tax, less 11 trade-ins totaling \$2,710.00, or total net price including State Sales Tax of \$11,833.18; 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121306, recorded on Microfilm Roll No. 88, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing and Fittings in accordance with Document No. 501452, 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 Clairemont Unit No. 16 Annex - submitted to correct a map filed several weeks ago in which there was a minor discrepancy in the lot dimensions - subject to 1 condition, was presented.

RESOLUTION NO. 121307, recorded on Microfilm Roll No. 88, approving Tentative Map of Clairemont Unit No. 16 Annex, subject to 1 condition - and that all improvements specified adjacent to the property, shall be installed in accordance with Resolution 119072, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, returning proposed zoning of area proposed to be subdivided as Kearney-Villa, approved by the Planning Commission June 3, 1954, and sent to the Council, was presented. It states that on July 9 the Council referred the item back to the Commission for supplementary report because it was felt by the City Attorney that rezoning could not be conditioned upon subsequent filing of a subdivision map. The report states that over a year has passed since that date, with no indication from the owner that he proposes to subdivision, and that approval on tentative map expired July 28, 1954. It says that area proposed to be rezoned is now partly within 12,000 foot circle referenced to Mirar Air Station, that Planning Department's study for the area indicates possibility of M-1A zoning being extended southerly to include all the property.

RESOLUTION NO. 121308, recorded on Microfilm Roll No. 88, filing proposed rezoning of area proposed to be subdivided as Kearney-Villa, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Application of Dorothy M. Schwarz, partner, for cabaret at The Peacock, 1355 5th Ave., was presented together with recommendation from interested City Departments that it be granted, was presented.

RESOLUTION NO. 121309, recorded on Microfilm Roll No. 88, granting permission to Dorothy M. Schwarz to conduct cabaret with paid entertainment at "The Peacock", 1355 - 45h Avenue, where liquor is sold, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Metropolitan Water District of Southern California relative to City's intention to pay its share of taxes to the Water District - levied for fiscal year 1955-1956, was presented.

RESOLUTION NO. 121310, recorded on Microfilm Roll No. 88, being a resolution and order of The City Council of The City of San Diego declaring its intention to pay out of its municipal funds the whole of the amount of taxes to be derived from the area of the Metropolitan Water District of Southern California within The City of San Diego for the fiscal year beginning July 1, 1955, as such amount of taxes shall be fixed in August, 1955, by Resolution of the Board of Directors of the Metropolitan Water District, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Torrance & Wansley, attorneys at law, 1216 Bank of America Building, San Diego 1, dated November 18, 1954, signed by Raymond M. Wansley, was presented. Among other things, it formally requests that opinion of the City Attorney and proposal of Shattuck Plan proponents be filed with City Clerk when received, as public documents, so that they will be available to the writer's client and other citizens of San Diego who may be interested, and that action taken by the Council with regard to the matter be taken only after due notice and due hearing, and that the matter shall not be rushed through at one meeting before reaction of the public can be ascertained.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was ordered filed (and placed in the Clerk's file on the subject).

Communication from Hotchkiss & Anewalt, realtors-insurors, 524 B Street Suite 610, San Diego, dated November 18, 1954, signed by H. Philip Anewalt, was presented. It expresses surprise at news in the San Diego Union of November 10, 1954, that the Council had called on the Shattuck Plan proponents to submit firm proposal in detail on plan for

~~plan for~~ Convention Hall south of Horton Plaza, and went so far as to obtain opinion from City Attorney as to whether City could legally condemn property in line with the proposal. It speaks of being exclusive agent for Mrs. Pauline Settle Ney who owns the corner of the Plaza and Fourth Avenue. In addition to expressing other opinions and oppositions, it asks that the letter be considered as a protest on behalf of Mrs. Ney against any action by the City of San Diego in the way of condemnation of her property.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was ordered filed (and placed in the Clerk's file on the subject).

Communication from Dorothy E. Pauletto (no address given), dated November 17, 1954, was presented. It says that as stockholder in Preferred Theatres Corporation, she is writing protest in regards to "Shattuck Plan" of building a Sports Arena on the block south of the Horton Plaza, and that it would not be a "Civic" auditorium owned and operated by the City, for the benefit of all the people. It asks why let a small group of wealthy men operate it for their own private profit and advantage.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was ordered filed (and placed in the Clerk's file on the subject).

Communication from Public Utilities Commission, State of California, dated November 15, 1954, reporting that funds are available for railroad grade crossing protection, was presented.

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

RESOLUTION NO. 121311, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2301 made to cover costs and expenses of work done upon paving and otherwise improving Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley Block 13 Loma Alta No. 1; Alley Block 12 Loma Alta No. 1, and Public Right of Way, under Resolution of Intention No. 113267, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121312, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2302 made to cover costs and expenses of installation of sidewalk in Missouri Street under Resolution of Intention No. 117565, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121313, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2303 made to cover costs and expenses of paving and otherwise improving 17th Street, under Resolution of Intention No. 116402, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121314, recorded on Microfilm Roll No. 88, accepting bid of San Diego Gas & Electric Co. and awarding contract for furnishing electric current for lighting ornamental street lights located in El Cajon Boulevard Lighting District No. 1 for one year from and including December 1, 1954, to and including November 30, 1955, in accordance with Engineer's Report and Assessment filed August 27, 1954 in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121315, recorded on Microfilm Roll No. 88, accepting bid of San Diego Gas & Electric Co. and awarding contract for furnishing electric current for lighting ornamental street lights located in Montemar Lighting District No. 1, for one year from and including December 16, 1954, to and including December 15, 1955, in accordance with Engineer's Report and Assessment filed August 27, 1954 in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121316, recorded on Microfilm Roll No. 88, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sidewalks on Pacific Beach Drive, under Document No. 501153; approving and adopting them as

Communications
121311 - 121316

the official plans, etc., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121317, recorded on Microfilm Roll No. 88, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Ottilie Place; approving Plat No. 2606 showing exterior boundaries of district to be 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 Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121318, recorded on Microfilm Roll No. 88, 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121319, recorded on Microfilm Roll No. 88, for paving and otherwise improving Pacific Beach Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121320, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 2 Barlett Estate Company's Subdivision, North and South Alley Block 27 H. M. Higgins Addition, and Broadway, was on motion of Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121321, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Sunset Cliffs Lighting District No. 1, for 11 months and 17 days from and including January 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121322, recorded on Microfilm Roll No. 88, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights in Seventh Avenue Lighting District No. 1, for 1 year from and including January 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121323, recorded on Microfilm Roll No. 88, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights in Eighth Avenue Lighting District No. 1, for 1 year from and including January 1, 1955 to and including December 31, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121324, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 18 La Mesa Colony, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121325, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 255 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121326, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission Beach, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 121327, recorded on Microfilm Roll No. 88, for sewer mains in 47th Street, Aurora Street, Upas Street, Market Street, and Public Right of Way, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

121317 - 121327

RESOLUTION OF INTENTION NO. 121328, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights in Hermosa Lighting District Number One, for 1 year from and including May 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121329, recorded on Microfilm Roll No. 88, for sidewalks in Pacific Beach Drive, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121330, recorded on Microfilm Roll No. 88, for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Ottilie Place, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 121331, recorded on Microfilm Roll No. 88, for Morrell Street, as described in Resolution of Intention No. 120408, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121332, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, under Resolution of Intention No. 118486 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121333, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121334, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 16 Bird Rock City By The Sea, and easterly and westerly alleying lying northerly of and contiguous to Block 2 Bird Rock Addition, under Resolution of Intention No. 118976 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121335, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Udall Street, under Resolution of Intention No. 119097 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121336, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for sidewalking Tipton Street, Rincon Street and Ewing Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121337, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for paving and otherwise improving Alley Block A Sunset Crest, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121338, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for paving and otherwise improving 40th Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121339, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 14 City Heights, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121340, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 501227 for paving and otherwise improving Liberty 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, including water services, sewer lateral and drainage structures if required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121341, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 499243 for paving and otherwise improving Evelyn Street, and 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, including sewer laterals, water services and drainage structures if required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121342, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 499270 for paving and otherwise improving Ash Street and 33rd 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, including sewer laterals and water services if required, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121343, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 499272 for paving and otherwise improving Frost 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 for the improvement, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121344, recorded on Microfilm Roll No. 88, granting permission to Harmony Homes to construct safety lighting system in 55th Street and Remington Road by private contract, in accordance with Document No. 501358 furnished by the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121345, recorded on Microfilm Roll No. 88, allowing claims of Newton Atkinson, Ellen L. Davis and Mrs. (E. C.) Rella Sue Small, each for refund of \$125.50, being portion of sewer connection fee of \$135.00 paid by claimants September 23, evidenced by Building Inspection Department Receipts Nos. 28876, 28891 and 28902; directing City Auditor and Comptroller to issue warrant in sum of \$125.00 in favor of each of claimants, being partial refund, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution says that it appears that after purchase of permits claimants and group of other property owners negotiated with a contractor for installation of sewer connections by private contract; no work has been performed by Sewer Division, and City Manager has recommended that \$125.50 should be refunded, and that \$9.50 should be retained by City to cover cost of public contract connection.

RESOLUTION NO. 121346, recorded on Microfilm Roll No. 88, granting permission to The American Veterans of World War II to sell white clover flowers on sidewalks in downtown area of San Diego between the Plaza and 7th Avenue and between Broadway and B Street, in Ocean Beach from Sunset Cliffs to the Ocean, on the Sears and Roebuck parking lots, and at main gate of Consolidated Aircraft Company, from December 3 to and through December 9, 1954, between 7:00 A.M. and 5:00 P.M. daily, for raising funds to continue welfare work of the organization and for rehabilitation of veterans and their widows and orphans, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121347, recorded on Microfilm Roll No. 88, granting permission to Evan V. Jones Company, 521 B Street, San Diego 1, to widen existing 35-foot driveway at 1246 4th Avenue, 15 feet to the north, so as to provide a 50-foot driveway between points 100 and 150 feet south of south line of A Street, adjacent to Lot J Block 11 Horton's Addition, on conditions set out in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

121340 = 121347

RESOLUTION NO. 121348, recorded on Microfilm Roll No. 88, granting permission to El Cortez Hotel Annex (Mr. Duckworth, owner's representative) and George Crawford Plumbing Co., P.O. Box 186 Coronado (Merlin D. Orman, General Manager) to install 2 stainless steel floor sinks, instead of sinks made of enameled cast iron required by City ordinance, and provide connections of leak-proof seal construction to connect to stainless steel pan under cooking kettles to preclude any possible leakage; subject to approval of Acting Director of Building Inspection Department and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121349, recorded on Microfilm Roll No. 88, granting permission to Thomas E. Byrnes, 3435 Nile Street, San Diego, to install 4-inch cast iron sewer line across alley Block 2 G. H. Crippens Subdivision, to run in northerly direction from Lot 16 across alley and along westerly line of Lot 32 to point of intersection with public sewers; to serve property on Lots 15 and 16 Block 2 G. H. Crippens 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 Wincote, adopted.

RESOLUTION NO. 121350, recorded on Microfilm Roll No. 88, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Acres Subdivision and execute Notice of Completion, and have it recorded, on behalf of The City; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution said that City Engineer has certified that work and improvement required (Plans and Specifications City Clerk's Document No. 486702) has been completed to satisfaction and approval of the Engineer.

RESOLUTION NO. 121351, recorded on Microfilm Roll No. 88, authorizing John S. Rhoades, City Prosecutor, to attend Second Annual Institute for Prosecuting Attorneys, to be held in Boalt Hall, School of Law, University of California, Berkeley, California, December 1, 2 and 3, 1954; authorizing incurring all expenses in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, reading of the next ordinance prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

Ordinance No. 6324 (New Series), recorded on Microfilm Roll No. 88, establishing rate for Sewage Service for certain agreements heretofore executed - set out in the Ordinance - at \$12.00 per family unit per year payable in advance, subject to revision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, reading of the next ordinance prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6325 (New Series), recorded on Microfilm Roll No. 88, dedicating portion of Lot 12 Ex-Mission Lands of San Diego (Horton's Purchase) for street purposes and naming it 43rd Street; repealing all ordinances or parts of ordinances in conflict, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan, adopted.

In connection with the next item, Councilman Godfrey said that it takes care of the Assistant to the Mayor, and thought it included the Mission Bay Director. He told the Council that he does not see that in the Ordinance.

The City Manager said that he thought it was in there.

Councilman Godfrey spoke about having been voted out of classified service.

The City Manager, looking at the ordinance, said that it is not in there. Councilman Godfrey said that nothing is lost.

121348 - 121351
6324 N.S. - 6325 N.S.
Discussion re amendment to
Salary Ord.

The City Manager said that the ordinance was to take care of both (Asst. to Mayor, and Mission Bay Director).

No action on the discussion was taken.

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. 6326 (New Series), recorded on Microfilm Roll No. 88, 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 on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

(Although the ordinance does not say so, Ordinance No. 6139 (New Series) has been amended).

The next item had been continued from the meeting of November 18, 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 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. 6327 (New Series), recorded on Microfilm Roll No. 88, appropriating \$50,700.00 from Unappropriated Balance Fund of The City of San Diego, for purpose of providing funds for expansion of activities and facilities at Mission Bay Park, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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 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. 6328 (New Series), recorded on Microfilm Roll No. 88, appropriating \$2,000.00 from Unappropriated Balance Fund of the City of San Diego, for providing funds to defray promotional expenses in connection with City-wide anti-litter campaign, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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 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. 6329 (New Series), recorded on Microfilm Roll No. 88, establishing grade of Wawona Drive, between southeasterly line of Capistrano Street and northerly line of Oliphant Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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 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. 6330 (New Series), recorded on Microfilm Roll No. 88, establishing grade of The Alley in Block 13 La Jolla Park, between northerly line of Pearl Street and a line parallel to and distant 325.00 feet northerly from said northerly line, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, reading of the next ordinance in full prior to final passage was dispensed with. There was available for consideration of each member of the Council prior to day of passage a written or printed copy.

ORDINANCE NO. 6331 (New Series), recorded on Microfilm Roll No. 88, establishing grade of Belleview Avenue, between northerly line of Colima Street and southerly line of Midway Street, was adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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

ORDINANCE NO. 6332 (New Series), recorded on Microfilm Roll No. 88, establishing grade of Taft Avenue, between northerly line of Midway Street and southerly line of Forward Street, was adopted by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Wincote, ordinance dedicating easement for public use over certain public lands, being portion of Pueblo Lot 1781, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

RESOLUTION NO. 121352, recorded on Microfilm Roll No. 88, granting permission to Frank Faust to construct sanitary sewer in Gage Drive, from Charles Street 381 feet southerly, by private contract; work to be done in accordance with plans, drawings, typical cross-sections and specifications furnished by City Engineer and filed in office of City Clerk under Document No. 501543, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent to present the next item not listed on the agenda. (It had to do with amendment of Ordinance No. 6321 (New Series) adopted November 18, 1954, appropriating \$300,000.00 for acquisition of public housing properties).

Councilman Schneider spoke of it not being definite, and that it is a correct statement regarding public buildings.

Douglas D. Deaper, Deputy City Attorney, told the Council that it ^{is} consistent, that property did not constitute public buildings within the proper concept.

Mr. Deaper referred to being a proper expenditure, answering Councilman Dail. Councilman Schneider agreed.

Councilman Godfrey said that the law is quite broad, not overly restrictive. He said that the City would not have to use all the property.

Councilman Dail referred to strong criticism from the outside (San Diego Taxpayers Assn. opposed the issue at the annual appropriation "budget" hearings).

Councilman Godfrey said that it is proper now.

Mr. Deaper agreed.

Councilman Schneider said that it is not a statement of fact.

Mr. Deaper mentioned the question having been raised at budget time, regarding being a proper expenditure from the Capital Outlay Fund. He read a City Attorney's report on the subject, but did not file it. Mr. Deaper said that the record does not show the purpose for which property is to be used. He stated that if it is the intent to use it as set out in the Charter, it is all right. He said that the Council should amend the ordinance to be consistent with the Charter. He then read the proposed ordinance. He said that it is a broad statement. Mr. Deaper stated that it is very much in order regarding the City Attorney's statement.

Mr. Deaper said that this ordinance will make the record show regarding the proper use.

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 not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of its passage a written or printed copy.

ORDINANCE NO. 6333 (New Series), recorded on Microfilm Roll No. 88, amending Section 1 of Ordinance No. 6321 (New Series) adopted 18th day of November, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilman Schneider. Absent--Councilman Kerrigan.

After the roll was called, and the Ordinance adopted, Councilman Schneider

121352
6331 N.S. - 6332 N.S.
6333 N.S. - incl. discussion thereon

maintained that it was not proper.

Councilman Godfrey said that, ~~stated that~~ it is consistent, and that it cleans up a question.

At Councilman Schneider's request, the Clerk handed him the ordinance.

Mr. Deaper said that the City has to be realistic. He said that with adoption of the ordinance, and prior to expenditure, if the City decides not to retain the property, the money could not be expended.

Councilman Schneider said that "there are sewers".

The Mayor requested, and was granted, unanimous consent to present the next item, not listed on the agenda. He stated that he had a letter from the Better Business Bureau about auctions, which constitute "action" but not "competition". He declared that it is a gyp game. The Mayor said that the Council should introduce the ordinance.

Councilman Godfrey said that the Council should look at it, and have it up for action on Thursday.

The Clerk stated that there would be no meeting on Thursday (Thanksgiving day).

The Mayor then outlined terms of the ordinance.

Councilman Dail said that he does not see how the ordinance does what is proposed.

Councilman Schneider asked where it originated.

The question was not answered.

Councilman Schneider told of compromise on previous regulation on auctions. He said that he wants to hear from the "other side of the fence".

Councilman Burgener moved to introduce the ordinance. Motion was seconded by Councilman Wincote.

Douglas D. Deaper, Deputy City Attorney, said that the ordinance submitted is based on the Los Angeles ordinance, where the same thing is had.

Councilman Schneider said that it can be a joker.

The roll was called, resulting in

Introduction of Ordinance amending Section 33.0801, and adding Sections 33.0801.1, 33.0801.2 and 33.0801.3 to the San Diego Municipal Code regulating Auction Sales, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:20 o'clock A.M. He announced that members of the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Charles B. Wincote
Mayor of The City of San Diego, California

Ord. introduced - incl. discussion
- under U.C.
Adjournment

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Friday, November 26, 1954
- in lieu of Thursday, November
25 (Thanksgiving Day)

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

Vice Mayor Charles B. Wincote appeared in the Council Chambers, and declared the meeting adjourned, for lack of quorum and in accordance with previous decision of the Council to hold no meeting this date, at 10:00 o'clock A.M.

FRED W. SICK, City Clerk

By

Deputy

Charles B. Wincote
Vice Mayor of The City of San Diego, California

ADJOURNED REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, November 30, 1954

Present--Councilmen Wincote, Schneider, Dail, Godfrey
Absent---Councilmen Burgener, Kerrigan, Mayor Butler (all at American Municipal Association meeting)
Clerk----Fred W. Sick

Vice Mayor Charles B. Wincote called the meeting to order at 10:02 o'clock A.M.

On motion of Councilman Wehneider, seconded by Councilman Godfrey, it was adjourned immediately.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Charles B. Wincote
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, November 30, 1954

Present--Councilmen Wincote, Schneider, Dail, Godfrey
Absent---Councilmen Burgener, Kerrigan, Mayor Butler (all at American Municipal Association meeting)
Clerk----Fred W. Sick

The Minutes of the Council meetings of Tuesday, November 23, 1954, and of Friday, November 26 (an adjourned regular meeting in lieu of Thursday, November 25, 1954, were approved without reading. They were signed by the Vice Mayor.

Meetings convened
Minutes approved

The Vice Mayor presented Major Daniel D. Rody, Salvation Army Citadel. Major Rody gave the invocation.

The Purchasing Agent reported in writing that bids had been received November 26, 1954, at 10:00 A.M. for paving and otherwise improving Dwight Street, from Griffith Company, M. H. Golden Constr., H. C. Dennis, Daley Corporation, R. E. Hazard Contr. Co.

It was moved by Councilman Schneider, seconded by Councilman Dail, that bids were publicly opened, examined and declared, that the Purchasing Agent's report be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received November 26, 1954, at 10:00 A.M. for paving and otherwise improving F Street, between Boundary and Quail Streets, from M. H. Golden Constr. Co., Daley Corporation, H. C. Dennis, R. E. Hazard Contr. Co., Griffith Company, Sim J. Harris.

It was moved by Councilman Schneider, seconded by Councilman Dail, that bids were publicly opened, examined and declared, that the Purchasing Agent's report be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received November 26, 1954, at 10:00 A.M. for paving and otherwise improving Winona Avenue, Oak Crest Drive, 50th Street, University and Public Rights of Way, from Griffith Company, M. H. Golden Constr. Co., R. E. Hazard Contr. Co., H. C. Dennis.

It was moved by Councilman Schneider, seconded by Councilman Dail, that bids were publicly opened, examined and declared, that the Purchasing Agent's report be accepted. The motion carried.

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

The Purchasing Agent reported in writing that bids had been received November 26, 1954, at 10:00 A.M. for sewers in Market Street, Pitta Street, J Street and Public Rights of Way, from H. C. Dennis, Beason Construction Co., L. Castillo & Russell L. Thibodo Constr. Co., William H. Clint, L. B. Butterfield, Shafer & Stowers, H. H. Peterson, Cameron Bros. Constr. Co., Walter H. Barber.

It was moved by Councilman Schneider, seconded by Councilman Dail, that bids were publicly opened, examined and declared, that the Purchasing Agent's report be accepted. The motion carried.

On motion of Councilman Schneider, seconded by Councilman Dail, 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 Preliminary Determination No. 121031 for Sewers in Alley Block 16 La Mesa Colony, 73rd Street, and Public Rights of Way in Lot 40 La Mesa Colony,

RESOLUTION NO. 121353, recorded on Microfilm Roll No. 88, continuing hearing on proposed installation of sewer mains in Alley Block 16 La Mesa Colony, 73rd Street, and Public Right of Way in Lot 40 La Mesa Colony, under Resolution of Preliminary Determination No. 121031 to 10:00 o'clock A.M., Tuesday, December 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 121032 for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park,

RESOLUTION NO. 121354, recorded on Microfilm Roll No. 88, continuing hearing on proposed improvement of Alley Block 2 Ocean View and Block 5 Ocean Beach Park, under Resolution of Preliminary Determination No. 121032 to 10:00 o'clock A.M., Tuesday, December 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 121033 for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street,

RESOLUTION NO. 121355, recorded on Microfilm Roll No. 88, continuing hear-

Invocation
Report on 1911 Bids
Hearings on P/D's - continued

ing on proposed improvement of Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Preliminary Determination No. 121033 to 10:00 o'clock A.M., Tuesday, December 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 121034 for paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, under Resolution of Preliminary Determination No. 121034,

RESOLUTION NO. 121356, recorded on Microfilm Roll No. 88, continuing hearing on proposed improvement of Sea Breeze Drive, Roanoke Street and Calle Gaviota, under Resolution of Preliminary Determination No. 121034 to 10:00 o'clock A.M., Tuesday, December 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The next item, numbered at this point, was brought up under unanimous consent granted to Councilman Charles C. Dail at the end of the meeting, but numbered here in order to provide for immediate transmittal to the 2 organizations involved.

RESOLUTION NO. 121357, recorded on Microfilm Roll No. 88, urging and calling upon representatives of San Diego Transit System and Amalgamated Association of A. F. of L., Local Division 1309, Bus Drivers Union, to continue negotiations without interruption until settlement of existing differences are peaceably effected without any strike or work stoppage, which would result in unnecessary great public suffering and inconvenience to Citizens of The City of San Diego; directing City Clerk to forward a certified copy to Mr. Merlin Gerkin and Mr. Jess Haugh (copies were forwarded by the City Manager's office, by messenger, immediately upon numbering), was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Resolution states that it has come to attention of members of the Council that negotiations are actively under way concerning wages and other matters between the management of San Diego Transit System and officials of the Amalgamated Association of A.F. of L., Local Division 1309, Bus Drivers Union; that public interest, convenience and welfare will be served by peaceable and prompt settlement of differences without any strike or work stoppage.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing current for lighting ornamental street lights located in Crown Point Lighting District No. 1, 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 and no written protests were presented.

RESOLUTION NO. 121358, recorded on Microfilm Roll No. 88, confirming and adopting as a whole Engineer's Report and Assessment for Crown Point Lighting District No. 1; filed in office of City Clerk October 22, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 1, 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 and no written protests were presented.

RESOLUTION NO. 121359, recorded on Microfilm Roll No. 88, confirming and adopting as a whole Engineer's Report and Assessment for Talmadge Park Lighting District No. 1, filed in office of City Clerk October 22, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2295 made to cover cost and expenses of paving and otherwise improving Birch Street, under Resolution of Intention No. 116894, 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, and no written protests were presented.

RESOLUTION NO. 121360, recorded on Microfilm Roll No. 88, confirming and approving Street Superintendent's Assessment No. 2295 made to cover cost and expenses of paving and otherwise improving Birch Street under Resolution of Intention No. 116894; 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 Schneider, seconded by Councilman Dail, adopted.

Hearings on P.D.'s - cont
Hearings on lighting & Assessment
121356 - 121360
121357 under U.C. re Transit System

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2296 for paving and otherwise improving Poe Street and Evergreen Street, the Clerk reported that written appeals had been received from Mary Neves, W. O. Roenicke, R. G. Vail. They were presented to the Council.

Asked for a report, the City Engineer told of a 9.7% appeal.

Vice Mayor Wincote said that "too high" protests are not valid. Work is done, and has to be paid for.

The City Engineer stated it is a steep hillside on Evergreen, east of Macaulay.

Mrs. R. G. Vail, 3111 Poe Street spoke about the drainage. She said that the dirt remains where left, after work done. She contended that it should be hauled away, but that it had been pushed in front of the Vail and the adjoining property.

The City Engineer said that he will look at it.

Councilman Schneider moved that the City Engineer look into the situation.

The Vice Mayor said that it will be done.

W. O. Roenicke, 3219 Oliphant Street, said that he lives at the top of the hill, and would have to go 15 blocks to reach the street, which he declared is inaccessible.

The Vice Mayor said that Mr. Roenicke may have an effective argument.

The City Engineer said that the area assessment of \$218.30 is made on Lot 6. He reviewed each of the items of assessment.

Councilman Godfrey asked Mr. Roenicke if he can hook onto the water main.

The reply was "no".

The City Engineer spoke of 70% being charged to frontage; 30% charged to the area. He referred to area benefit on pavement south, and includes cost of water main.

Mr. Roenicke said that Oliphant Street (his street) is not paved, answering Vice Mayor Wincote. He said that Oliphant has a 30% grade, and will never be paved. He repeated that it takes 15 blocks around to reach the street.

The City Engineer answered Councilman Godfrey's question about Lot 7 assessment amount.

Councilman Godfrey spoke directly to Mr. Roenicke regarding spread of assessment, and declared that he gets an increase in property value. He stated that the City Engineer, as the assessing officer, is trying to follow the best system. He said that the work for which assessment is levied, brings up the standard of property value.

The City Engineer said that he followed the requirement of the State law in the 1/2 block spread of assessment. He agreed that it is a peculiar situation, but that he does not know what else he can do.

Councilman Schneider asked Mr. Roenicke if he would have to travel 15 blocks to reach the street, although it is only 1/2 block away.

Mr. Roenicke replied "yes", being answer to the statement he had made earlier.

Councilman Schneider asked if the street could be cut down.

Mr. Roenicke's answer was that all are about the same grade. He said that he can get down Xenophon; Oliphant is the last one. He stated that he would "not kick at all, if he had some access.

Councilman Schneider pointed out that the Council can do nothing, unless the Engineer revamps the assessment - by taking off of one, and adding to others.

A man, who did not identify himself beyond saying that he spoke for his mother, whose assessment is almost \$1,000.

Vice Mayor Wincote asked if the property faces the paving.

The reply was "yes".

The Vice Mayor said that it has to be paid, that the improvement is covered by the people, and that the City had nothing to do with initiating proceedings.

The man identified the property as Lot 10 Block 131 (the Mary Neves property), and that it cannot be used.

The City Engineer said that there is direct frontage on Poe - and an area assessment.

Councilman Godfrey said that the City Engineer can give an estimate at the time contract is awarded.

The City Engineer stated that the bid was 13.9% under the estimate.

The same man said that property owners have to pay for the pipe, the water, and what burns him up, is for water to drink.

Councilman Godfrey said that if property owners were not to pay for the main, the water bill would be higher.

Councilman Schneider said that in Massachusetts, where the man came from, he would have to pay \$300. for heat; water is a scarce item here.

Vice Mayor Wincote said that he does not know what all cities do.

Councilman Dail pointed out that people of the area asked for the work.

RESOLUTION NO. 121361, recorded on Microfilm Roll No. 88, overruling and denying appeals of Mary Neves, R. G. Vail, Roenicke against Assessment No. 2296 made to cover costs and expenses of work of paving and otherwise improving Poe Street and Evergreen Street, under Resolution of Intention No. 114500; 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 Schneider, seconded by Councilman Godfrey, adopted.

Hearing on assessment
121361

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2297 made to cover costs and expenses of paving and otherwise improving Alleys Block 66 Ocean Beach, the Clerk reported that appeals had been received from Harry H. Fickel & Ida L. Fickel, by I. L. Fickel; from Homer D. and Pearl R. Bozeman; from Marion and Frank Straka. They were presented to the Council.

There was presented, also, a communication from the Street Superintendent stating that Assessment No. 25 shows Lot 25 Block 66 Ocean Beach under one ownership, which is in error as lot is split into 3 portions. It requests that Assessment No. 25 be ordered corrected and modified in order that the portions may be assessed separately.

The City Engineer reviewed the appeals, and said that 2 ask for splits. He said that he has a modified assessment roll to present. He said that the modified roll takes care of the splits, and recommended overruling of the Fickel appeal.

RESOLUTION NO. 121362, recorded on Microfilm Roll No. 88, overruling and denying appeal of Harry H. Fickel and Ida L. Fickel from Street Superintendent's Assessment No. 2297 made to cover costs and expenses of paving and otherwise improving Alleys Block 66 Ocean Beach, under Resolution of Intention No. 115493, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121363, recorded on Microfilm Roll No. 88, sustaining appeal of Homer D. Bozeman and Pearl R. Bozeman, appeal of Marion Straka and Frank Straka from Street Superintendent's Assessment No. 2297 made to cover expenses of paving and otherwise improving Alleys Block 66 Ocean Beach, under Resolution of Intention No. 115493; directing Street Superintendent to modify and correct the Assessment No. 2297, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121364, recorded on Microfilm Roll No. 88, confirming and approving Street Superintendent's modified and corrected Assessment No. 2297 made to cover expenses of paving and otherwise improving Alleys Block 66 Ocean Beach, under Resolution of Intention No. 115493; authorizing and directing Street Superintendent to attach 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 Dail, adopted.

Councilman Godfrey requested, and was granted unanimous consent to present the next item - not listed on the calendar. Mr. Godfrey said that there are people here regarding building in Linda Vista, for recreation purposes.

Orin Cope, Assistant to the City Manager, told of an analysis having been made, and it having been determined to be just under \$16000.00 to put the building into intended occupancy. It is commonly known as the bandroom at Montgomery Junior High School for use as additional recreation facility at present Linda Vista temporary recreation area. He said that the City Manager's office could not recommend granting the request, on the basis of the exorbitant cost, being only a temporary building. He referred to land having not been acquired, and that such a building has not been assured. He said that it would be exorbitant, even though there is an offer of contribution. He said that there were 2 buildings, joined. Mr. Cope said that it would be necessary to separate them, to move. He told of the great cost involved in rehabilitation.

He said that it was recommendation of Leo Calland (Park Director) if it is up to standard. He said that Linda Vista Coordinating Council is in desperate need of recreational facility. He said that it is generally taken over by smaller children, and that there is need for teenage children, and adults. He said that this building is a sour apple. He spoke of being a problem, and asked when there would be a new building.

Vice Mayor Wincote asked if it ought to go into conference.

Councilman Godfrey said that the question is how much can be spent upon it, and that Mr. Callan has recognized the need.

Councilman Dail recalled the moving of Randall Hall, and having got the same thing as a report. He said that it was foolish, but it was done. He declared that to be a precedent, and is used several nights a week. Councilman Dail spoke of the building which was to have been wrecked, being purchased, and of it still having much future use. He told of there being many Lanham Act buildings available, and that they can be moved in sections.

Councilman Godfrey stated that there is no time for discussion; the School Board is awarding today, and of his having been in close touch with the Board of Education, as well as Mr. Cope and Mrs. Starren (a proponent of securing the building for recreational use.)

Councilman Schneider spoke of Federal land, promised, but not turned over. He stated that if the entire operation is on the land, the Federal government would not say it cannot be had. He said that it seems like the thing to do - as "down south" (referring to previous action of the Council on Randall Hall).

Councilman Godfrey contended that there is no serious question of not getting the land.

Acting City Manager E. W. Blom told the Council that the City has an application in for the land, which includes about 100 units as part of the housing project. He spoke of the Navy's interest in the continued operation.

Mrs. Starren spoke directly to Orin Cope, Assistant to the City Manager, regarding cost of moving.

Answering Mrs. Starren, Mr. Cope said about \$5,000. - but that would be only a part of the cost.

Mrs. Starren declared that the area residents are taxpayers. She said that they don't want a fine building, but a lot of floor space. She spoke of men in the area being willing to do the interior work. She repeated that a fine building is not wanted. Mrs. Starren said plumbing will not be needed (included in the report cost for moving), inasmuch as rest rooms are there. She stated that the material and workmen are available. Mrs. Starren said that they have to have something to start.

Hearing
121362 - 121364
Hearing (unscheduled)
re recreational bldg.
in Linda Vista

Councilman Schneider said that it would be a bargain, and it is needed. Mrs. Starren pleaded for only moving of the building, and putting it on a foundation.

Councilman Schneider said that he would like to see the residents have a chance to do the work, and put the building into shape for occupancy.

Councilman Godfrey declared that there is no question of need. He said that his only reservation is regarding an "arm waving gesture".

Mrs. Starren said that it is known that there is a lot of work involved; they are being realistic; not asking for a new building.

Mr. Blom said that is as good as any other building, probably, available for the purpose. He said that, however, it will have to be made to conform to fire protection ordinance, etc., regarding wiring.

Vice Mayor Wincote asked for, in writing, regarding the use and the cost. He said that the City has been sold "a bill of goods" on others.

Mrs. Starren assured the Council that they will not be in for a further request.

Mr. Blom said that when the Capital Outlay budget is available next Spring, Linda Vista should be looked at - the same as other areas. He said that the City would prefer a permanent building, to the proposed make-shift one. Mr. Blom related the higher cost of school buildings moved and used for the same purpose, and of the City being not proud of them.

Councilman Godfrey told of being eager to see facilities, and pointed out that he was not making a campaign speech.

Mrs. Starren said that the kids could not have use of the building - even for a Halloween dance.

Councilman Godfrey said that he is anxious to have something good for Linda Vista.

There was discussion between Councilmen Schneider and Councilman Godfrey over this being a "bird in the hand".

Vice Mayor Wincote said that the City has the information, and that it should go into conference.

A man, unidentified, spoke on the subject. (At the Clerk's request, Councilman Godfrey secured his name, later, when it was learned that he is Wayne W. Laughtry) He spoke of there having been a fine recreation program, and of the crying need for such a building as proposed. He spoke of assurance as other, that residents would be willing to forego (forfeit) things which would be desirable. However, according to Mr. Laughtry, the area has nothing; Linda Vista has 2 "stinking little buildings". He spoke of the thousands in Linda Vista, which is 12 or 13 years old; and this is needed.

Councilman Godfrey talked directly to Mr. Laughtry.

Mr. Laughtry spoke of having moved in buildings for the boy scouts, and of having wood floor and new roof. He stated that there is no need for plumbing in the proposed building, and that residents would be satisfied with it for a permanent building.

Councilman Godfrey spoke of the long-range plan for recreation. He declared that this should be carried into Conference today, and have Mr. Calland (Park and Recreation director) in. He spoke to the Acting City Manager. Then he moved that the subject be referred to Conference today for decision.

Councilman Dail stated that, with the information at hand, the residents of Linda Vista can have a good building. He stated, also, that he can see the finished product - based on experience.

Councilman Godfrey said that users are going to have to have additional facilities. He said that work, by the residents, on the project is good. He spoke of the great need, and that the proposal has not been taken lightly regarding the building. He asked to have the proposal carefully reviewed, and notify the School Board today.

Councilman Dail seconded the motion to refer the subject to conference.

A Resolution referring it to conference was not written and numbered, however, inasmuch as the subject was taken up again at the conclusion of other items on the agenda for this meeting.

(See also page 342 of today's minutes).

Councilman Schneider said, for benefit of those in the audience, that absent members of the Council had gone to Philadelphia for the American Municipal Association convention.

The next 2 items were considered out of order, inasmuch as Councilman Dail said that people are here in connection with ordinances: (amendment to Municipal Code regulating Auction Sales, and amendment to Municipal Code regulating storage, use, transfer and transportation of Liquefied Petroleum Gas).

Councilman Dail moved to continue both items to Council Conference.

Sam Fischer, auctioneer, spoke of having written to the Council on the subject.

Councilman Schneider the motion for the continuance.

Councilman Godfrey said that if the ordinance on auctions is amended, it will have to be re-drafted. He stated that the proposal is about 3 months, in connection with Christmas time. He declared that a 1-week continuance would hurt nothing. He said that the Fischer letter could be considered in conference.

RESOLUTION NO. 121365, recorded on Microfilm Roll No. 88, referring communication from Sam Fischer, auctioneer, filed under Document No. 11815 in connection with

Hearing, cont. on Linda Vista
recreation building

Auctioneer & Liquefied Petroleum Gas. Ords. out of Order
121365

proposed Ordinance amending and adding to San Diego Municipal Code regulating Auction Sales, to Council Conference; continuing the proposed Ordinance to December 7, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Proposed Ordinance amending San Diego Municipal Code by amending Sections of and adding to new sections, regulating storage, use, transfer and transportation of Liquefied Petroleum Gas, was continued one week - to December 7, 1954.

RESOLUTION NO. 121366, recorded on Microfilm Roll No. 88, accepting bid of W. B. Melhorn for Fire Damage Repairs to Ford Building, Balboa Park, for \$1,097.00; 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121367, recorded on Microfilm Roll No. 88, accepting bid of M. H. Golden Construction Company for construction of storm drain in 53rd Street from Imperial Avenue to Naranja Street, for \$6494.79; 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 Godfrey, adopted.

RESOLUTION NO. 121368, recorded on Microfilm Roll No. 88, accepting bid of Sim J. Harris Company for improvement of Gardena Avenue, Frankfort Street, Milton Street, Napier Street and Littlefield Street, for \$4993.82; 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 Godfrey, adopted.

RESOLUTION NO. 121369, recorded on Microfilm Roll No. 88, accepting bid of American Products, Inc., for furnishing lumber, for \$1,270.08 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121370, recorded on Microfilm Roll No. 88, accepting bid of Western Metal Supply Company for furnishing 20,000 feet of 3/4" galvanized steel pipe, for \$12.36 per hundred feet, plus sales tax, terms 2% - 10 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121371, recorded on Microfilm Roll No. 88, accepting bid of Construction Sheet Metal Works for furnishing and installation of ventilation ducts at Sewage Treatment Plant, for \$2,100.00; 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 and plans on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121372, recorded on Microfilm Roll No. 88, accepting bid of M. H. Golden Construction Company for resurfacing sidewalk on west side of Harbor Drive between "G" Street Pier and Commercial Fishermen's Pier for Harbor Department, for \$1517.50; 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121373, recorded on Microfilm Roll No. 88, accepting bid of H. C. Dennis for improvement of Santa Clara Point for \$1054.93; 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.

Ord re L.P.G. - out of
order - continued
121366 - 121373

RESOLUTION NO. 121374, recorded on Microfilm Roll No. 88, accepting bid of Shaw Sales & Service Company for rental of 365 cubic foot per minute compressor as required for period ending June 30, 1955, at \$500.00 per month (intermittent rental); 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121375, recorded on Microfilm Roll No. 88, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Soto Street and Castelar Street, under Document No. 501706; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121376, recorded on Microfilm Roll No. 88, 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. 17, under Document No. 501705; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121377, recorded on Microfilm Roll No. 88, authorizing and directing Purchasing Agent to advertise for sale, 100 used piles ranging in length from 30 to 40 feet, surplus to the Harbor Department, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Del Cerro Unit No. 1, was presented.

RESOLUTION NO. 121378, recorded on Microfilm Roll No. 88, suspending Sections 102.09 1 & 2, 102.08-1, 102.07-5, 102.1201, 102.1608, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Del Cerro Unit No. 1, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending approval of Tentative Map of Del Cerro, an 85-lot subdivision of portion of Lot 67 Rancho Mission, north of Alvarado Freeway and easterly of proposed College Avenue extension and is a portion of recent Waring Tract annexation, was presented. It says that it is first unit of extensive development of 670 acres, a community plan for entire area not approved at this time, but first unit appears to be satisfactory and will coordinate with overall community plans. It mentions the access and sewer services which can be obtained. It recommends approval, subject to 11 conditions.

RESOLUTION NO. 121379, recorded on Microfilm Roll No. 88, approving Tentative Map of Del Cerro Unit No. 1, subject to conditions in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Euclid View Annex Unit No. 2, was presented.

RESOLUTION NO. 121380, recorded on Microfilm Roll No. 88, suspending Sections 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Euclid View Annex Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending approval of Tentative Map of Euclid View Annex Unit No. 2, an 18-lot subdivision of portion of Lot 12 Wadsworth Olive Grove, located easterly of Euclid Avenue and northwesterly of Westwood Hills, subject to 11 conditions, was presented.

RESOLUTION NO. 121381, recorded on Microfilm Roll No. 88, approving Tentative Map of Euclid View Annex Unit No. 2, subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, reporting on letter from Philip L. Gildred suggesting that City request Federal Government to

convert some of its extensive holdings on Pt. Loma into a park--either a city, state, or federal park, was presented. It states that the Commission approved request without designating which kind of park would be requested, or extent of area to be asked for. It says that perhaps some consideration should be given by Park and Recreation Board prior to official request, and that no doubt local authorities should be contacted before making request through Congressman Bob Wilson or Senator Kuchel in Washington.

Councilman Dail said that Mr. Frank Gibson, County Supervisor, stated that he wanted to go on record for the County as being in favor.

RESOLUTION NO. 121382, recorded on Microfilm Roll No. 88, referring to Council Conference communication from Planning Director re request to Federal Government to convert holdings on Point Loma into a Park, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from County Clerk, for Board of Supervisors, advising that letter had been received from Dr. J. B. Askew, Director of Public Health, calling attention to fact that term of Vincent T. Godfrey, representative of City Council on Board of Health, will expire on February 1, 1955, and asking that all appointing authorities be notified of terms which will expire.

RESOLUTION NO. 121383, recorded on Microfilm Roll No. 88, referring to Council Conference communication from Board of Supervisors re expiration of term of Council representative on Board of Health, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Ancient Egyptian Order of Sciots, dated 19 November 1954, signed by Archie A. Wynne, was presented. It thanks the Council for cooperation in the recent convention held in San Diego.

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

Communication from La Jolla-San Diego County Theatre and Arts Foundation, 14th floor, Bank of America Building, San Diego, dated November 18, 1954, was presented. It thanks the Council for withholding land from sale, for parking facilities for theatre they hope to build. The communication was signed by Marian Longstreth, president.

Communication from George R. Lippitt, 3164 Dove Street, San Diego, dated November 10, 1954, was presented. It states that property has been owned and occupied for past 10 years, that average charge for water bills has been \$4.94, highest averaged \$9.40. Now, according to the writer, a new water meter was installed June, 1954, since which bills have practically doubled, and it is thought there is a definite error in the service and billing. It says that water department has been asked to check the situation and make some adjustment, but that they were very uncooperative and soon became downright indignant, saying that meter has been checked and nothing further could be done. It asks the Mayor and Council to bring some justice to bear in the situation, since they have been unable to get any satisfaction from the water department.

The communication attached water bill in amount of \$22.53, and check for \$25.58. It was referred to the City Manager.

Communication from Francis J. Maher, attorney, 617 Bank of America Building, San Diego 1, dated November 19, 1954, was presented. It asks for hearing December 2, 1954, regarding food handlers ordinance regarding chiropractic profession to make physical examinations.

A hearing was set for 2 weeks - and the Clerk requested to notify the writer why (there would probably not be a full Council present at that date requested). The Clerk's office, A.M.W., notified Mr. Maher's office by telephone of the date - December 14, 1954, for the hearing.

Communication from Pacific Beach Town Council, P.O. Box 9257, dated November 19, 1954, signed by H. George Roney, secretary, was presented. It tells of resolution adopted November 15, 1954, endorsing establishment of sports area in Mission Bay Park area, and that a major consideration in selecting site be accessibility of both existing and proposed highways and possibility of further expansion of the area. It opposes use of any beach frontage for the purpose, and offers to assist the City in any possible in the undertaking.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was referred to the Planning Commission.

Communication from Roy D. Rollins, dated Nov. 19/54 - no address - was presented. It asks for report on possible extension of 40th Street.

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

Communication from The San Diego Council of Registered Civil Engineers and Licensed Land Surveyors, dated November 19, 1954 - 551 Spreckels Bldg., San Diego 1, signed by Thomas H. Shuttleworth, secretary, was presented. It requests a survey of procedures in the Planning Department regarding processing of maps, and recommends additional personnel, qualified Registered Civil Engineers or Licensed Land Surveyor be authorized and secured for use of the Planning Department.

RESOLUTION NO. 121384, recorded on Microfilm Roll No. 88, referring * communication from The San Diego Council of Registered Civil Engineers and Licensed Land Surveyors re survey in connection with Tentative Maps, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. *to Council Conference

Communication from San Diego Municipal Employees' Association, Inc., dated November 22, 1954, signed by Mary E. Harvey, executive secretary, was presented. It thanks the Council in behalf of entire membership for action in approving amendment to Civil Service Rule X to provide 15 days vacation for all employees.

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

Communication from W. E. Starke, addressed to Jean F. DuPaul, City Attorney, dated November 22, 1954, was presented. It refers to ordinance adopted by the Council November 18, 1954, appropriating \$300,000. from Capital Outlay Fd. for acquisition of Public Housing Authority Lands, and \$50,000.00 to defray expenses and purchase of supplies incidental to acquisition of the lands. It requests legal opinion as to legality of the appropriations, and authority of the City to enter into public housing. It states that copy is being sent to City Council for its information.

It was observed that Ed Hall, of San Diego Taxpayers' Association, was present. He was asked if he wanted to be heard on the subject.

John McQuilken, City Auditor and Comptroller, told the Council that he had been served with a letter by Mr. Starke, indicating a legal proceeding.

Ed Hall protested to the Council over ordinance for purchase of housing. He read a statement, regarding the City being tied down to use of the property. He said that the Councilmen have a moral and financial obligation; the financial obligation has been overridden, and apparently they will override the moral obligation. He spoke of there being no plan; and that it is not liked. He read from the Ordinance.

Vice Mayor Wincote said that the wording had been discussed at length, and that it is a difficult situation. He stated that there are several things to qualify under. Mr. Wincote said that it had been discussed at least 1/2 hour before the ordinance was adopted.

Councilman Dail spoke about the preamble, which was left out.

Mr. McQuilken stated that the original ordinance was questioned by him, regarding the Capital Outlay expenditure. He said that his letter should be read. (He referred to a letter of November 22, 1954, addressed to the Council).

Councilman Dail pointed out that although the ordinance had been passed, no funds had been expended. He spoke of the Council "still having time".

Mr. Hall said that he had no reason to say more. However, he did say that part of the worry is regarding jealousy on the Capital Outlay problem.

Councilman Schneider spoke of the Council having had a discussion, when amendment to the original ordinance is passed.

Vice Mayor Wincote said that the situation does bother the Council. He said that a way should be found to take over (the housing), and that the City wants to help.

Councilman Godfrey stated that Mr. Hall and the Taxpayers Association have been helpful to the City. He spoke to Mr. Hall about legal counsel of the City Attorney. Mr. Godfrey said that Mr. Starke had asked for an opinion.

Douglas D. Deaper, Deputy City Attorney, said that the Council can ask for a legal opinion, which will be given; but not to Mr. Starke.

Councilman Godfrey said that the Council should have an opinion.

The letter from Mr. McQuilken, addressed to the Council, under date of November 22, 1954, was read. (The letter had not been filed with the Clerk, but was sent for from the City Manager's office). Among other things, it asks that in order to protect the Auditor as well as the Council from liability, it suggested that ordinance in form adopted be amended so as to provide that purpose of expenditure is to acquire permanent public improvements of the same kind and character specified in annual budget setting aside the money, and in particular pursuant to provisions of City Attorney's opinion dated July 26, 1954. It states that he has asked the City Attorney to prepare amendment, which was submitted for consideration.

Councilman Dail asked why the Council did not get the McQuilken letter

Communications
Discussion re the \$300,000 approp for
acquisition of Public Housing

last week. He said that it might be necessary to continue 1 week. He said that it should be instructed that no money be expended from the appropriation.

Mr. McQuilken said that copy of his letter had been sent to the Mayor after action, and letter had been given to the City Manager when the ordinance was adopted.

The Vice Mayor said that the Council did what Mr. McQuilken asked; and he suggested 1 week for further consideration, also.

Mr. Blom said that there was a letter of transmittal, and that he thought City Manager Campbell had the letter.

Vice Mayor Wincote said that the matter had been discussed; maybe there is no criticism. He spoke of being under a handicap.

Councilman Dail said that the Council is treading on thin ice regarding the spending of money from the Capital Outlay Fund. He referred to an old letter to the Taxpayers' Association, which he stated they have in their files. Mr. Dail said that if there is a successful suit, the City Attorney feels that the City is in a vulnerable position. He said that it should be discussed with a full Council, and City Manager. He advocated that there be no contract with the U.S.A. - Federal Housing.

Mr. Deaper, answering a question, said the Council does have the support of the City Attorney, where legally possible. He spoke of being bound by the Charter. He said that if an opinion is desired, the Council should make a motion. He said that it is in the same position as at Budget time, and regarding the Shattuck plan (Plaza parking). He said that it is based on assumptions, that in Conference Councilman Dail wanted the plan, but there was no motion. He said that if asked for an opinion today, he cannot say what it would be on account of no facts available.

Councilman Godfrey moved to request the City Manager and the City Attorney to bring in a report on the proposed use of the land, and an opinion relative thereto.

Councilman Godfrey said that certain people are opposed, and there is room for difference of opinion. Mr. Godfrey said that if appropriation were from the Unappropriated Balance Fund, it would not be a legal point, but would still be objection. He said that the Council has been advised regarding use and the plan.

Mr. Deaper said that the City has \$350,000. available for expenditure. He suggested that there be added to the motion that no part of the money be expended before review by the Attorney and the Council. Councilman Dail made such a motion.

Mr. Blom spoke of there being no dead-line.

Councilman Godfrey seconded the Dail motion regarding there being no expenditure.

Mr. Blom referred to discussion regarding 1,200 units. He said that the law under which made - the Lanham Act - provided for disposal of temporary projects on Federal land could be offered to local government at no amount to the City or County other than cost of fill. He said that the point was reached 1-1/2 years ago where the government had decided to close out. Mr. Blom said that under the law, application was made to U.S.A. for all temporary housing in the City - 3,500 units. He said that as it became apparent that the U.S.A. was vacating on private lands, the Council cancelled its request on private land. He said that leases are being terminated, and buildings sold. He said that the Council re-affirmed plans regarding units on Federal Government land - approximately \$300,000. Mr. Blom said that the technical point is regarding the Capital Outlay Fund.

Councilman Schneider said that discussion cost to the City of land and major improvements; that to private purchasers, it would be on the market. He contended that it would be a profit to the City.

Vice Mayor Wincote said that the Council is interested in the project.

Glenn Erickson, of Security Bank, and a Taxpayer, was heard. He contended that the proposition is purely speculation, and may not make a project. He referred to possibility of a recall. Mr. Erickson contended that it is highly questionable to take funds from the Capital Outlay Fund. It was his statement that it should be left up to the public.

Vice Mayor Wincote said that there is not much speculation, that any syndicate in the City would grab the opportunity to buy the property.

Councilman Dail said that when it came up regarding policy, many owners of the land wanted the City to acquire. He referred to the policy as being a binding one. He agreed that the Council may have made a mistake, but he would be willing to defend the policy. He said that it might be good to reconsider, and say "we tried".

The Vice Mayor agreed with Councilman Dail, and said that if the Council is wrong, legally, it can't do it. He spoke of a group that wants to help the City. He contended that one doesn't "just pick up a million dollars, and this is a plum".

Councilman Godfrey said that Federal legislation is set up regarding the whole thing. He stated that San Diego had taken a terrific impact, regarding war loss. He said that this does not compare regarding trying to buy other land, and that there is Federal legislation to cover the point. He said that it is set up to facilitate getting rid of it, on a local level. Mr. Godfrey said that there is no comparison, and that talk is just about what money is used. He said that there would be no arguing if appropriation were from the Unappropriated Balance. He declared that this is realistic. The roll was called for plan to be filed for next Tuesday.

The Vice Mayor said that the Council is in trouble, and needs help.

Mr. McQuilken said that as Auditor, the question is only regarding legal expenditure. He quoted from the Starke letter which had just been filed.

There was added to the motion on which the roll was called that there be no money spent this week.

Mr. Deaper told the Council that the Attorney's office has to have facts first, and that opinion would be on the facts.

Discussion (cont) re \$300,000
approp for acquisition of
public

RESOLUTION NO. 121385, recorded on Microfilm Roll No. 88, directing the City Manager and the City Attorney to bring in a report to the Council on proposed use of land purchased from F.H.A., and an opinion thereon in 2 weeks; determining that there be no money expended before a review, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

(Motion was originally for "next Tuesday", but Resolution is written for "2 weeks", inasmuch as there is a later motion to that effect).

Councilman Dail said that there should be taken into account the use as set out in the City Manager's letter to the Taxpayers' Association.

Mr. Blom said that Harry Haelsig, Asst. Planning Director, has made no progress on the proposal.

It was here that motion was made by Councilman Godfrey and seconded by Councilman Schneider for 2 weeks instead of next Tuesday, as written into Resolution No. 121385.

Communication from Fintzelberg & Steinmetz, 1346 Fifth Avenue, San Diego 1, California, dated November 19, 1954, signed by Theodore Fintzelberg, opposing the Shattuck Plan for buildings south of the Plaza - in behalf of heirs and owners of the Cabrillo Theatre Building - was presented.

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

Communication from Mrs. Robert English, 4170 Randaolph St., San Diego 3, dated Nov. 22, 1954, was presented. It protests against a civic convention hall on the Plaza.

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

RESOLUTION NO. 121386, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2305 and of time and place of hearing thereon to cover costs and expenses of work done upon paving and otherwise improving Alley Block 86 Point Loma Heights, under Resolution of Intention No. 117128, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121387, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2304 and of time and place of hearing thereon to cover costs and expenses of work done upon paving and otherwise improving Landis Street and Alley Block 82 City Heights, under Resolution of Intention No. 115147, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 121388, recorded on Microfilm Roll No. 88, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for La Jolla Lighting District No. 1, for 1 year from and including January 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 121389, recorded on Microfilm Roll No. 88, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for La Jolla Shores Lighting District No. 1, for 1 year from and including September 15, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 121390, recorded on Microfilm Roll No. 88, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for Midway Drive Lighting District No. 1, for 1 year from and including October 1, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121391, recorded on Microfilm Roll No. 88, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 2 Swan's Addition; approving Plat No. 2651 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 Dail, adopted.

RESOLUTION NO. 121392, recorded on Microfilm Roll No. 88, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 13 Swan's Addition; approving Plat No. 2653 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 Schneider, adopted.

RESOLUTION NO. 121393, recorded on Microfilm Roll No. 88, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Akron Street; approving Plat No. 2657 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 Schneider, adopted.

RESOLUTION ORDERING WORK NO. 121394, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 30 Park Villas, under Resolution of Intention No. 120578, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 121395, recorded on Microfilm Roll No. 88, for paving and otherwise improving Banks Street, under Resolution of Intention No. 120579, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 121396, recorded on Microfilm Roll No. 88, for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue, and Aladena Avenue, under Resolution of Intention No. 120784, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 121397, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Garnet Street Lighting District No. 1, for period of 12 months and 2 days from and including January 30, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 121398, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Presidio Hills Lighting District No. 1, for period of 1 year from and including February 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121399, recorded on Microfilm Roll No. 88, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in Sunset Cliffs Lighting District No. 1, for period of 11 months and 17 days from and including January 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 121400, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 14 City Heights, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 121401, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block A Sunset Crest, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 121402, recorded on Microfilm Roll No. 88, for paving and otherwise improving 40th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121403, recorded on Microfilm Roll No. 88, for paving and otherwise improving Tipton Street, Rincon Street and Ewing Street, was

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

RESOLUTION NO. 121404, recorded on Microfilm Roll No. 88, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in El Cajon Boulevard Lighting District No. 2, for 11 months and 25 days from and including March 5, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121405, recorded on Microfilm Roll No. 88, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in University Avenue Lighting District No. 2, for 11 months and 14 days from and including March 16, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121406, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 2 Swan's Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121407, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alley Block 13 Swan's Addition, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121408, recorded on Microfilm Roll No. 88, for paving and otherwise improving Akron Street, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121409, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for paving and otherwise improving Alleys Block 35 Parish and Loomis Subdivision, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121410, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale re lighting improvements in Broadway, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121411, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for paving and otherwise improving Everts Street, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121412, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for paving and otherwise improving 69th Street, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121413, recorded on Microfilm Roll No. 88, ascertaining and declaring wage scale for sewers in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121414, recorded on Microfilm Roll No. 88, approving diagram of property affected or benefited by installation of sewers in Ollie Street, Camulos Street, Liberty Street and Venus Street, under Resolution of Intention No. 118156, 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 Schneider, seconded by Councilman Godfrey, adopted.

121404 - 121414

RESOLUTION NO. 121415, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Clove Street, Flum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118395, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121416, recorded on Microfilm Roll No. 88, adopting recommendation of City Engineer, filed in office of City Clerk November 19, 1954, under Document No. 501426; authorizing City Engineer to amend proceedings for improvement of Alley Block 13 La Jolla Park in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121417, recorded on Microfilm Roll No. 88, adopting recommendation of City Engineer, filed in office of City Clerk November 19, 1954, under Document No. 501425; authorizing City Engineer to amend proceedings for improvement of portions of Pickwick Street, "E" Street and 33rd Street in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121418, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 501496 for sewers to serve Lots H and I Sullivan Tract; directing City Engineer to furnish plat showing exterior boundaries of district or lands to pay costs, damages and expenses thereof, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121419, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 496475 for paving portion of 70th Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited 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. 110992, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121420, recorded on Microfilm Roll No. 88, granting permission to O. L. Gullickeen for grading portion of Laurel Street, 44th Street and Alley Block 19 Swan's Addition by private contract; work to be done in accordance with plans, etc., furnished by City Engineer and filed in office of City Clerk under Document No. 501236, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121421, recorded on Microfilm Roll No. 88, 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 Pearl Street and Kline Street;
Northerly side of Avenida de la Playa between Camino del Sol and
El Paseo Grande;
authorizing installation of necessary signs and markings, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121422, recorded on Microfilm Roll No. 88, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

West side of Park Boulevard between El Cajon Boulevard and Meade
Avenue;
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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121423, recorded on Microfilm Roll No. 88, authorizing San Diego Gas & Electric Company to install a 6000 lumen overhead street light: Winona Street at Trojan Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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

Acting City Manager E. W. Blom explained from the Resolution, to Councilman Schneider, and added that the Resolution clarifies the situation, and makes it more specific.

RESOLUTION NO. 121424, recorded on Microfilm Roll No. 88, stating that City has entered into written contract with Clyde H. Bond and Charles J. Sherburne, both of The City of San Diego, radio consultants for services set forth in contract Document No. 493393 on file in office of City Clerk; that the Budget Officer has recommended clarification by letter filed as Document No. 501948 in City Clerk's Office, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Sub-paragraphs 3d and 3e under the contract are construed to include the items specifically written into the Resolution.

RESOLUTION NO. 121425, recorded on Microfilm Roll No. 88, stating that the Council deems it to be for the public interest and initiates, pursuant to Section 65511 of Government Code of State of California, addition to Master Plan of The City of San Diego: a Public Building Plan, consisting of:

Area bounded by Broadway, 3rd Avenue, 4th Avenue and E Street, to be site for construction and operation of public facility consisting of underground parking space, and aboveground municipal auditorium; referring the Plan to the Planning Commission, with directions to hold at least 1 public hearing on the addition to the Master Plan, after publishing notice at least 10 days in advance thereof, and report thereon to the Council within 90 days of adoption of the Resolution, failure to do which shall be deemed as Commission's approval, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121426, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager to do all work in connection with making connections to existing mains and sterilizing small water main replacements, Group 17, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

In connection with the next Resolution, Councilman Schneider asked what work is for.

Acting City Manager E. W. Blom replied that they are incidental items, on a 1911 Act Job.

RESOLUTION NO. 121427, recorded on Microfilm Roll No. 88, authorizing City Manager to employ T. B. Penick & Sons to remove curbs, sidewalks, etc., in termination of Alley Block 16 Bird Rock City by the Sea, in Bird Rock Avenue, and install 35 lineal feet of curb, 10 square feet of sidewalk and 240 square feet of 5-inch P.C.C. paving; cost of work not to exceed \$205.00, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Resolution says that the City has entered into contract with T. B. Penick & Sons for work under 1911 Street Improvement Act Proceeding; that Drawing 11354-L for the work shows work to be done at termination of the alley by City forces; that the contractor has offered to do the work at the price stated, and City Manager has recommended acceptance of the offer.

RESOLUTION NO. 121428, recorded on Microfilm Roll No. 88, approving Change Order No. 5, dated October 20, 1954, heretofore filed with City Clerk as Document No. 501759, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic lights and safety signals on Wabash Boulevard, Section "B", contract contained in Document No. 484528 on file in office of City Clerk; changes amounting to decrease in contract price of \$365.27, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121429, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager to enter into agreement, for and on behalf of the City, with William F. Bell as Golf Course Architect to prepare plans and cost estimates in connection with public golf courses at Torrey Pines Mesa and Balboa Park, at compensation not to exceed \$1,150. for plans and cost estimates, more particular terms and conditions as set forth in agreement on file in office of City Clerk as Document No. 501906, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Douglas D. Deaper, Deputy City Attorney, referred to the employment as being temporary.

Resolution authorizing City Manager to execute lease with Foster and Kleiser Company of portion Lot 7 Block 336 Choate's Addition, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the item was continued 1 week - to December 7, 1954.

121424 - 121429

Res. for proposed lease with Foster & Kleiser Co. cont.

RESOLUTION NO. 121430, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, a cancellation of lease agreement with La Mesa Lemon Grove & Spring Valley Irrigation District for property known as "Webb Buildings" near Murray Lake, lease agreement filed in office of City Clerk as Document No. 371562, Cancellation of Lease filed in office of City Clerk as Document No. 501972, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121431, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease agreement with Blanche Marshall of easterly wing of Montgomery Airport Administration Building, shown on Property Division Drawing No. 141 for operation of restaurant, for term of 1 year at flat rental or percentage whichever is greater, set out in form of lease agreement filed in office of City Clerk as Document No. 501957, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121432, recorded on Microfilm Roll No. 88, that the Maria Mello Bettencourt, 3622 Oliphant Street, San Diego 6, permit under Resolution No. 120433 to install cast iron sewer line between property line and sidewalk, parallel to north-westerly line of Lot 12 Block 38 Roseville Subdivision, be cancelled, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121433, recorded on Microfilm Roll No. 88, that the permission granted by Resolution No. 118427 to Carl R. and Frank I. McWilliams, 3265 Adams Ave. to install 2 550-gallon gasoline storage tanks underneath sidewalk area at 3265 Adams Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted. ~~be cancelled,~~

RESOLUTION NO. 121434, recorded on Microfilm Roll No. 88, repealing Resolution No. 121049 wherein The City gave permission to Pacific Telephone & Telegraph Company to install facilities on public property, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121435, recorded on Microfilm Roll No. 88, granting permission to American National Red Cross, San Diego County Chapter, to display flags on street light standards along Broadway, from Broadway Pier to 12th Avenue, and along 5th Avenue, from C to E Streets - March 1 to March 31, 1955 - during fund raising campaign, on conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

In connection with the next Resolution, Councilman Schneider pointed out that area involved is congested.

RESOLUTION NO. 121436, recorded on Microfilm Roll No. 88, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles 54, to install 1 30-foot and 1 40-foot driveway on south side of Broadway, between points 8 feet and 38 feet and points 60 feet and 100 feet west of west line of 30th Street; also 2 35-foot driveways on west side of 30th Street between points 8 feet and 43 feet and points 65 feet and 100 feet south of south line of Broadway, adjacent to north 100 feet of Lots 1 to 4 inclusive Block 86 E. W. Morse's Subdivision, subject to terms of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121437, recorded on Microfilm Roll No. 88, granting permission to The Share With Others Club ~~permission~~ to conduct chenille flower sale on various streets and areas, listed in the Resolution, January 10, 14, 15, 17, 21, 22, 24, 28, 29, 1955, between 10:00 A.M. and 9:00 P.M., for raising funds to go to National Foundation for Infantile Paralysis "March of Dimes", was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121438, recorded on Microfilm Roll No. 88, granting permission to Union Oil Company of California (Petroleum Building, Los Angeles 15) to install 2 35-foot driveways on southerly side of University Avenue, east of Bonillo Drive, shown and delineated on Union Oil Company of California Map No. SW1154, filed in office of City

Clerk as Document No. 501969; also 2 35-foot driveways on easterly side of Bonillo Drive between points 21 feet and 56 feet, and points 90 and 125 feet south of the southerly line of University Avenue, adjacent to portion of Parcel "00" Lot 19 Rancho Mission of San Diego, on conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121439, recorded on Microfilm Roll No. 88, authorizing City Auditor and Comptroller and City Treasurer to accept \$26.96, being amount of assessments and penalties, for redemption of lighting Certificates Nos. 299, 668 and 3397, covering Lot H Block 153 Horton's Addition, in San Diego Lighting District No. 1, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution authorizing the Mayor to attend the V Meeting of the Inter-American Congress of Municipalities, in San Juan, Puerto Rico, December 2 to 7, 1954, and authorizing the expenses, was presented.

Councilman Schneider stated that he had told the Mayor in Conference that he would vote no on the Resolution.

Councilman Godfrey said that the Mayor is well on the way now.

Councilman Dail said that he thought the trip was not to be at City expense:

Mr. Willis, assistant to the Mayor, said that the Mayor is not to go to Puerto Rico until after the White House Conference. He said that it would be for plane expenses only, the other expenses being taken care of.

Councilman Dail said that he does not want to vote.

Councilman Schneider said that the expenses item can be stricken out; the Mayor can afford the trip, if he wants to go.

Vice Mayor Wincote said that this is embarrassing; that if there is a "no" vote, the plans might be changed, and the Mayor might not go.

Councilman Dail moved to continue the proposed Resolution to Thursday.

Asked at whose request the item had been listed, Mr. Willis replied that it was the Mayor's.

Councilman Godfrey moved that it be continued to Thursday, and the Council be advised of the amount and the nature of the meeting.

Vice Mayor Wincote stated that 9 out of 10 things of the sort are approved. He said that if a full Council were present, the Resolution would be carried.

Councilman Schneider said that he was not being stubborn.

Mr. Willis repeated that there would be no expense in Puerto Rico.

Councilman Godfrey said that the purpose is to cement inter-relations.

Councilman Schneider said, again, that the Mayor could pay the expense himself.

The Vice Mayor declared that it would be most unfortunate to turn down; that if trip had been made the expenses would be approved.

On motion of Councilman Godfrey, seconded by Councilman Dail, the Resolution was continued until Thursday.

RESOLUTION NO. 121440, recorded on Microfilm Roll No. 88, accepting quitclaim deed executed on 19th day of November, 1954, by W. D. Johnson, Jr. and Susan G. Johnson, husband and wife, 226 Via Del Norte, La Jolla, quitclaiming to The City 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 Spindrift Subdivision, being subdivision of portion of Pueblo Lot 1286; authorizing 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 Schneider, adopted.

On motion of Councilman Godfrey, seconded by Councilman Dail, 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. 6334 (New Series), recorded on Microfilm Roll No. 88, dedicating easement for public use over portion of Pueblo Lot 1781, 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--Councilmen Burgener, Wincote, Mayor Butler.

The next 2 items on the calendar - Ordinance regulating Auction Sales, and Ordinance regulating storage, use, transfer and transportation of Liquefied Petroleum Gas - were continued, earlier in the meeting, for 1 week.

In connection with the next Ordinance, Councilman Godfrey asked if it is a "contributory" item.

The Acting City Manager said that he thinks not.

ORDINANCE NO. 6335 (New Series), recorded on Microfilm Roll No. 85, approp=

Res. cont -

121439 - 121440

6334 N.S. - 6335 N.S.

riating \$7,200.00 from Capital Outlay Fund, for providing funds for construction of Storm Drain in 53rd Street, from Imperial Avenue to Naranja Street, 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--Councilmen Burgener, Kerrigan, Mayor Butler.

In connection with the next ordinance, Councilman Godfrey asked under what circumstances this is being done.

Mr. Blom said that it is a 1911 Act Job.

On motion of Councilman Godfrey, seconded by Councilman Dail, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Dail, 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 its passage a printed copy.

ORDINANCE NO. 6336 (New Series), recorded on Microfilm Roll No. 88, appropriating \$5,500.00 from Capital Outlay Fund, for improvement of Gardena Avenue, Frankfort Street, Milton Street, Napier Street and Littlefield Street, 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--Councilmen Burgener, Kerrigan, Mayor Butler.

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

Mr. Blom said that there has been work on this a long time; it is a Major Street plan.item.

ORDINANCE NO. 6337 (New Series), recorded on Microfilm Roll No. 88, appropriating \$1,200.00 from Capital Outlay Fund, for funds to pay City's share of cost of improving 70th Street, between El Cajon Boulevard and Colony Road, under a 1911 Street Improvement Act Proceeding, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgener, Kerrigan, Mayor Butler.

The Ordinance was introduced on motion of Councilman Godfrey, seconded by Councilman Godfrey.

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 printed copy.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance amending San Diego Municipal Code by amending Section 91.16 regulating Cloth Canopy Shelters, by the following vote: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgener, Kerrigan, Mayor Butler.

***was introduced**

Acting City Manager E. W. Blom requested, and was granted permission to present the next item, not listed on the agenda, which he said corrects an earlier deed.

RESOLUTION NO. 121441, recorded on Microfilm Roll No. 88, accepting deed of William P. Odom and Ruth C. Odom, bearing date November 29, 1954, conveying easement and right of way for street purposes in Parcel 00 Lot 19 Rancho Mission; setting aside and dedicating it to public use as and for public street and naming Bonillo 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 Dail, adopted.

Acting City Manager E. W. Blom requested, and was granted permission to present the next item, not listed on the agenda.

Vice Mayor Wincote said that it had been approved in Conference.

Councilman Godfrey asked about DeSure's hanging onto stock so long.

Councilman Schneider said that the Better Business Bureau is cognizant of the situation.

The Vice Mayor repeated that it had been approved in Conference.

Mr. Blom stated that the Chief of Police had approved the extension.

RESOLUTION NO. 121442, recorded on Microfilm Roll No. 88, granting Al DeSure, owner of DeSure's Store for Men, conducting a closing-out sale of his retail store located on Broadway at 7th Avenue, under and pursuant to Section 33.1006.1 of San Diego Municipal Code an additional 30 days for continuance of "going out of business sale" terminating December 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

121441 - 121442
6336 N.S. - 6337 N.S.
Ord. introduced

It was at this point that the Resolution, numbered 121357 and found on page 325 was introduced under Unanimous Consent granted to Councilman Charles C. Dail. Members of the Council congratulated Mr. Dail for his action in having the Resolution prepared.

The Resolution was transmitted, through the City Manager's office, by messenger.

The item listed on page 324 of these Minutes, in connection with building for recreational purposes in Linda Vista, was brought up again at this point.

Leo Calland, Park and Recreation Director, had arrived, at the request of the Council.

Councilman Godfrey spoke to Mr. Calland regarding, and about reference having been made to the City Manager's office for report against the possibility of acquisition of a building. He said that a new building would be liked, but it is a question of acquiring one from the School Board, and residents of the area doing work upon it. He asked if a new building could be included in this budget.

Mrs. Starren told the Council that if a new building could be assured, of course they would like that.

Mr. Callan spoke of urgency being accurate, regarding moving of the old Randall Hall. He said that when it was moved, it was thought to be temporary, and that residents took what they could get, on a temporary basis. He spoke of having a problem before, regarding continued maintenance. He contended that if all the money which had been spent on Randall Hall were put together, they could have a new building.

Councilman Schneider told the Council that he does not take much stock in the City Manager's report, regarding Mrs. Starren's statement for personal help.

Councilman Wincote spoke of having plans before, and having not worked out satisfactorily. He said that while he could not promise a new building, it is likely to happen. He stated that request might be made for rehabilitation of the present building and that it might not comply.

Mr. Blom said that the estimate is the minimum; that more is actually needed - at least \$16,000.00. He agreed, that people might help beyond that.

Councilman Schneider said that the building doesn't need sewers.

Mr. Blom said that there is talk about 300 people, and that toilets outside the building would not be satisfactory.

A woman, who did not identify herself, spoke from the audience. She said that is what they have now. She told the Council that the area is already 15 years old, and asked if others (which are in newer areas) are to get recreational facilities first. She said that the Council adopted the Golf Course item quickly, for appropriation.

Vice Mayor Wincote disagreed, saying that the Council did not go over it hurriedly; it had been discussed a long time. He said that Councilman Godfrey is better informed, and that perhaps the residents should be given an opportunity to try to rehabilitate the building, as proposed.

Councilman Godfrey told the Council that he does not want Linda Vista leached out of a good permanent improvement. He asked how much is in the recreation budget for Clairemont.

Mr. Calland replied \$20,000.

Councilman Godfrey said that he does not want Linda Vista to get a sub-standard building, if they can get a good permanent thing in the next budget.

Councilman Dail said that demands are great, all over the City.

Vice Mayor Wincote pointed out that it is not possible to make any promise, regarding next May's budget.

Mrs. Starren stated that the area has over 1,800 Jr. and Sr. high school kids. She spoke of losing the community center, and added that the delinquency rate is a credit.

Vice Mayor Wincote wondered if it can be given out of the Unappropriated Balance Fund.

Councilman Godfrey said that earmarking funds in the Unappropriated Balance Fund would be not less than \$30,000. for permanent improvement.

Mr. Blom mentioned \$26,000. in Clairemont.

Mr. Calland agreed that rest rooms are not needed in Linda Vista.

Vice Mayor Wincote said that the Council is aware of the problem, but thanks of Linda Vista as being 12 years old, with facilities taken away. He felt that residents should take a chance of getting a new facility out of the next Budget.

Councilman Schneider said that the building asked for is 40x70: 2800 square feet. He correct that and said it is 3360 sq. ft. He said that a new building could cost \$40,000.

Mrs. Starren said that she was sure that they will not get that.

Councilman Dail said that the Administrative Department is making a recommendation, and feels that the position is vulnerable. Mr. Dail declared that a similar situation has been worked out before, with work done at \$4-\$5 per square foot.

Vice Mayor said that it depends on the likelihood of getting a building. He said that the Council could consider it regarding Unappropriated Balance Fund. He said that it would be better to be proud of it in the future; residents would be much happier on that basis.

Councilman Godfrey said that if the residents do not get this, there is good prospect of a new one.

Councilman Godfrey asked what is ahead.

The Linda Vista recreation building, again, under U.C.

Mr. Calland stated that he does not know how much will be appropriated; there are 31 areas, and he does not know where the City is going. He told of there being no money available for old and new areas. He said that it is impossible to say what is first. He said that Capital improvement for Park and Recreation Department is practically nil. He said he felt Linda Vista could not be put ahead of the old East San Diego.

Vice Mayor asked if it would be possible to find a building which would be more of a credit.

Mr. Blom said that it is unlikely, but that his department would go along with the Council's decision. He said that this does die in with acquisition of the Federal land in Linda Vista. He referred to possibly not owning the land.

Councilman Schneider said that the land might be given.

Vice Mayor Wincote spoke about thinking of \$5,000. by the City, and with Linda Vista contributions. He asked of which the Council is thinking.

Councilman Dail said that in the past building has been provided, and that it worked out well.

Mr. Calland said that Randall Hall maintenance is higher than at Landis. He spoke of getting vandalism in Southcrest, and that the man who was originally interested, is the only one left. He told of buildings from Balboa Park, after Navy occupancy. He told of library building from the Park, and the new building at Morley Field. He said that the new building cost almost no more.

Mrs. Starren asked the Council if it would consider 4 walls, a floor and a roof, and let property owners of the area finish a building.

Councilman Godfrey spoke of weighing against new and old buildings. He said that if there could be contribution, it might be quite an item; that money should be ear marked in the Unappropriated Balance Fund.

Mr. Blom contended that it would be better to ear mark money, than to go into the proposition of this old building.

Councilman Godfrey moved to refer to Council Conference the item of providing a recreational facility at Linda Vista.

There was no second.

Then Councilman Godfrey moved that the matter of a new recreational facility be referred to the City Manager for plans, and submitting them at the earliest date possible, together with request for the necessary funds.

There was no second.

Councilman Dail said that the Council can't justify Linda Vista recreational building, where there is as great a need in the southeast.

Councilman Godfrey asked if there is any way to hold out the building from the contract.

Mr. Cope said that bids are going to be let a week from today. He spoke of there having been asked for a letter today, regarding addendum to the contract, if this building is taken out. He said that the Board of Education is obligated to do it today; if it is going to do it.

Councilman Godfrey said that the initial cost would be reduced, and the residents would get what they asked for; but it is between the 2 ideas.

RESOLUTION NO. 121443, recorded on Microfilm Roll No. 88, instructing the City Manager to request the School Board to hold out the building from contract; and go on from there - in connection with the Linda Vista recreation facility - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned, at 12:58 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

Charles B. Wincote
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Thursday, December 2, 1954

Present--Councilmen Wincote, Schneider, Dail, Godfrey
Absent---Councilmen Burgener, Kerrigan, Mayor Butler (all on City business)
Clerk----Fred W. Sick

Vice Mayor Charles B. Wincote called the meeting to order at 10:02 o'clock A.M.

The Hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of First Baptist Church of La Jolla from decision of Board of Zoning Adjustment denying permission to erect new church on existing site, Lot 3 and easterly 50 feet of Lot 2 Block 11 F. T. Scripps Addition to La Jolla Park, to observe 15-foot rear yard and

121443
Hearing

75% coverage, southwest corner of Genter Street and Draper Avenue, in Zone R-2, the Vice Mayor made a statement. He stated that people interested are here, that the Council can hold the hearing now, but that 3 members of the Council are out of town. He pointed out that it needs 5 votes to overrule the Commission.

Robert Moster, architect, representing the Church, asked for postponement.

On motion of Councilman Schneider, seconded by Councilman Godfrey, hearing was continued to Tuesday, December 14, 1954.

Councilman Schneider requested, and was granted, unanimous consent to present the next matter, not on the agenda. John C. Lewis, 4751 Bate Street (no such street is found in the City directory) was heard. He spoke of having had 15 years in Navy service, and as a result acquired a condition as fatal as cancer. He told of having been discharged after being in 6 hospitals over 2 years, and described his various physical disabilities. He said that he cannot have too much walking and standing. Mr. Lewis told the Council that he was active in New York regarding parking for the handicapped, and related other activities including parking for veterans in Miami. He stated that he is a California veteran, and why he is classed as such. Mr. Lewis told the Council that in 1948 he was an initiator regarding parking privileges for veterans in San Diego. He spoke of the program having been changed regarding individual, but not on account of the car. He stated that he had received an examination by the police physician in 2 minutes, but that his condition amounts to 150% disability. He stated that in the 2-minute police doctor's examination, the doctor had said that he would lose his parking privileges. Mr. Lewis said that he did not have a "physical examination" at the Police Department; he was turned down in 2 minutes. He still wants the parking privileges, he stated.

Councilman Schneider stated that this is one of the hazards regarding administration. He asked that the City manager investigate and submit evidence regarding reference to the Chief of Police.

Councilman Godfrey pointed out that the Council was hearing just 1 side. He moved that the item be continued 1 week, and that the Chief of Police and the examiner of Mr. Lewis be here.

Councilman Dail asked for Dr. Williams and the Chief of Police.

Vice Mayor Wincote said that the Council should have "both doctors, if not 1 and the same."

Councilman Dail said that Williams is his (Mr. Dail's) doctor, that he had put a hypothetical case to him, similar to this case. He stated that the doctor would be present, if the Council wants him.

Councilman Godfrey asked Mr. Lewis if he can come back 1 week from today.

Mr. Lewis replied "yes; and include other veterans".

Vice Mayor Wincote told Mr. Lewis that when the ordinance was discussed, veterans' representatives were present, were heard, and were in substantial agreement with the regulations imposed by the Council.

Councilman Dail pointed out that the regulations were approved with reservations - if workable.

The Vice Mayor observed that perhaps the Council should investigate further.

Councilman Godfrey stated that this is the only protest to date, and that he wants to find out what is being done.

Councilman Dail said that he knows of 2, but that they have been satisfied regarding rejection.

Councilman Schneider pointed out that Mr. Lewis is here on his own.

Councilman Dail, as well as the Vice Mayor, said that they know of others.

Councilman Dail asked Mr. Lewis if he works.

Mr. Lewis replied that he does not; he went to renew the parking privilege; lost the race back to the car, and had a ticket.

Councilman Schneider seconded the motion.

Mr. Lewis stated that he came in on his own.

RESOLUTION NO. 121444, recorded on Microfilm Roll No. 88, setting a hearing for 10:00 o'clock A.M., Tuesday, December 7, 1954, in connection with loss of physically handicapped person's parking privileges of John C. Lewis, 4751 "Bate" Street, with the Chief of Police and the Police Surgeon who examined Mr. Lewis present; including a report on the subject from the City Manager, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolutions authorizing City Purchasing Agent to purchase at auction from the Navy at Port Hueneme, California, dragline, trucks, and trailer; authorizing the Purchasing Agent, Shops Superintendent, and Mechanic from Central Garage and Machine Shop to go to Port Hueneme December 6, 7, 8, 1954, to attend the auction of U.S. Navy equipment, were presented.

Orin Cope, Acting City Manager, explained the subject to the Council. He told the Council that the City has a high bid, that U.S.A. has equipment to be auctioned off, and that it could be acquired advantageously by the City. He stated that use for the equipment is on sanitary fill in Mission Bay. He said that 1 piece is potentially \$40,000; others, new are \$15,000 to \$20,000. He stated that the purchasing agent would have to bid at prices satisfactory to the City Manager.

Councilman Schneider said that it is "costing a lot of dough for sanitary fill".

RESOLUTION NO. 121445, recorded on Microfilm Roll No. 88, authorizing Purchasing Agent to attend Navy Auction Sale at Port Hueneme, California, for purchasing at prices satisfactory to the City Manager 1 Dragline; several 6 x 6 trucks; 2 small trailer mounted water tanks, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121446, recorded on Microfilm Roll No. 88, directing J. H. Shaw, Purchasing Agent, John Seuss, Shops Superintendent, and Harry Grayson, Mechanic

121444 (incl. discussion by John C. Lewis under U.C.
re handically capped driver's parking permit)

121446

from Central Garage and Machine Shop to go to Port Hueneme, California, December 6, 7 and 8, 1954, to attend auction of U.S. Navy equipment; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

121447, recorded on Microfilm Roll No.

RESOLUTION NO. 88, accepting bid of Los Angeles Chemical Company for furnishing 10 tons of Copper Sulphate, Snow Crystals, at \$11.30 per cwt., terms 1% 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 Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next item, Councilman Schneider asked what boats are for.

Orin Cope replied that they are for use on reservoirs, for fishing.

Mr. Schneider observed that there are 2 items; they both follow.

RESOLUTION NO. 121448, recorded on Microfilm Roll No. 88, authorizing and directing Purchasing Agent to publish notice to contractors calling for bids for all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction, glass fiber fabric covering, painting and outfitting 50 plywood skiffs, under Document No. 501899, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(The Resolution also approves plans and specifications).

RESOLUTION NO. 121449, recorded on Microfilm Roll No. 88, authorizing and directing Purchasing Agent to publish notice to contractors calling for bids for all labor, material, tools, equipment, transportation and other expense necessary or incidental for Glass Covering of Plywood Skiffs, under Document No. 501898, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(The Resolution also approves plans and specifications).

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Resolution approving Tentative Map of Survey Map on S. 50 ft Lot 96 Normal Heights, was presented. It says property is located on easterly side of Hawley Blvd. approximately 300 feet north of Mountain View Drive; Hawley Blvd. is improved; that Planning Commission is willing to recommend to Board of Zoning Adjustment that zone variance be granted for division of property, provided owner files with Planning Department 2 copies of survey map of property and complies with and completes conditions outlined.

RESOLUTION NO. 121450, recorded on Microfilm Roll No. 88, approving Tentative Map for 1-lot subdivision located on easterly side of Hawley Blvd., approximately 300 feet north of Mountain View Drive, being S 50 ft Lot 96 Normal Heights, on 2 conditions set out in the Resolution; stating that final subdivision map need not be filed if owner complies with the conditions and within period of 1 year from date of Resolution files 2 copies of survey of property with Planning Department and obtains zone variance for division of the land, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Hillcrest Business Association, signed by August O. Awes, president, dated November 29, 1954, was presented. It thanks the Council for attention to request to reduce parking limit from 2 hours to 1 hour on University Avenue, in Hillcrest District; states that it was executed and carried out efficiently by James Reading, Traffic Engineer. It states that relations with Mr. Reading have always been most pleasant, and it thanks him.

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

Notice of Hearing from Public Utilities Commission of State of California on application from San Diego Transit System for enlarging area of coverage to east of National City, etc., involving 5 changes, as set out in the notice, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was referred to the City Attorney.

Communication from San Diego County Traffic Safety Council relative to National Safe Driving Day, December 15, 1954, was presented. Communication, signed by David Thompson, executive director, refers to use of Safe Driving Day Pledge cards, etc.

On motion of Councilman Godfrey, seconded by Councilman Schneider, it was referred to the City Manager with authority to "go ahead".

Communications
Notice of Hearing from
Public Utilities
121447 - 121449

Communication from San Diego County Water Authority, 235 Broadway, dated November 26, 1954, signed by Richard S. Holmgren, General Manager and Chief Engineer, was presented. It refers to reduction of water rates until April 30, 1955, at which time they are to return to current price.

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

Communication from W. E. Starke, attorney at law, suite 1130 Bank of America Building, San Diego 1, dated November 29, 1954, was presented. It submits copy of letter to the City Auditor relative to appropriating by Ordinances Nos. 6321, 6322, 6333 and setting up procedure for purchase by the City of public housing properties, etc. The letter copy addressed to Mr. McQuilken, Auditor, was dated November 29. In addition to expressing views in detail in opposition to the Council's action, the communication concludes "Should you fail or refuse to comply with the Charter of the City of San Diego, or comply with your oath of office, resort will then have to be made to the judicial processes of this state".

Mr. Starke was in the audience. The Vice Mayor asked if he would like to be heard. Mr. Starke replied that he had nothing further to say; all is in the letter. The copy of the letter to the Auditor was read to the Council by the Clerk.

Councilman Dail said that Mr. Starke is attacking on Section 77 of the Charter, and then on violation of office.

Mr. Starke told the Council that that is not what he said.

Councilman Dail pointed out that the letter should be turned over to the Manager.

Vice Mayor Wincote stated that the Starke letter came up last Tuesday, but that Taxpayers' Association representative was heard. He said that the Council is going to hear from the City Manager and the City Attorney in 2 weeks (decision on that point made earlier). He said that he was happy that Mr. Starke was here.

Councilman Dail asked if it is a "privileged communication".

The question was not answered.

Councilman Godfrey referred to a great point of interest in regard to serving the public interest.

Mr. Starke told the Council that effort is being made to get rid of government in business; the City is stepping right into it.

The Vice Mayor said that the City is trying to find a legal way to take advantage of an opportunity (to acquire the federally-owned property).

The Vice Mayor talked directly to Mr. Starke regarding the property going into private hands, if the City does not buy it. He pointed out that it would be a million dollars to come to the City.

Councilman Dail spoke about getting money by the (increased) 1/2¢ Sales Tax; that it was earmarked, providing for a reason for its passage.

Douglas D. Deaper, Deputy City Attorney, told the Council that the Sales Tax increase is going into Capital Outlay - as provided in the Ordinance passed by the Council.

Councilman Godfrey said that this must be done legally, and that it will be done legally. He wondered where the taxpayers fit in, regarding the Taxpayers' Association. He contended that action is going to be taken, legally, for the great bulk of the taxpayers.

Mr. Starke referred to Council's view that if the City does not go into the thing it has holes in its heads; but the opposition says that if the Council does go into it, it has holes in its heads. He spoke of doing everything to oppose the City going into the real estate business, and referred to City buying tremendous quantities of tax-deeded property.

Councilman Godfrey brought up the Camp Callan purchase which now has property going back on the tax rolls, at great benefit to the City.

Mr. Starke read a statement regarding tax sales, and on property not going on the tax rolls.

Councilman Godfrey spoke directly to Mr. Starke regarding purchases.

Mr. Starke contended that the City has not done what it says it will regarding putting property back on the tax rolls. He stated that purchase of housing is illegal.

Councilman Godfrey pointed out that Mr. Starke had hauled the City into court on one case, but that Mr. Starke had been overruled by the court.

Mr. Starke stated that there is no point in saying anything further.

Councilman Schneider asked that the item be put on the docket for December 14.

Councilman Godfrey said it should go to Conference.

Councilman Godfrey then asked that the item be referred to the City Manager, as a part of the report.

Councilman Dail said that it should go to the Manager.

Councilman Dail moved to refer the communication to the City Manager. It was seconded by Councilman Godfrey.

Councilman Schneider asked who had the ordinance appropriating \$300,000. from Unappropriated Balance for purchase of lands from Federal Government, used by P.H.A., and rescinding Ordinances 6321 (New Series) and 6333 (New Series).

Mr. Cope said "we did".

Councilman Schneider asked who "we" are.

Mr. Cope replied the City Manager's office.

The Vice Mayor observed that the proposed Ordinance is different than before (appropriation is provided from Unappropriated Balance Fund, instead of from Capital Outlay Fund).

Communications (incl. Starke letter on appropriation for acquisition of Federal Housing property).

Mr. Cope told the Council that, according to the City Attorney, the proposed ordinance takes out the legal question; then it is a policy question of whether or not the property is to be acquired. He stated that Acting City Manager Blom had talked to City Manager Campbell by long distance before it was decided to put the item on the docket. He declared that December 31 is the deadline, as it now stands. He said that if the Ordinance is passed today, it will be 2 or 3 days late, but that in Washington the Commissioner can extend the time. He said that he can call Mr. Campbell, in Washington, if the Council wishes.

Councilman Dail stated that the City Manager should make overtures to the Commissioner in Washington.

The Vice Mayor asked what harm there would be in introducing the Ordinance today.

Councilman Schneider said that it should not be; it is too controversial.

Councilman Dail said that the Council should wait, and ask the U.S.A. for an extension.

Douglas D. Deaper told the Council that as it stands now, the City has a \$300,000. appropriating ordinance, and a motion to spend no money. He said that the ordinance proposed repeals the others. He stated that perhaps the repealing section could be struck out, and follow with a motion regarding money not to be spent. He pointed out that there are 2 ordinances regarding the \$300,000. Mr. Deaper told the Council that it can back up, and repeal 1 ordinance.

Councilman Schneider spoke directly to Mr. Deaper. He asked if there was no emergency ordinance.

Mr. Deaper's reply was "no".

Mr. Cope said that the City may be able to "stall a day or 2".

Vice Mayor Wincote said that the Council could pass the new ordinance - appropriating funds from Unappropriated Balance Fund - today; even Starke would not care.

Councilman Schneider disagreed; stating that there should be a full Council.

Councilman Dail spoke directly to Mr. Deaper about there being no inconvenience regarding waiting 1 week.

The Vice Mayor said that it is the intent of the Council to go ahead with the purchase, if it is legal.

Councilman Godfrey said that if the proposed ordinance were adopted in 2 weeks, it would be 2 weeks and a couple of days beyond the deadline.

The Vice Mayor wondered if the repealing section should be rescinded.

Councilman Godfrey replied "Yes".

Councilman Dail expressed a distaste for decision by a "short" Council.

Councilman Godfrey said that the Council could "rescind this".

Vice Mayor Wincote said that it has been passed unanimously regarding purchase of the land.

Councilman Schneider said that it was the intention to buy the land from funds accumulated by Sales Tax, and the Council is now turning to the Unappropriated Balance Fund.

Councilman Dail said that the appropriation as made was apparently out of the Charter provision, that the Council is trying to show that it is doing what it said it would - another way. He declared that the people of San Diego will appreciate the action. He said that the Council is not going to go to the Capital Outlay Fund for the appropriation, but that funds acquired (by the increased Sales Tax) are going into the Capital Outlay Fund.

The Vice Mayor asked if the rescinding portion of the new ordinance is being left in.

Councilman Dail said that it is the intention to rescind the Capital Outlay appropriation.

Councilman Schneider stated that he had voted "no" on the appropriation Ordinance, because of there being public interest not sufficient to warrant it, but agreed that there is a golden opportunity for the City. He asked to see the City Manager's plan.

Councilman Dail asked if there is a disagreement on how long the City would have the housing project.

Councilman Schneider said that the City might not have to operate the project.

Councilman Godfrey said that since set up, the Council has an ordinance regarding use of money. He said that the City Attorney could have an opinion next Tuesday, favoring leaving out the rescinding clause.

Vice Mayor Wincote spoke of not needing the plan asked for use.

Councilman Godfrey said that there was a carefully-considered plan. He said it will be thrown out, if not legal. He requested "not rescinding anything because Bill (Starke) is here".

The Vice Mayor said that the Chair has heard 2 comments; there has to be a meeting of minds.

Councilman Godfrey spoke of 2 points of interest: the people of the City, and the different direction. He said that it is no trouble to let it stand; it can be repealed any time. He said that it is anticipated that people will be away.

Vice Mayor Wincote said that Councilmen Godfrey and Schneider have different opinions.

Councilman Schneider asked Mr. Cope to ascertain if this is the total sum, as appropriated.

Mr. Cope said "yes".

Communication from W.E. Starke on appropriation for acquisition of Federal Housing property.

Councilman Dail commented "It is not".

Vice Mayor Wincote stated that it is the total purchase price.

Councilman Schneider said he thought that \$300,000. was not the total price. He said that the City has discarded the plan for the housing on privately-owned property. He stated that even if it is the total price for the property, it should not be taken from the Capital Outlay Fund.

Mr. Cope said that this is the total amount - for the Federal property. He mentioned a larger figure stated earlier, when there was more property involved.

The Vice Mayor said that earlier the City did not have a firm commitment ; later it did.

Councilman Schneider said that he does not want the City to go in for public housing, but that it has to comply with Federal ruling, if it is to purchase the property. He repeated that it should not be done under Capital Outlay.

Councilman Godfrey said that he is not arguing for the Capital Outlay; he is not against "this". He stated that the Council should get the plan from the City Manager. He said that the Council will have to rescind 1 ordinance. He told the Council that the attorney can strike regarding previous action, and that the Council can go "either way".

Mr. Starke charged that the Council is juggling funds.

Mr. Deaper said that the reason he made the suggestion regarding the 2 Ordinances was simply to avoid the present decision, which is the way it is going. He said that there was just time. He stated that he would rather see the ~~repealing the~~ repealing section stay in, and not go to the Capital Outlay. Mr. Deaper stated that if it is the decision to take the money from the Capital Outlay Fund, Mr. McQuilken is not in a position to issue a warrant, because there will then be litigation. He said that would delay the issue. He stated that if every foot were to be used for public purposes, there would be no question, but he felt that it is not the intent to use every foot for such purpose. He said that there is the matter of degree, over which there would be an argument, if all is not used.

Councilman Godfrey said "this is a fine time to have all this information!" He stated that the Council was taking the recommendations of the City Manager and City Attorney.

The Vice Mayor spoke of the item being garbeled on the Sales Tax, which went into the Capital Outlay Fund.

The roll was called, resulting in the communication going to the City Manager.

The next item was taken up, out of order on the agenda:

Following the discussion on the property purchase, as a result of the W. E. Starke letter, Ordinance appropriating \$300,000. from Unappropriated Balance Fund, for providing funds for purchase from The Federal Government of lands available under the Federal Government's program of relinquishing of Federally-owned lands used for public housing areas; and repealing ordinance No. 6321 (New Series), adopted November 18, 1954, and Ordinance No. 6333 (New Series), Councilman Dail moved to introduce the ordinance, dispense with reading, and adopt it - as is. Motion was seconded by Councilman Schneider.

The ordinance was read, at the request of Councilman Godfrey.

Douglas D. Deaper, Deputy City Attorney, said that he was not recommending anything; he does not want to be put on the spot.

Councilman Godfrey asked about a statement.

Mr. Cope said that he can dictate a statement.

Councilman Dail said that it would not be fair; the statement should come from the City Manager.

Mr. Cope told Mr. Dail that the City Manager will be here on the 10th of December.

Councilman Godfrey said that he wants to act when the City Manager and the Mayor get back. He said that now the Council is throwing the thing out the window.

Councilmen Schneider and Dail said that has happened before, and both said that there was too much quick action.

The Vice Mayor said that Mr. Deaper did not want to go on record.

Councilman Dail said that questions must be answered by the City Manager.

Councilman Schneider said that he suspected it would be possible to complete arrangements by the dead-line.

Councilman Godfrey pointed out that there is left in the Unappropriated Balance Fund \$130,000., and that the City would have problems.

Mr. Cope said that other items can be spent from the Capital Outlay Fund, such as the Linda Vista Building for recreation (discussed on Tuesday). He said he felt the Council should ask for extension of time relative to the final date, and indicated that will be done.

Councilman Godfrey said that he hates to have the thing thrown out, after months of discussion.

Mr. Deaper told the Council that he does not want to be put in the position of backing down. He said that the opinion to be given by the City Attorney's office is to be based on the City Manager's plan.

Councilman Godfrey said that he would prefer to wait, and that Washington would have to continue the date.

Mr. Cope disagreed, saying that no, the Commissioner does not have to extend.

Councilman Dail said that the City is "hooked", on account of answers given to the San Diego Taxpayers' Association; but now funds are expended.

The roll was called, resulting in

ORDINANCE NO. 6338 (New Series), recorded on Microfilm Roll No. 88, approp-

Continued discussion on the
acquisition of Federal housing property
6338 N.S. - I.D.A.

riating \$300,000.00 from the Unappropriated Balance Fund for purpose of providing funds for purchase from Federal Government of lands available under the Federal Government's program of relinquishment of Federally-owned lands used for public housing areas; and repealing Ordinance No. 6321 (New Series) adopted November 18, 1954, and Ordinance No. 6333 (New Series) adopted November 23, 1954, was adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgener, Kerrigan, Mayor Butler.

The Ordinance was introduced on motion of Councilman Dail, seconded by Councilman Schneider.

Prior to passage the reading in full was dispensed with by vote of not less than 4 votes, on motion of Councilman Dail, seconded by Councilman Schneider. There was available for consideration of each member of the Council prior to day of passage a written or printed copy.

Communication from law offices of Procopio, Price, Cory and Schwartz, 420 San Diego Trust & Savings Building, San Diego, dated November 29, 1954, signed by Edward J. Schwartz, was presented. It states that on September 21, 1954, the firm wrote advising that it represented Metzger-Srere Theatres, operators of Cabrillo Theatre located at Horton's Plaza, and set forth objections to the so-called Shattuck Plan. It goes into the subject at some length, and asks for notification at least 60 days in advance of action by the Council of the Planning Commission to permit adequate study by clients of proposal.

Glenn A. Rick, Planning Director, advised the Council that he has notified the writer.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was placed in the file with others on the same subject.

Communication from Mrs. Hugh S. Scott pointing out that Golden Hill offers the best location as well as plenty room for a Civic Auditorium, rather than Horton Plaza with its heavy traffic district.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was referred to the file with others on the same subject.

Resolution authorizing Purchasing Agent to approve requests by Park Department for exchange of nursery stock for equal value plants of private nurseries as being to best advantage of the City, was presented.

Councilman Schneider asked why.

Orin Cope explained regarding exchange of stock where there is an excess owned by the Park Department.

John McQuilken, City Auditor and Comptroller, told the Council that the proposed Resolution is to provide a proper method of exchange.

RESOLUTION NO. 121451, recorded on Microfilm Roll No. 88, approving Document No. 502002, and construing Section 22.0506 of Municipal Code to permit and authorize Purchasing Agent to approve requests by Park Department for exchange of nursery stock for equal value plants of private nurseries, and deeming it nonfeasible to provide competition for plant exchanges, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121452, recorded on Microfilm Roll No. 88, authorizing City Manager to employ H. C. Dennis to do work at northeasterly and northwesterly corners of Jewell Street and Reed Avenue, in connection with improvement of Jewell Street; not to exceed \$345.78 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states that City has entered into contract with Dennis for improving Jewell Street under 1911 Street Improvement Act, that it is necessary to replace curb returns in addition to work provided for in proceedings, that contractor has offered to do the work at said sum and City Manager has recommended that offer be accepted.

RESOLUTION NO. 121453, recorded on Microfilm Roll No. 88, authorizing City Manager to employ M. H. Golden Construction Company to do work at intersections of San Jacinto Drive and Churchward Street and Santa Margarita Street and Churchward Street, shown on Drawings Nos. 11264-L and 11265-L, cost not to exceed \$997.39, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution states that City has entered into contract for improvement of portions of 53rd Street, Santa Margarita Street and San Jacinto Drive under 1911 Street Improvement Act proceeding, that drawing No. 11264-L shows work to be done by City forces, that contractor has offered to do the work at said price and City Manager has recommended acceptance.

RESOLUTION NO. 121454, recorded on Microfilm Roll No. 88, authorizing City Manager to employ R. E. Hazard Contracting Co. to replace 306 square feet of 4-inch A.C. paving at intersection of Garnet Street and Haines Street, in connection with Haines Street; cost of work not to exceed \$122.40, 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 under 1911 Street Improvement Act Proceedings, and that for drainage reasons it is necessary to replace paving, that contractor has offered to do work for said sum, and City Manager has recommended that offer be accepted.

Communication authorizing City Manager to execute non-resident sewer agreement with Daley Corporation, was presented.

Asked about the situation, Orin Cope explained that the City went through County property.

RESOLUTION NO. 121455, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager to execute, for and on behalf of the City, a non-resident sewer agreement with Daley Corporation for permission to connect sewer lateral to City's Alvarado Trunk Sewer to serve portion of Lots 46 and 47 Partition of Rancho Mission San Diego, under terms and conditions set forth in form of agreement filed in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121456, recorded on Microfilm Roll No. 88, authorizing and empowering City Treasurer to duplicate coupons due January 1, 1954, detached from El Capital Dam 5% Bonds Nos. 3414 to 3418, inclusive, representing interest payment numbered 58, owned by Bank of America National Trust and Savings Association, to replace 5 coupons lost or inadvertently destroyed; covered by Lost Instrument Bond, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121457, recorded on Microfilm Roll No. 88, approving Change Order No. "C" dated September 19, 1954, heretofore filed with City Clerk as Document No. 501833, issued in connection with contract between The City of San Diego and M. H. Golden Construction Company, for construction of Transit Shed No. 2 on "B" Street Pier, contained in Document No. 493486, amounting to decrease in contract price of \$1,260.73, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121458, recorded on Microfilm Roll No. 88, approving Change Order No. 1 dated November 29, 1954, heretofore filed with City Clerk as Document No. 501835, issued in connection with contract between The City of San Diego and W. V. Hutchison for installation of Water Mains in Area at Foot of 10th Avenue, contract contained in Document No. 498862 on file in office of City Clerk, changes amounting to decrease in contract price of \$476.69, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121459, recorded on Microfilm Roll No. 88, cancelling permit granted by Resolution No. 119552 to Culligan Soft Water Service, 2641 Kettner Boulevard, San Diego, for underground fuel tank in sidewalk area at 2641 Kettner Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121460, recorded on Microfilm Roll No. 88, granting permission to Edgar W. Bourquin to install and maintain water line in "J" Street and Alley Block 20 Kimballs Subdivision, subject to covenants and conditions contained in Removal Agreement, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next Resolution, Orin Cope, Assistant to the City Manager, told the Council that this is the item which had been approved in Conference.

RESOLUTION NO. 121461, recorded on Microfilm Roll No. 88, granting, upon recommendation of Director of Water Department, with approval of City Manager, permission to Director of Water Department to continue to serve water to M. H. Golden Construction Company as heretofore authorized and subject to same restrictions up to but not beyond January 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121462, recorded on Microfilm Roll No. 88, authorizing City Attorney to file disclaimer in quiet title action entitled "Al V. Carpenter and Jane A. Carpenter vs. The City of San Diego, a municipal corporation, No. 193172", now pending in Superior Court of State of California in and for County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution states that the Carpenters have instituted action seeking to quiet title against The City of San Diego filed in County Recorder's office of San Diego

County on October 1, 1954, and alleging that City claims an interest in the property adverse to plaintiffs, and allege that City has no interest in the property; that Council is advised by City Manager that City has no actual interest in and to the real property and that City would have no present or prospective use in and for any portion of thereof, and that it will be in interest of City and inhabitants to save the City unnecessary expense and costs in defending litigation, and that City exercise its statutory right and file disclaimer in said action.

The item which had been continued from previous meeting, was presented again.

It is a proposed Resolution authorizing Mayor John D. Butler to attend the V Meeting of Inter-American Congress of Municipalities, to be held in San Juan, Puerto Rico, December 2 to 7, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, continued again - to Tuesday, December 2, 1954.

RESOLUTION NO. 121463, recorded on Microfilm Roll No. 88, approving Claim of Caroline N. Manley on file in Office of City Clerk under Document No. 501435; authorizing and directing City Auditor to draw warrant in favor of Leonard Manley and Caroline N. Manley in amount of \$33.01 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121464, recorded on Microfilm Roll No. 88, approving Claim of Evelyn Peritz on file in Office of City Clerk under Document No. 500116, claiming \$241.40 for \$224.00; authorizing and directing City Auditor and Comptroller to draw warrant in amount of \$224.00 in full settlement, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121465, recorded on Microfilm Roll No. 88, denying claim of Lloyd W. Coker on file in office of City Clerk under Document No. 501251, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121466, recorded on Microfilm Roll No. 88, denying claim of Mrs. Marie M. Henriksen, on file in Office of City Clerk under Document No. 501573, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121467, recorded on Microfilm Roll No. 88, denying claim of S. F. "arek on file in office of City Clerk under Document No. 500827, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121468, recorded on Microfilm Roll No. 88, denying claim of Lillian Warner on file in office of City Clerk under Document No. 498981, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121469, recorded on Microfilm Roll No. 88, denying claim of Dr. Jacob Wenig on file in office of City Clerk under Document No. 500237, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121470, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by Marie McMahon, beneficiary, and Union Title Insurance and Trust Co., trustee, bearing date October 15, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 31 Kensington Villa Annex, to right of way and easement for storm drain; 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. 121471, recorded on Microfilm Roll No. 88, accepting subordination agreement; executed by The Northwestern Mutual Life Insurance Co., beneficiary,

121463 - 121471
Cont. Res. re Mayor's
expenses on Puerto Rico
trip cont.

and Rufus Freitag, trustee, bearing date November 3, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 153 Talmadge Park, to easement and right of way for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121472, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by The Northwestern Mutual Life Insurance Co., beneficiary, and Rufus Freitag, trustee, bearing date November 3, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 16 Kensington Villa Annex, to right of way and easement for storm drain 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 Schneider, adopted.

RESOLUTION NO. 121473, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by The Northwestern Mutual Life Insurance Company, beneficiary, and Rufus Freitag, trustee, bearing date November 3, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 15 Kensington Villa Annex, to right of way and easement for storm drain 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 Schneider, adopted.

RESOLUTION NO. 121474, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by San Diego Teachers Credit Union, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date October 14, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 32 Kensington Villa Annex; 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. 121475, recorded on Microfilm Roll No. 88, accepting deed of Charles Alfred Swope and Vera Leora Swope, bearing date November 24, 1954, conveying Lot 12 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. 121476, recorded on Microfilm Roll No. 88, accepting deed of F. E. Young Construction Co., bearing date November 17, 1954, conveying Lots A and B Block 214 Horton's 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 Schneider, adopted.

RESOLUTION NO. 121477, recorded on Microfilm Roll No. 88, accepting partial reconveyance executed by Fred C. Corey, quitclaiming portion of Pueblo Lot 1297; setting aside and dedicating land to public use as and for park purposes; 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. 121478, recorded on Microfilm Roll No. 88, accepting Deed of Fred C. Corey and Ruth C. Corey, bearing date October 22, 1954, conveying portion of Pueblo Lot 1297; setting aside and dedicating to public use as and for Park purposes; 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. 121479, recorded on Microfilm Roll No. 88, accepting Deed

of San Diego Unified School District of San Diego County, bearing date November 16, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1262; setting aside and dedicating the land to public use as and for public street and naming it Nautilus 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 Schneider, adopted.

RESOLUTION NO. 121480, recorded on Microfilm Roll No. 88, accepting deed of F. T. Scripps Inc., bearing date November 24, 1954, conveying easement and right of way for sewer purposes in portion of Lot 3 of Pueblo Lot 1783; 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. 121481, recorded on Microfilm Roll No. 88, accepting deed of Arthur J. Wullich and Dorothy H. Wullich, bearing date November 19, 1954, conveying easement and right of way for sewer purposes in portion of Lot 31 Monte Villa 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121482, recorded on Microfilm Roll No. 88, accepting deed of Blanche Bone Doyle, bearing date November 23, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 43 and 44 Block 92 E. W. Morse'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 Schneider, adopted.

RESOLUTION NO. 121483, recorded on Microfilm Roll No. 88, accepting deed of Roderick R. Jones and Barbara Merrill Jones, bearing date November 24, 1954, conveying easement and right of way for water main purposes in portion of Lot 266 Talmadge Park 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. 121484, recorded on Microfilm Roll No. 88, accepting deed of Elwood G. Merrill, Jr. and Alice L. Merrill, bearing date November 22, 1954, conveying easement and right of way for water main purposes in portion of Lot 265 Talmadge Park 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.

Ordinance appropriating \$1,150.00 from Unappropriated Balance Fund for preparation of plans and cost estimates in connection with construction of Public Golf Courses at Torrey Pines Mesa and in Balboa Park, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was continued to the meeting of Tuesday, December 7, 1954.

RESOLUTION NO. 121485, recorded on Microfilm Roll No. 88, continuing to the meeting of Tuesday, December 7, 1954, proposed Ordinance appropriating \$1,150.00 from Unappropriated Balance Fund, for preparation of plans and cost estimates in connection with construction of Public Golf courses at Torrey Pines Mesa and in Balboa Park; requesting City Attorney to furnish opinion on legality thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The next item listed on the agenda - ordinance appropriating \$300,000. from Unappropriated Balance Fund for purchase of lands from Federal Government, used by P.H.A. and rescinding Ordinances 6321 and 6333 (New Series), was introduced, reading dispensed with and adopted, earlier in this meeting.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance dedicating portion of Lot 25 Block 10 San Diego Land and Town Company's South Chollas Addition for street purposes, and naming it 36th Street, was introduced, by the following vote: Yeas--Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgener, Kerrigan, Mayor Butler.

The Acting City Manager requested, and was granted, unanimous consent to present the following item, not listed on the agenda. He said that the Volunteers of America had been asked to designate locations for Christmas Chimneys in accordance with their request, but that it had been held up regarding changing of commands.

RESOLUTION NO. 121486, recorded on Microfilm Roll No. 88, granting permission to Volunteers of America, 1637 Market Street, San Diego, to place Christmas Chimneys at locations, and maintain same from December 2, to December 24, 1954, for soliciting funds to be used for general relief of needy at Christmas time and throughout the year; at locations specified in the Resolution - in charge of staff member of Volunteers of America - between 10:00 A.M. and 6:00 P.M., was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Vice Mayor told the Council that the Planning Director had advised him expiration of the term of Ray S. Jones, member of the Zoning Adjustment Board, after January 1, 1955.

RESOLUTION NO. 121487, recorded on Microfilm Roll No. 88, referring to Council Conference the matter of naming a successor to Ray S. Jones as member of Board of Zoning Adjustment, from and after January 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Acting City Manager spoke about a conference on Auction Sales on Tuesday.

Councilman Godfrey asked for a continuance of 1 week, and having all interested come in at one time.

There was no action.

Councilman Dail spoke about hearing conducted August 3, 1954, regarding Federal Boulevard east-bound traffic. He said that it is up in the air again at 47th Street and Federal Boulevard. He spoke of need to provide for joining the Chollas Freeway overhead. Mr. Dail read the Resolution which had been passed. He said that it was the intention that there be a traffic change provided, before advertising for bids. He said that it has not been had yet. Mr. Dail stated that he had a motion, which he wrote out. He spoke for alleviating concerns, at 47th and Federal. He said that he will prepare a Resolution for presentation Tuesday.

Councilman Schneider told the Council that there is to be a Planning Commission dinner at Town & Country tomorrow (Friday, December 3). He asked if attendance, where official, would be reimbursable. He identified it as San Diego County Planning Congress. When he asked members of the Council if they would attend, others said that they would not. Mr. Schneider said, then, that he will go.

There was discussion between the Vice Mayor and Councilman Schneider regarding operation of Council meetings, and the procedure.

The Vice Mayor thanked members of the Council for their cooperation on Tuesday (the previous meeting) and said that it made it so easy to preside.

Councilman Schneider said that usually the presiding officer presides only, and does not discuss or influence motions. He felt that the Chairman should do more presiding, and less participating.

Councilman Godfrey declared that what Mr. Schneider had in mind is parliamentary, and that the situation is different here - with the Mayor voting as a member of the Council. Mr. Godfrey declared that if remarks were addressed to the Chair it would be more orderly. He said that it could be improved "on both sides".

Councilman Dail agreed, pointed out that members of the Council often carry on a discussion directly with people in the audience.

Mr. Willis advised that the Anti-Litter Committee has voted \$800. for bill boards, and that the boards themselves are being donated for the use. There was no action.

There being no further business to come before the Council, the meeting was adjourned, by the Vice Mayor at 11:45 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Charles B. Wicote
Mayor of The City of San Diego, California

U.C. re hearing at 47th & Federal
U.C. Anti-Litter Committee
U.C. Bd. of Architectural Review member
U.C. S.D. County Planning Congress
information
U.C. Discussion re conduct of Council
meetings
U.C. Auction sale ord. comment

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, December 7,
1954

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

The Vice Mayor called the meeting to order at 10:00 o'clock A.M.

The Reverend John Desmond, of the San Diego College for Men faculty, was presented by the Vice Mayor. Father Desmond gave the invocation.

Councilman Schneider mentioned that this was the anniversary of Pearl Harbor bombing. He asked the Vice Mayor to comment on the incident to those in the audience.

The Vice Mayor asked Mr. Schneider, who was in the Navy, to do it.

Councilman Schneider told of this being the 11th anniversary, and spoke of many in audience having lost men on that date. He asked if those present would arise for a moment of silence in memory to those who had lost their lives. Members of the audience stood in silence.

Vice Mayor Wincote told of there being 2 school groups present at the meeting. He asked the Brooklyn School class to arise for recognition. He asked Mr. L. W. Beikman, principal to stand with them. He did so, and thanked the Council for having the students attend. Mr. Beikman told of Mrs. Magnus being responsible for getting the children to the Civic Center.

The Vice Mayor then introduced the Senior Citizenship Class from Pt. Loma High School. They stood, also, for recognition.

Then the Vice Mayor explained the procedure in conduct of the Council meetings.

The Purchasing Agent reported in writing that bids had been received December 3, 1954 at 10:00 A.M. for paving and otherwise improving Alley Block 255 Hoel's Subdivision from H. C. Dennis, Al E. Riley, Inc.; T. B. Penick & Sons.

It was moved by Councilman Schneider, seconded by Councilman Burgener, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report thereon was accepted.

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 Purchasing Agent reported in writing that bids had been received December 3, 1954 at 10:00 o'clock A.M. for paving and otherwise improving Alley Block 4 Ocean View, and Block 2 Sunset Grove from H. C. Dennis, Callahan Bros., Al E. Riley, Inc., T. B. Penick & Sons.

It was moved by Councilman Schneider, seconded by Councilman Burgener, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report thereon was accepted.

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 Purchasing Agent reported in writing that bids had been received December 3, 1954 at 10:00 o'clock A.M. for paving and otherwise improving Dudley Street between Catalina Boulevard and Silver Gate Avenue from Sim J. Harris Company, R. E. Hazard Contr. Co., H. C. Dennis, Daley Corporation, Griffith Company, M. H. Golden Constr. Co.

It was moved by Councilman Schneider, seconded by Councilman Burgener, that the bids had been publicly opened, examined and declared. The Purchasing Agent's report thereon was accepted.

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.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Regular Meetings of Tuesday, November 30, 1954, and of Thursday, December 2,

1954 were approved without reading. They were signed by the Vice Mayor.

On motion of Councilman Schneider, seconded by Councilman Godfrey, hearing by John C. Lewis re loss of Physically Handicapped Person's Parking Privileges, was continued to Thursday, December 9, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121031 of Preliminary Determination for installation of sewer mains in Alley Block 16 La Mesa Colony, 73rd Street, and Public Right of Way in Lot 40 La Mesa Colony - continued from November 30, 1954 - the Clerk reported that no written protests had been received. There were no protests, written or verbal.

The City Engineer, for people who felt that the proceedings were being prolonged, explained the legal steps which must be taken under State law.

RESOLUTION NO. 121488, recorded on Microfilm Roll No. 88, determining that proposed improvement of sewers in Alley Block 16 La Mesa Colony, 73rd Street, Public Right of Way in Lot 40 La Mesa Colony 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. 121032 of Preliminary Determination for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park - continued from November 30, 1954 - the Clerk reported that no written protests had been received. There were no protests, written or verbal.

RESOLUTION NO. 121489, recorded on Microfilm Roll No. 88, determining that proposed improvement of Alley Block 2 Ocean View and Block 5 Ocean Beach Park 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. 121033 of Preliminary Determination for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street - continued from November 30, 1954 - the Clerk reported that no written protests had been received.

Sidney G. Evans spoke in behalf of a woman whom he did not identify, and for himself. He mentioned the repaving of Harney on a different grade, and a turn around. He said that he owns on both sides of the strip of right of way which had been acquired by the Spreckels Company. He told of having street car houses - not in favor with the City, according to him - on a portion. He told of the City having not decided if it is going across the golf course with a future improvement. He said that he wants the thing settled, so he can dispose of the 100 feet. Mr. Evans told of having offered to exchange the property for City property. He said that Harney goes into the property, and that one then has to turn around. Mr. Evans told the Council that he does not care which route is chosen, but that he objects to waste, in connection with doing work, tearing it up, and doing other work.

Vice Mayor wondered if this was a protest on this job.

Mr. Evans stated that it is - on the last 100 feet; improvement would be worthless. He said that other property owners are objecting to a deep cut. He said that it looks like the City, which has been tardy, is now over-eager.

The City Engineer said that he does not know where the ultimate highway is to go. He showed a plat, and said that if his plan is not accepted it will be necessary to break out a portion of the paving. He agreed that proceedings had been initiated by property owners. The Engineer stated that improvement (of the highway) would be not at expense of the property owners adjoining, but would be from the Gas Tax. He stated that he and the Planning Department do not agree. The City Engineer said that this had been drawn up on the basis that he would win in the highway dispute.

Councilman Burgener said that the highway development is with the Planning Commission; it has not come to the Council.

Glenn A. Rick, Planning Director, stated that the State has announced that it is studying a new route regarding crossing Washington Street. He said that he will be able to come up with something in 2 or 3 months.

Mr. Evans spoke about Mr. Rick going as far as Mr. Fogg in eliminating the cul de sac.

The City Engineer showed the Council a map.

The Vice Mayor wondered if it would be advisable to delay this project, under hearing.

The City Engineer said that this is "the second time around". He told of having omitted Jefferson Street, and that he can eliminate "this". He said that there will not be a duplication.

Hearings
121488 - 121489

Councilman Kerrigan

~~The Vice Mayor~~ said that the Council can go ahead with this project, or abandon it.

The Vice Mayor said that it can be continued from week to week.

Douglas D. Deaper, Deputy City Attorney, told the Council that it is not yet into the 1911 Act. If the plan is changed, he said that it would be necessary to abandon proceedings. He stated that it can be abandoned on the Resolution of Intention. Mr. Deaper stated that the Council will not lose any time if it adopts "this" resolution.

Answering a question on time, the City Engineer said that it would be 6 to 7 weeks for the next hearing. He said that it is immaterial; it is what the property owners want.

RESOLUTION NO. 121490, recorded on Microfilm Roll No. 88, overruling and denying protest of Sidney G. Evans against proposed improvement of Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Preliminary Determination No. 121033; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121491, recorded on Microfilm Roll No. 88, determining that proposed improvement of Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution No. 121033 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121034 of Preliminary Determination for paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota - continued from November 30, 1954 - the Clerk reported that no written protests had been received. There were no protests, written or verbal.

RESOLUTION NO. 121492, recorded on Microfilm Roll No. 88, determining that proposed improvement of Sea Breeze Drive, Roanoke Street and Calle Gaviota 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 Burgener, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121107 of Preliminary Determination for paving and otherwise improving East and West Alley Block 4 West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta, the Clerk reported that no written protests had been received. No protests, written or verbal, were submitted.

An unidentified woman told the Council that the several women here were in favor of the improvement. She asked how long before work would get under way.

The City Engineer said that this is the first hearing, and that it would be 4 or 5 months before work can be started; about 8 to 9 months before completed.

Councilman Schneider spoke directly to the property owners, and stated that the Council is operating under State law, which has to be followed.

The Vice Mayor pointed out that opponents would still have an opportunity to protest in the future.

RESOLUTION NO. 121493, recorded on Microfilm Roll No. 88, determining that proposed improvement of East and West Alley Block 4 West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 West 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 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. 121108 for paving and otherwise improving Franklin Avenue and 28th Street, the Clerk reported that no written protests had been received. No protests, verbal or written, were submitted.

RESOLUTION NO. 121494, recorded on Microfilm Roll No. 88, determining that proposed improvement of Franklin Avenue and 28th Street, under Resolution No. 121108 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 1911 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 furnishing electric current for ornamental street lights in Talmadge Park Lighting

Hearings

121490 - 121494

District No. 2, the clerk reported that no written protests had been received. No protests, written or verbal, were submitted.

RESOLUTION NO. 121495, recorded on Microfilm Roll No. 88, confirming and adopting as a whole Talmadge Park Lighting District No. 2 for furnishing electric current contained in Engineer's Report and Assessment filed in office of City Clerk October 29, 1954, 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 furnishing electric current in Talmadge Park Lighting District No. 3, the Clerk reported that no written protests had been received. No protests, written or verbal, were submitted.

RESOLUTION NO. 121496, recorded on Microfilm Roll No. 88, confirming and adopting as a whole Talmadge Park Lighting District No. 3 for furnishing electric current contained in Engineer's Report and Assessment filed in office of City Clerk October 29, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2298 for paving and otherwise improving Wunderlin Avenue and 60th Street, the Clerk reported that written protests had been received from Agnes P. Ferry, Paul L. & So Bella, H. Kent; C. S. Wagoner and from Donald A. Peppler. They were presented to the Council.

The City Engineer, making a verbal report at the request of the Vice Mayor, said that there is a 5.6% protest, and reviewed the appeals. He said that the Council should sustain the property split, and that he had a modified roll for presentation. He said that he would be glad to pay the 1¢ assessment, in connection with one of the appeals.

Mrs. Agnes P. Ferry said that she can't see where the improvement pertains to her property, which is Lot 41.

The City Engineer said that under State law he had spread the assessment back 1/2 block, an area assessment. He related the method of levying the assessment.

Vice Mayor Wincote^{asked} about the extent of the 1/2 block.

Mrs. Ferry said that 60th Street is paved.

The Vice Mayor said that owners 1/2 block away paid for improvement when 60th was paved.

Mrs. Wagoner said that she was not exactly opposed, but did not approve of the method. She said that property owners should be advised ahead of time. She said that she is not on the street.

The Vice Mayor said that assessment is on an area basis.

Councilman Dail told of having to get 60% on petitions for improvement. He said that circulators do not necessarily get around to area owners.

Mrs. Wagoner said that it strikes her as being high. She said that it is not amusing; it is insulting.

Councilman Burgener stated that the circulator does not know where the assessment is to go.

Councilman Dail talked directly to Mrs. Wagoner regarding the petition, and the preparation by the City Engineer's office.

Vice Mayor said that the City spent 3¢ to mail a 1¢ assessment. He spoke of the property owner having 4 ft on the area assessment. He agreed that it is ridiculous.

Mrs. Wagoner said that, according to the notice which refers to an approximate assessment, that it could be more. She objected to the procedure.

The Vice Mayor said that the situation cannot be avoided. He stated that the City has to go as far as the ridiculous assessment.

Councilman Schneider stated that it is under the State law, and made reference to procedure thereunder. He said that the City has to apply the situation to the law.

The Vice Mayor said that there is another 1¢ assessment.

RESOLUTION NO. 121497, recorded on Microfilm Roll No. 88, overruling and denying appeal of Agnes P. Ferry and Paul L. and SoBella H. Kent, and appeal of C. S. Wagoner from Street Superintendent's Assessment No. 2298 made to cover expenses of paving and otherwise improving Wunderlin Avenue, and portion of 60th Street, under Resolution of Intention No. 116721, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121498, recorded on Microfilm Roll No. 88, sustaining appeal of Donald A. Peppler from Street Superintendent's Assessment No. 2298 made to cover costs and expenses of paving and otherwise improving Wunderlin Avenue, and portion of 60th Street under Resolution of Intention No. 116721; directing Street Superintendent to modify and correct Assessment No. 2298; continuing hearing until 10:00 o'clock A.M., Thursday, December 9, 1954; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on request of R. W. Reed, on various subjects, Mr. Reed was heard. He said that the majority is not organized, but that he represents them. He read several ideas in connection with auditorium site and a variety of other subjects, having nothing to do with that.

Councilman Schneider said that the auditorium location has not been determined, and that it is not before the Council.

Mr. Reed spoke about burning wild oats - and asked the Council to consider that, too. Then he went into a statement of Governor Knight's spreading of a new tax.

Councilman Godfrey said that he is willing to hear about the auditorium

Hearings

121496 - 121498

Councilman Dail asked if the Council wants to file the communication.

Mr. Reed answered the question, and said that the Council might as well.

Councilman Dail pointed out that a hearing has been set before the Planning Commission on December 15, at 4:00 P.M.

Councilman Dail said that the Council had set a hearing at Mr. Reed's request, and that he should be given 5 minutes.

Mr. Reed told about tax, that he went around the U.S. last year and that nobody had the answer.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the petition with several signatures, on a number of subjects, was filed.

Councilman Charles C. Dail requested, and was granted permission to present a subject not listed on the agenda. He said that a man was here regarding property being dropped, on account of Federal Blvd. Freeway. He said that it should be re-instated.

The City Engineer said that it has been done, and is "coming in next week".

Communication from Purchasing Agent submitting Resolution accepting bid of Don A. Wren & Co. for furnishing 5 tons of Palm Fibre at \$5,745., was presented. It states that 6 bids; successful bidder is the next-to-low bidder; low bid did not comply with delivery dates, and sample not considered equal to Wren offer.

Councilman Schneider said that the figure had been changed in Conference from 5 tons to 30. He asked that the Resolution be changed.

RESOLUTION NO. 121499, recorded on Microfilm Roll No. 88, accepting bid of Don A. Wren & Co. for furnishing 30 tons of Palm Fibre at \$5,745. plus State sales tax; 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 Burgener, adopted.

Communication from Purchasing Agent submitting Resolution accepting bid of Austin Safe & Desk Company on various items of Furniture for College Heights Branch Library at \$3,022.92 net plus tax; accepting bid of Remington Rand, Inc. on 2 items at total of \$59.25 net plus tax, was presented.

RESOLUTION NO. 121500, recorded on Microfilm Roll No. 88, accepting bid of Remington Rand, Inc., for furnishing Items 4, 7 for College Heights Branch Library; 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 Kerrigan, adopted.

RESOLUTION NO. 121501, recorded on Microfilm Roll No. 88, accepting bid of Austin Safe & Desk Co. for furnishing Items 1, 2, 3, 5, 6, 8, 9, 10, 11 for College Heights Branch Library; 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent submitting Resolution accepting bid of P. E. VanPelt for furnishing 4 Pumpers with motors at \$75,772. plus installations, for Fire Department, was presented.

RESOLUTION NO. 121502, recorded on Microfilm Roll No. 88, accepting bid of P. E. Van Pelt, Inc. for furnishing 4 Pumpers in accordance with specifications, mounted on Kenworth chassis equipped with motors plus installation for 4 hand cranks, etc.; 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 Kerrigan, adopted.

Communication from Purchasing Agent submitting Resolution accepting bid of Electric Supplies Distributing Co. for furnishing lamps under joint bids with City, County, and School District, was presented. (45% standard packages, broken packages off standard list - 2% 10th prox. 4.7% State and Excise Tax)

RESOLUTION NO. 121503, recorded on Microfilm Roll No. 88, accepting bid of Electric Supplies Distributing Company for furnishing Incandescent and Fluorescent Lamps for period of 1 year, beginning January 1, 1955; 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 Kerrigan, seconded by Councilman Schneider, adopted.

U.C. re improvement acct Federal
Blvd.
Communications
121499 - 121503

Communication from Purchasing Agent reporting on bids for furnishing 300 Parking Meter Pipe Standards @ \$3.50 ea; 300 Base Bells @ \$1.02 ea., plus State Sales Tax - total price \$1,396.83 from Pacific Union Metal Co., was presented.

RESOLUTION NO. 121504, recorded on Microfilm Roll No. 88, accepting bid of Pacific Union Metal Co. for furnishing Parking Meter Pipe Standards, Base Bells; 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 Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent reporting on bids and recommending acceptance of Pace Construction Co. bid for storm drain in La Jolla Shores Drive, portion of P.L. 1297, and Lot 15 La Jolla Shores Terrace Section B for \$3999.60, was presented.

RESOLUTION NO. 121505, recorded on Microfilm Roll No. 88, accepting bid of Pace Construction Company for construction of storm drain in La Jolla Shores Drive, portion of P.L. 1297 and Lot 15 La Jolla Shores Terrace, Section B; 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent reporting on bids for improvements in Wabash Boulevard, Section, recommending award to C. W. McGrath at \$20,337.14, was presented.

RESOLUTION NO. 121506, recorded on Microfilm Roll No. 88, accepting bid of C. W. McGrath for miscellaneous improvements, Wabash Boulevard, Section, for \$20,337.14; 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 Kerrigan, seconded by Councilman Schneider, adopted.

The Vice Mayor spoke to the audience, and said that it might seem that the Council is passing over items rapidly. That is not the case, however, he stated in that they had been considered in Conference prior to this meeting.

Communication from Purchasing Agent recommending acceptance of City's option with General Truck & Engine Co. to purchase General Motors Truck Tractor equipped with trailer and Pak-Mor Rubbish Collection Unit (it has been rented to the City for 12 months at \$9,000.00) plus extra heavy Packer Chain \$326.07, plus State Sales Tax, allowing credit of \$4,500. total rent paid by City under agreement and extensions - total amount \$5,105.85 including tax, was presented.

RESOLUTION NO. 121507, recorded on Microfilm Roll No. 88, authorizing City Manager to exercise option with General Truck & Engine Co. for purchase of General Motors Truck Tractor equipped with trailer and Pak-Mor Rubbish Collection Unit, rented to City for 12 months, at \$9,000.00 plus extra heavy Packer Chain, plus State sales tax, allowing credit for rent paid by City under rental contract agreement and extensions - total amount \$5,105.85 including Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent recommending acceptance of The Gertlenslager Company bid for furnishing 1 Bookmobile at \$13,520.78 plus State Sales Tax, was presented.

RESOLUTION NO. 121508, recorded on Microfilm Roll No. 88, accepting bid of The Gertsenslager Company for furnishing 1 Bookmobile at \$13,520.78 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 Schneider, adopted.

Communication from Purchasing Agent recommending acceptance of bid of Cabrillo Land Co. for providing City's requirements of Gasoline for year beginning January 1, 1954, containing option by which City may extend contract for an additional year, was presented.

RESOLUTION NO. 121509, recorded on Microfilm Roll No. 88, authorizing City Manager to advise Cabrillo Land Company that The City will exercise option under contract Document No. 483641, but that extension of time will be for 45 days beginning January 1, 1955, in lieu of extension for 1 year, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communications
121504 - 121509

Communication from Purchasing Agent presenting Resolution authorizing purchase of power drill repair parts in open market - for Chicago Pneumatic Power Drill - at \$1,083.82 including tax, was presented.

RESOLUTION NO. 121510, recorded on Microfilm Roll No. 88, authorizing Purchasing Agent to purchase in open market Repair Parts for Chicago Pneumatic Power Drill (obtainable only through Shaw Sales & Service Company, local agent) - listed in detail in the Resolution - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, returning petition of Russell Segel, together with other papers (which had been referred back by the Council on November 16, 1954) for proposed rezoning of portion of Lot 16 Ex-Mission Lands, from R-1 to C and CP, was presented.

Morey Levenson, representing Russell Segel petitioner, appeared at the microphone, but was not heard at this time.

Letter from the Commission, explaining the latest proposals by Mr. Segel's attorney, was read. It states, among other things, that Mr. Levenson spoke on behalf of Mr. Segel, and that Mr. Kennedy a protesting property owner, spoke in support of residential zoning on the Segel property. It states that Mr. Kennedy had stated that signers of the Segel agreement had signed under threat of worse possibilities if they did not sign. It says that in support of the contention, Mr. Kennedy submitted a letter which was attached, signed by 2 property owners on Altadena Street, and promised he would submit more signatures in the near future. The communication says that the Planning Commission could find no reason to change its last recommendation, and voted 4-0 to re-affirm previous findings.

Councilman Dail asked if Mr. Kennedy was here. He spoke about the conclusion, regarding duress.

Mr. Kennedy appeared, and said "that was the intent".

Councilman Dail told of having talked to Mr. Kennedy, and that he did not get the opinion about the duress.

Vice Mayor Wincote thought the matter had been returned to the Planning Commission out of courtesy. He said that was the case, so far as the intention of the Council was concerned.

Mr. Levenson said that was true. He reviewed a letter, addressed to the Planning Commission.

Councilman Kerrigan said that proposals had been made by Eli Levenson, and that the item had been referred back to see if it could be worked out. He said that there was information regarding the "working out". He declared that the Council cannot direct the Planning Commission to think the same way.

The Vice Mayor said that the Council had thought it was better to refer the subject back.

Councilman Schneider said that the Council should grant C and CP zones.

Councilman Dail said that there was also the matter of R-4 zone, but not use for that. (R-4 zone of neighbors is used as R-1).

Councilman Godfrey told of the request from Segel, and of the Council's interest in protecting property across the street. He mentioned the Dail interest in wanting a buffer. He declared that it would be had to have the property undeveloped, and in weeds. Mr. Godfrey said that property should be rezoned, but the other property protected. He said that would be the best solution, rather than weeds and tin cans.

Mr. Levenson said that Mr. Kennedy tries to convey the impression to the Council and the Planning Commission that threats have been made. He spoke of the agreement which has been signed. Mr. Levenson said that the buffer was recommended by Glenn A. Rick, City Planning Director. He spoke of the impracticability of a buffer. He said that in CP Parking cars are not going to park in front of the residences. He said that he wants to have the parking which the Planning had recommended.

Councilman Godfrey asked what steps have been taken to assure interested property owners that buffer is being provided. He spoke of the owner being able to have it under a variance. He asked what assurance there is of an attractive front.

Councilman Kerrigan pointed out that the ordinance makes no provision for conditions.

Councilman Godfrey then asked what assurance the City would have.

Mr. Levenson replied that no assurance can be given on a future purchaser. He spoke of the owner being willing to landscape the property, and provide ice plants. He said that would solve the problem.

The Vice Mayor pointed out that ice plant does develop brown spots.

Councilman Godfrey said that a letter is needed from the present owner.

Mr. Levenson promised that would be done, that 1 letter has already been submitted. He read from the Planning Commission's letter.

Councilman Kerrigan spoke of the proposal as being window dressing, which should not be considered. He said that it should be R-4, C or CP, and mentioned Mr. Segel's right to sell. He contended that cannot be made a part of the zone.

Councilman Godfrey said that Mr. Segel is willing to go on record in writing, he he thinks that he will do so.

Mr. Levenson told the Council that he would see that it would be done.

Councilman Godfrey said that if the City gets it in writing....(statement was not heard, inasmuch as several talked at this point).

Mr. Kennedy then spoke to the Council. He stated that he is a farm boy;; perhaps he should not have come to the City; that he tries to be fair. He said that he

Communications

121510

Hearing, which developed on recommendation of Planning Comm. in Lot 16 Ex-Mission Lands

had never indicated that all signed the letter in connection with threats. He said that he had people willing to testify regarding statements made that if zone were not granted, barracks would be moved in, and the property be run down.

Councilman Dail said that nobody has come forward, and things are erroneous. He stated that protest has been withdrawn. He stated that except for 2 people, it is hearsay.

Councilman Burgener spoke directly to Mr. Kennedy regarding petition, and threat.

Mr. Kennedy said that it is hearsay.

Councilman Dail said that he is willing to accept the Kennedy protest.

Mr. Kennedy told of being the only objector - other than 1 or 2. He referred to there being 9 people at a meeting, and that they did not want to make a decision. He spoke of having not hoped to keep the property across the street as R-1. He said that his property is R-4, and that he is willing to compromise, but that petitioner made no attempt to compromise, although he worked out a compromise. Mr. Kennedy told the Council that he is not a black scoundrel, and not the only objector. He mentioned 10 houses being most concerned; 5 are opposed to re-zoning; 5 are not opposed. He said that many have signed the Segel letter regarding improvement.

Vice Mayor Wincote asked if he had gone on record.

Mr. Kennedy's reply was "yes", and added that all is turned over to the Planning Department.

Mr. Rick showed a map indicating desires of the property owners.

Councilman Dail spoke of a compromise to C.

Several looked at a map, and discussed it, but discussion was not heard by the Clerk.

Mr. Rick then spoke about the desires and a withdrawal from the Kennedy petition.

Mr. Kennedy said that when it all started, if the zone remained in R-1 the property across the street (his) would go R-1.

The Vice Mayor referred to the property as Lots 29-36.

Mr. Kennedy referred to a doctor's office which had been proposed.

Councilman Dail pointed out that the R-4 property is used as R-1.

Mr. Kennedy said that after a meeting in his house, Mr. Segel and Mr. Levenson had circulated a letter. He repeated the 10 property owners' desires: 5 & 5. He referred to heavy traffic on Altadena. He said that if the property remains R-1, Mr. Segel does not have to build.

Mr. Wincote asked if there is a letter of agreement, and that it would be difficult to change it if there is.

Mr. Kennedy said that there is no guarantee that Mr. Segel would let the property lie idle.

Councilman Dail said that he could build a large apartment house, or duplexes.

Mr. Kennedy declared that there is excess parking lot on Altadena. He told the Council that majority of the people would not be opposed to a compromise. Mr. Kennedy stated that a decision should be reached, and re-zoned accordingly. He asked for a delay of re-zoning, and let the petitioner apply for a variance. He stated that a future owner would not have to follow an agreement (if rezoned).

Councilman Schneider spoke directly to Mr. Levenson, saying that he could make sure of protecting property across the street. He wondered about C Zone outright, and CP controlled. He wondered if that would be feasible.

Mr. Rick spoke to Mr. Schneider and said that as drafted, it is feasible.

Councilman Schneider contended that Mr. Segel could sell next year, or next month. He felt that the inner area for Zone C outright, and CP on a variance to keep up required appearance, would be good.

Mr. Rick referred to a question of doubt. He said that improvements are a required part for protection. He said that Mr. Segel is entitled to wall, black top, but no entrances. He said that the letter mentions the things needed.

Councilman Dail spoke of a compromise, already. He referred to a compromise of the compromise.

Mr. Rick said he could tell Levenson to put in the improvements, and change the zone when done.

Councilman Schneider pointed out that Mr. Kennedy is bothered about the future.

Mr. Rick said that last week he made a recommendation regarding R-4. He said that variance could have been taken care of last week.

Councilman Schneider stated that he is trying to "protect both sides".

Councilman Dail said that the compromise situation is satisfactory to him, now. He said that people have revaluated the situation, and now have some confidence in the petitioner. He said that, he, too, has had a lack of confidence in Mr. Segel. He said that now is the satisfactory.

Douglas D. Deaper, Deputy City Attorney, said that the Council is talking about protection. He said that the Ordinance isn't such that there can be any assurance. He said that the zone variance should not be used in place of zoning, and vice versa. He stated that conditions should be determined, if a variance is granted.

Councilman Godfrey said that Councilman Schneider is trying to find a way. He said that if it can be done by letter of firm commitment as to when things would be done, that would be enough. He asked why not a letter first?

Mr. Deaper said that there is no ordinance, yet.

RESOLUTION NO. 121511, recorded on Microfilm Roll No. 88, requesting the City Attorney to prepare and present the necessary ordinance to rezone portion of Lot 16

Ex-Mission Lands, from R-1 to Zones C and CP in vicinity of Federal Boulevard and Alta-dena Avenue, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted. Councilman Dail stated that he wants the letter: what is to be done, and when.

Communication from Planning Commission, stating that City Engineer's request that "Colton Avenue" from approximately extension of 16th Street to approximately extension of 26th Street be changed to "Harbor Drive, was presented. It states that all City departments have approved requested name change, and Planning Commission voted 4-0 to recommend granting.

RESOLUTION NO. 121512, recorded on Microfilm Roll No. 88, adopting recommendation of City Planning Commission for changing name of portion of Colton Avenue, to Harbor Drive; directing City Attorney to prepare and present necessary Ordinance changing the name, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 Allied Gardens Units 5 & 6, was presented.

RESOLUTION NO. 121513, recorded on Microfilm Roll No. 88, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Allied Gardens Units 5 & 6, 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 Allied Gardens Units 5 & 6 for 1030-lot subdivision of portion of Lot 67 and portion of Lot 80 in Lot 70 Rancho Mission, located in recent Waring Annexation, located northeasterly of Allied Gardens No. 4, was presented. Report states that included within subdivision is elementary school site of 13.25 acres and Junior-Senior High School site of 26 acres, both of which have been approved by School Board as to location and size. Approval is recommended, subject to 12 conditions.

RESOLUTION NO. 121514, recorded on Microfilm Roll No. 88, approving Tentative Map of Allied Gardens Units 5 & 6, subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending repeal of Resolution on Tentative Map for division of portion of Lot 37 La Mesa Colony, due to error re conditions and description of property - Resolution 120946 - was presented.

RESOLUTION NO. 121515, recorded on Microfilm Roll No. 88, repealing Resolution No. 120946; approving Tentative Map for division of portion Lot 37 La Mesa Colony, T. L. Benge, owner, subject to 2 conditions; stating that final subdivision map need not be filed if owner complies with conditions and within 1 year from date of Resolution files 2 copies of Record of Survey of property (in accordance with Chapter 15 Division 3 Business & Professions Code) with Planning Department, and obtains zone variance for the division, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Glenn Rick, reporting on Tentative Map for subdivision of southerly portion Lot 7 Ocean View Gardens, fronting on Trojan Avenue, a remnant of a 600 foot lot with double frontage on both Meade and Trojan Aves., was presented. It states that, among other things, the Tentative Map does not comply with community plan development for the area, and recommends denial.

RESOLUTION NO. 121516, recorded on Microfilm Roll No. 88, denying Tentative Map for southerly portion of Lot 7 Ocean View Gardens, submitted by B. S. Dobrans, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, reporting on request of owner for approval of Tentative Map showing redivision of Lots 1 and 2 Block 43 Paradise Hills No. 3, to front upon Roanoke Street instead of upon Reo Drive, was presented.

RESOLUTION NO. 121517, recorded on Microfilm Roll No. 88, overruling and denying decision of Planning Commission in decision to deny division of Lots 1 and 2 Block 43 Paradise Hills No. 3, at southwest corner of Reo Drive and Roanoke Street, and granting permit for division to front on Roanoke, shown on drawing prepared by Albert W. Daniels, subject to 4 conditions; repealing Resolution No. 121243, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Asked in what way the owners and Planning Director "got together" on settlement, as noted in the communication, Glenn Rick read the resolution, prior to adoption of Resolution. He said that owners have submitted a letter, and that it is satisfactory.

Communications
121512 - 121517

Communication from Planning Commission, signed by Glenn Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Rancho Cabrillo Unit No. 3, was presented.

RESOLUTION NO. 121518, recorded on Microfilm Roll No. 88, suspending Sections 102.12-8, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Rancho Cabrillo Unit No. 3, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending approval of Tentative Map of Rancho Cabrillo Unit No. 3, for 11-lot subdivision located on Lot 37 Partition of Rancho Mission, on Kearny Mesa southerly of Wherry Housing Project (Cabrillo Heights), subject to 10 conditions, was presented.

RESOLUTION NO. 121519, recorded on Microfilm Roll No. 88, approving Tentative Map of Rancho Cabrillo Unit No. 3, 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 P. Q. Burton, reporting on request from L. H. Martin, doing business as Martin Neon, for ruling that operation of sign business at 4714 Felton Street in Zone C is permitted use in C Zone, and reporting in detail on the property and the area, was presented.

RESOLUTION NO. 121520, recorded on Microfilm Roll No. 88, making finding that use by L. H. Martin, doing business as Martin Neon, of northerly 24 feet of southerly 100 feet of Lot 3 Block 29 Normal Heights (4714 Felton Street) for operation of sign business, including bending of glass tubing, painting and assembling Neon signs, with not more than 5 employees at any one time, provided all storage of materials and equipment, except automotive equipment, is conducted within buildings, is business similar to and not more obnoxious than other permitted uses in C Zone, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from San Diego Chamber of Commerce, dated December 2, 1954, signed by A. V. Engel, president, was presented. It states that the Fire Prevention Committee has for several years been interested in need for creating Fire Zones in the City that would improve standards of fire prevention and reduce loss of life and property by fire and improve general appearance of commercial areas and protect property values, was presented. It attaches recommendation from the Committee to the Board of Directors. It states that the Committee recommendation was approved unanimously by the Board of Directors December 1.

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

Communication from Ancient Egyptian Order of Sciets, 645 "B" Street, signed by I. "Jake" Jacobson, Grand Parade Marshal, dated December 2, 1954, was presented. It thanks the Mayor and Council for cooperation during National Sciets convention.

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

In connection with the next item, Vice Mayor Wincote stated that he wants the claim paid, and that he wants to see the decision (of the City Attorney) reserved.

Councilman Godfrey said that the only way would be for "us" to pay it. He stated that the writer needs an attorney.

The Vice Mayor spoke directly to Douglas D. Deaper, Deputy City Attorney, and asked if there is any way to pay the claim. Mr. Deaper said "No".

Then, Mr. Deaper said that when claim was filed, a proper form therefor was mailed to the claimant, for filling out and filing. He said that writer did not do it, however. He stated that the claim was turned down, and then Mr. Strout wrote back to the Council. He said that the Council referred it back to the City Attorney, and he answered it. He said he does not see how it could be made any clearer, and that the writer has been told twice already of the procedure, then why it was denied.

Communication from E. A. Strout, Canutillo, Texas, dated December 1, 1954 -general office, 7757 Whitefield Place, La Jolla, California, was presented. It states that letter of November 23 signed by Aaron W. Reese, Deputy City Attorney was received, but that Mr. (Aaron) did not answer question to what 90 days did the denial of payment of claim apply.

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

Communication from Irvine & Jachens, Inc., dated December 2, 1954, from 6700 Mission Street, Daly City, California, signed by C. F. Stegman, president, was presented. It solicits business for Mayor's, Councilman's and other city and county officials' badges, to be carried for identification.

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

The Liquefied Petroleum Gas Ordinance, which had been continued from time to time was brought up, out of order, at request of Morey Levenson, attorney. Mr. Levenson asked if the Council would postpone action 1 week.

Councilman Schneider said that would be agreeable to him.

Councilman Godfrey answered "No".

Mr. Levenson told of need for another week.

Councilman Dail said that he will not go for a continuance; it has already been delayed a long time. He spoke of the great deal of discussion already had on the subject of the regulation.

Vice Mayor Wincote said that although he is on the other side from Councilman Dail, he agrees with Mr. Dail about there being no further continuance.

Councilman Dail said that the Council could vote on the Ordinance while Mr. Levenson was here. The Council did not do so, but went on with the regular order of business as contained in the agenda.

RESOLUTION NO. 121521, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2310 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 2 Chester Park Addition, under Resolution of Intention No. 113133, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121522, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2308 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 67 Park Villas, public right of way and Villa Terrace, under Resolution of Intention No. 116398, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121523, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2306 and of time and place of hearing thereof, for paving and otherwise improving Arbor Drive, under Resolution of Intention No. 116399, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121524, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2307 and of time and place of hearing thereof, for paving and otherwise improving Camino del Collado, from La Jolla Shores easterly, under Resolution of Intention No. 116895, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121525, recorded on Microfilm Roll No. 88, directing notice of filing of Assessment No. 2309 and of time and place of hearing thereof, for installation of ornamental lighting system in Broadway, between Pacific Highway and 8th Avenue, under Resolution of Intention No. 117524, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121526, recorded on Microfilm Roll No. 88, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving Dwight Street, under Resolution of Intention No. 120268, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 4.8% below estimate.

RESOLUTION OF AWARD NO. 121527, recorded on Microfilm Roll No. 88, accepting bid of Sim J. Harris Company, a corporation, and awarding contract for paving and otherwise improving F Street, under Resolution of Intention No. 120269, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 11.4% below estimate.

RESOLUTION OF AWARD NO. 121528, recorded on Microfilm Roll No. 88, accepting bid of H. C. Dennis, and awarding contract for paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5 and 6 Block 28 Fairmount Addition to City Heights, under Resolution of Intention No. 120271, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 21.6% below estimate.

RESOLUTION OF AWARD NO. 121529, recorded on Microfilm Roll No. 88, accepting bid of Walter H. Barber, and awarding contract for sewers in Market Street, Pitta

Street, J Street and Public Rights of Way under Resolution of Intention No. 120270, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.
The City Engineer reported in writing that low bid is 9.7% below estimate.

RESOLUTION OF INTENTION NO. 121530, recorded on Microfilm Roll No. 88, for paving and otherwise improving Alleys Block 35 Parish and Loomis Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121531, recorded on Microfilm Roll No. 88, for paving and otherwise improving Everts Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 121532, recorded on Microfilm Roll No. 88, for paving and otherwise improving 69th Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 121533, recorded on Microfilm Roll No. 88, for sewer in Winnett Street, Tobley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 121534, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Kensington Manor Lighting District Number One for one year from and including May 1, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 121535, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Mission Beach Lighting District Number One for 11 months and 16 days from and including May 15, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 121536, recorded on Microfilm Roll No. 88, for closing westerly portion of 6th Avenue lying adjacent to the easterly line of Lots 37 through 50 Block 1 Fifth Street Addition, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121537, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Crown Point Lighting District No. 1, for 11 months and 16 days from and including February 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121538, recorded on Microfilm Roll No. 88, for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 1, for 1 year from and including March 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121539, recorded on Microfilm Roll No. 88, for closing "A" Street = between westerly line of 15th Street and westerly line of Gardner's Addition = was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 121540, recorded on Microfilm Roll No. 88, for closing "F" Street = between east line of 44th Street and west line of 45th Street = was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

121530 = 121540

RESOLUTION NO. 121541, recorded on Microfilm Roll No. 88, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights in Garnet Street Lighting District No. 1, for period of 12 months and 2 days from and including January 30, 1955, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121542, recorded on Microfilm Roll No. 88, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in Presidio Hills Lighting District No. 1, for period of 1 year from and including February 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121543, recorded on Microfilm Roll No. 88, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block I Montecello under Resolution of Intention No. 118154, and to be assessed to pay expenses thereof, 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. 121544, recorded on Microfilm Roll No. 88, approving diagram of property affected or benefited by work of improvement to be done on paving Alleys Blocks 3 and 4 Ocean Front, under Resolution of Intention No. 118394, and to be assessed to pay expenses thereof, 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. 121545, recorded on Microfilm Roll No. 88, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, and to be assessed to pay expenses thereof, 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. 121546, recorded on Microfilm Roll No. 88, approving diagram of property affected or benefited by work of improvement to be done on paving Wightman Street, and Ogden Street, under Resolution of Intention No. 117130, and to be assessed to pay expenses thereof, 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. 121547, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installation of sanitary sewer mains in 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, under Resolution of Intention No. 118980, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121548, recorded on Microfilm Roll No. 88, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Long Branch Avenue, and portion of Spray Street, under Resolution of Intention No. 119347 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121549, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 500357 for paving and otherwise improving East and West Alley Block 41 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, including removal of curbs, sidewalks and paving as required, and installation of sidewalks and water services if required including portions of Central Avenue and 41st Street, if required, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121550, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 499895 for paving and otherwise improving Alley Block 33 Fairmount 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, including installation of sewer laterals if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121551, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 500358 for paving and otherwise improving Alley Contiguous to and westerly of Lots A through F Ft. Stockton 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121552, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 499244 for paving and otherwise improving Alley Block 34 Ocean 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, including installation of sewer laterals if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121553, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 500917 for paving and otherwise improving Alley Block 151 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, including installation of sewer laterals if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121554, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 499777 for paving and otherwise improving Alley Block 201 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121555, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 500918 for paving and otherwise improving Alley Block 7 Roseville 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, including installation of sewer laterals if required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121556, recorded on Microfilm Roll No. 88, granting petition for paving and otherwise improving portion of 36th 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, including installation of curbs, sidewalks, drainage structures and water services if required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121557, recorded on Microfilm Roll No. 88, granting petition for paving and otherwise improving Vancouver 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, including installation of curbs, drainage structures, sewer laterals and water services as required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

121550 = 121557

RESOLUTION NO. 121558, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 501228 for paving and otherwise improving Worden 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, including curbs, drainage structures and appurtenances, water services and sewer laterals as required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121559, recorded on Microfilm Roll No. 88, granting petition contained in Document No. 501542 for improvement of Wunderlin 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, including installation of curbs, sewer laterals and cut-off walls if required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121560, recorded on Microfilm Roll No. 88, declaring result of the canvass of election returns of special Municipal Election held November 2, 1954, upon a proposition to amend the Charter of the City of San Diego: "B. CITY OF SAN DIEGO CHARTER AMENDMENT PROPOSITION: Amend Article VII of the Charter of The City of San Diego by adding a new section thereto to be numbered Section 90.1, which authorizes the City to issue revenue bonds for purpose of financing replacements and improvements to the water system of said City, upon a majority vote of the people; and providing a procedure for the issuance and sale of such bonds", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution states that the Council finds and determines:

That total number of votes cast in The City of San Diego on the charter amendment proposition is 109,951;

That the number of votes cast for said charter amendment proposition is 70,184;

That the number of votes cast against said charter amendment proposition is 49,767;

That the charter amendment proposition has received the vote of a majority of the qualified voters voting thereon, and the proposition carried.

Resolution states that the number of votes cast in each precinct for and against the charter amendment proposition and number of absentee votes cast for and against the proposition are recorded in the Elections Returns Book of The City of San Diego, and the book shall be considered part of records of the Council. It orders the Clerk to enter on minutes a statement showing the charter amendment proposition voted upon, the total number of votes cast in the City for and against the proposition, the total number of absentee votes cast for and against the proposition, and a statement that the number of votes cast in each precinct for and against the proposition, are recorded in the Elections Returns Book. The Resolution also directs that results of the canvass of the Special Municipal Election shall be immediately made public by publication of a copy of the Resolution.

RESOLUTION NO. 121561, recorded on Microfilm Roll No. 88, stating that pursuant to provisions of Section 11.1 of County Water Authority Act The City of San Diego elects to and will agree to and will serve to all water consumers residing in hereinafter described territories water from the water supply of The City of San Diego:

La Mesa Colony No. 2, portions of Lots K and L La Mesa Colony, annexed to The City of San Diego by Ordinance No. 11786 adopted June 18, 1928; Blethen Tract, annexed to The City of San Diego by Ordinance No. 3559 (New Series) adopted October 21, 1947;

La Mesa Colony No. 4, annexed to The City of San Diego by Ordinance No. 5421 (New Series) adopted December 23, 1952;

Rolando Tract, annexed to The City of San Diego by Ordinance No. 6007 (New Series) adopted March 16, 1954;

Butterfield Tract, annexed to The City of San Diego by Ordinance No. 6066 (New Series) adopted April 20, 1954;

La Mesa Colony No. 5, annexed to The City of San Diego by Ordinance No. 6150 (New Series) adopted June 10, 1954;

authorizing and directing City Clerk to transmit certified copy of the Resolution to Board of Directors of San Diego County Water Authority, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, signed by Carl F. Reupsch, dated 2 December 1954, submitting form of sublease proposed to be entered into between Tide

Communication
121558 - 121561

Water Associated Oil Company and M. Machado Medina covering marine service station of "G" Street Pier, was presented. It states that sublease is in accord with established policies and has been approved by the Harbor Commission.

RESOLUTION NO. 121562, recorded on Microfilm Roll No. 88, ratifying, confirming and approving sublease, form of which is on file in Office of City Clerk under Document No. 502329 entered into between Tide Water Associated Oil Company, Sublessor, and M. Machado Medina, Sublessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Board of Architectural Review - City Planning Dept. - signed by P. C. Kelley, Secretary, dated Nov. 9, 1954, came before the Council again, having been presented November 16, 1954.

RESOLUTION NO. 121563, recorded on Microfilm Roll No. 88, approving rule adopted by Board of Architectural Review at meeting of Nov. 8, 1954 to amend Council Resolution No. 117338 and to supersede corresponding portion which regulates frequency of meetings of Board of Architectural Review, as part of requirements of Section 101.0702 of Municipal Code:

MEETINGS: Time of: Meetings shall be held once every two weeks in a designated location. Notice is to be given of any change in time or place of meeting. Additional meetings may be called at the discretion of the Chairman of the Board of Architectural Review, was

on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121564, recorded on Microfilm Roll No. 88, establishing parking time limit of 36 minutes between 8:00 A.M. and 9:00 P.M., Sundays and holidays excepted:

"E" Street between 8th and 9th Avenues; authorizing installation of necessary signs and markings to be made on the street; repealing Resolution No. 91549 adopted November 9, 1954 and any other Resolutions in whole or in part in conflict, and each of them is repealed, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Resolution read, when presented, 10:00 P.M., but was changed by the Clerk at the Request of the Council prior to adoption, in accordance with determination made in Conference.

RESOLUTION NO. 121565, recorded on Microfilm Roll No. 88, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations:

Parrot West of 39th Street
 Parrot at Rowan
 Rowan north of Parrot
 Rowan at Colonial Avenue
 39th at Rowan
 Colonial Avenue at its southerly terminus
 39th south of Rowan
 39th near southerly end and west of Midvale Drive
 Midvale Drive south of Gateway Drive
 Midvale Drive approximately midway between its southerly end and Gateway Drive
 Parrot approximately midway between 39th and the southerly end of Rowan

Parrot north of Rowan
 Midvale Drive near southerly end northeasterly of 39th
 Felton Street (South) at Monroe
 33rd Street (South), at Monroe
 34th Street (South), at Monroe
 Boundary at Monroe
 McClintock Street at Monroe
 Linnet at Balmoral
 Linnet at Thrush
 Thrush at Balmoral
 59th at Balmoral
 Sea Breeze Drive and Alleghany Street
 Sea Breeze Drive north of Alleghany Street at Alley
 Alleghany Court and Alleghany Street
 Alleghany Court north of Alleghany Street
 Alleghany Street between Alleghany Court and Munda Road
 Munda Road and Alleghany Street
 Saipan Drive and Alleghany Street
 Munda Road between Alleghany Street and Saipan Drive
 Munda Road and Saipan Drive
 Saipan Drive between Alleghany Drive and Munda Road at Alley
 Saipan Drive between Munda Road and Ranger Road, 2 lights

Saipan Drive and Ranger Road
 Saipan Drive between Ranger Road and Boxer Road, 2 lights
 Saipan Drive and Boxer Road
 Guadalcanal Road and Boxer Road
 Guadalcanal Road between Ranger Road and Boxer Road at Alley
 Guadalcanal Road and Ranger Road
 Ranger Road approximately 300 feet west of the east intersection
 with Bataan Circle

Bataan Circle and Ranger Road (West intersection)
 Bataan Circle south of Ranger Road, 3 lights
 Munda Road between Oriskany Road and Ranger Road, 2 lights
 Munda Road and Ranger Road
 Munda Road between Ranger Road and Paradise Valley Road
 Munda Road and Paradise Valley Road
 Ranger Road, between Munda Road and Chenango Place
 Ranger Road and Chenango Place
 Chenango Place north of Rendova Place, 2 lights
 Rendova Place, west of Chenango Place
 Bairoko Drive and Oriskany Road
 Bairoko Drive and Bougainville Road
 Bairoko Drive between Bougainville and Hornet Drive, 2 lights
 Bairoko Drive and Hornet Drive
 Horney Drive east of Bougainville Road
 Oriskany Road, between Munda Road and Wasp Drive
 Oriskany Road and Wasp Drive
 Wasp Drive south of Oriskany Road, 4 lights,

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

In connection with the next Resolution, Councilman Dail said that he wanted it prepared, but that it had been no intention to have it passed. He said that there is not a great deal of attention. He said that mistake is being made when spending millions, when not contributing to the economic use. He spoke about not getting unanimity; not 50%. He said that most of the cotton comes in by rail.

Councilman Wincote spoke of having met with the County Board of Supervisors on the subject, and that it would be forthcoming. He said that he does not agree with Mr. Dail regarding Viejas Grade.

Councilman Dail said that not one more truck will use Viejas Grade.

Councilman Godfrey said that Councilman Dail's point had been brought up before. He spoke of referring to E. E. Wallace (State Highway District Engineer) statement of there being something now; or nothing on which to compromise. He said that he thinks there will not be a tunnel.

RESOLUTION NO. 121566, recorded on Microfilm Roll No. 88, strongly urging the State Highway Commission of the State of California to proceed immediately to secure the necessary appropriations, to cause the necessary plans to be prepared, and to improve State Highway 12 (U. S. Highway 80) in accordance with tentative plans for Route D-1, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilman Dail. Absent--Mayor Butler.

RESOLUTION NO. 121567, recorded on Microfilm Roll No. 88, authorizing City Manager to execute agreement with Rolando Sanitation District whereby in connection with recent annexation to San Diego of portion of District, provision is made for payment for sewage disposal, transfer of title to sewer lines and right to connect to such lines, all in substantial accordance with terms and conditions of form of agreement entitled Supplemental Agreement between Rolando Sanitation District, City of San Diego and City of La Mesa for Transportation, Treatment and Disposal of Sewage, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121568, recorded on Microfilm Roll No. 88, authorizing City Manager to execute agreement with Lemon Grove Sanitation District whereby in connection with recent annexation to San Diego of portion of District provision is made for payment for sewage disposal, transfer of title to sewer lines and the right to connect to such lines, all in substantial accordance with terms and conditions of form of agreement, entitled Supplemental Agreement between Lemon Grove Sanitation District and the City of San Diego for Transportation, Treatment and Disposal of Sewage, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121569, recorded on Microfilm Roll No. 88, 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 28 to 36 incl.,

121566 - 121569
 (Discussion on Res 121566,
 re Highway 80)

Block 1 The Dells Park; por said Lot 36, all Ls 35, 34, 33, 32 and por Ls 31, 30, 29, 28, 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121570, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Foster and Kleiser Co. of North 70.0 feet of Lot 7 Block 336 Choate's Addition, for term of 5 years at annual rental of \$50.00; more particular description of property and terms and conditions to be as set forth in Document No. 502339; property has value of \$500.00 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121571, recorded on Microfilm Roll No. 88, approving request of D. and M. Sprinkler Company, contained in Document No. 502268 being change Order No. 1 for extension of 20 days to and including November 24, 1954, in which to complete contract for installation of sprinkler system in Midway Drive, contract contained in Document No. 493488; extending time of completion to November 24, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121572, recorded on Microfilm Roll No. 88, approving Change Order No. 1, dated November 26, 1954, heretofore filed with City Clerk as Document No. 502270, issued in connection with contract with Fred J. Early, Jr. Co. Inc., for construction of modifications to Sewage Treatment Plant, contract contained in Document No. 500820 on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121573, recorded on Microfilm Roll No. 88, approving Change Order No. 2, dated November 26, 1954, heretofore filed in office of City Clerk as Document No. 502272, issued in connection with contract with Fred J. Early, Jr. Co., Inc. for construction of modifications to Sewage Treatment Plant, contract contained in Document No. 500820 on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121574, recorded on Microfilm Roll No. 88, granting permission to David Garfield, care Butterfield-Nelson, Inc., 1249 South 32nd Street, San Diego 13, to install 1 30-foot driveway and 1 35-foot driveway on west side of Clairemont Drive, between points 6 feet and 36 feet and points 94 feet and 129 feet south of end of radius return at southwest corner of Clairemont Drive and Clairemont Mesa Boulevard; also 1 30-foot driveway and 1 35-foot driveway on south side of Clairemont Mesa Boulevard between points 0 and 30 feet and points 55 feet and 90 feet west of end of the radius return, adjacent to Lots 3083 (excepting westerly 30 feet thereof) and 3084, Clairemont Unit 15, subject to conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121575, recorded on Microfilm Roll No. 88, granting permission to San Diego Co-Operative Poultry Assn. to install and maintain fire alarm line across 22nd Street, subject to Removal Agreement, and subject to further conditions that installation conform to California Public Utilities Commission General Order #95, and that it not interfere with any facilities belonging to San Diego Gas & Electric Company and Pacific Telephone & Telegraph Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121576, recorded on Microfilm Roll No. 88, allowing bill of San Diego Convention and Tourist Bureau, bearing date of December 2, 1954, in sum of \$1,133.84 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund of The City of San Diego for fiscal year 1954-1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The next item was brought up, after continuance from meeting of Nov. 30, 1954, and meeting of Dec. 2, 1954.

RESOLUTION NO. 121577, recorded on Microfilm Roll No. 88, authorizing Mayor John D. Butler to attend the V Meeting of the Inter-American Congress of Municipalities, to be held in San Juan, Puerto Rico, December 2 to 7, 1954; authorizing incurring of all expenses necessary, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Councilman Dail said that the Council is going to have a meeting this afternoon, and that there are people here to be heard.

RESOLUTION NO. 121578, recorded on Microfilm Roll No. 88, abandoning rights of way and easements for operation, maintenance and reconstruction of sewer pipes and appurtenances in portion of North & South unnamed alley closed to public use lying easterly from and adjoining Lot A Block 239 Mission Beach, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states that by deed dated December 1, 1930, recorded Book 1877 page 276 of Deeds, the City acquired easement for sewer lines and appurtenances in portions of Lot A Braemar and Lot A Block 239 Mission Beach; that City abandoned use of easement in 1938 and has not used easement since abandonment and has not used easement for more than 5 years next preceding date of the Resolution. It says that easement is unnecessary for present and prospective public use. It directs City Clerk to cause certified copy of Resolution, under his seal, to be recorded in office of County Recorder.

Councilmen Kerrigan and Dail were excused

In connection with Ordinance amending S.D. Municipal Code - regulating Auction Sales - a continued item, Vice Mayor Wincote told the Council that the Sam Fischer letter was in conference, but that it had not been reached.

Mr. Fischer told the Council that what he had to say is a repetition of his letter. He stated that the ordinance as is proposed in accordance, with several changes. He stated that auctioneer's name should appear on all notices, and that they should be incorporated.

Councilman Kerrigan asked Mr. Fischer if he could be an auctioneer.

Mr. Fischer replied that he could, but a license fee of \$75.00

Councilman Kerrigan spoke of 2 ordinances.

The Vice Mayor said that the ordinance before the Council is regarding "action sale".

Mr. Fischer said that the need is passed, regarding Christmas. He said that the proposal is an amendment to the auction ordinance.

Vice Mayor Wincote pointed out that this is an amendment to the Auction Ordinance.

Councilman Godfrey said that this ordinance could be adopted "as amended".

Douglas D. Deaper, Deputy City Attorney, told the Council that it would be necessary to prepare whatever ordinance the Council wants.

Councilman Burgener said that it would have to be re-drawn.

Mr. Fischer said that an "action" sale ordinance is for the purpose of keeping within the law, and keeping clean. Mr. Fischer told the Council that unless it makes changes, the evil will not be cured. He said that in order to have an "action" sale, a man could be trained in 15 minutes, but that it takes 5 years to make a good auctioneer. He stated that he does not like the "action" sale.

Councilman Dail returned

Mr. Fischer recommended increase in the license fee; it is higher in Los Angeles it is higher; in San Bernardino it is \$1,000.

Councilman Kerrigan returned

Mr. Fischer said that the thing is beginning to "raise heads now". He said that the Council is going to get complaints regarding statements of promise. He stated that he is sure that it is proper for an actioneer to have to pay \$500. He told of having 2 licenses; 1 for himself; 1 for his son.

Councilman Schneider spoke to Mr. Fischer regarding effect on actioneers and of others coming in.

Councilman Kerrigan spoke of protection by City government for existing actioneers, and that the City has refused the same for sign licensing ordinances.

Vice Mayor said that during Mr. Kerrigan's absence, Mr. Fischer brought up the "action" regarding cost.

Mr. Fischer spoke directly to Councilman Kerrigan, and said that he was sorry that earlier remarks had been missed.

Councilman Kerrigan spoke to Mr. Fischer regarding auction schools under the G.I. bill.

Vice Mayor Wincote asked if this is on the subject of the amendment.

Councilman Burgener said "no".

The Vice Mayor contended that Mr. Fischer has a fine suggestion.

Mr. Deaper told of the Mayor having received a letter which started this matter.

Councilman Kerrigan said that he had heard from "people up town" on the subject.

Vice Mayor Wincote said that he does not know what to do.

Mr. Fischer said that the ordinance will not give the protection desired. He asked why do the thing over and over (having reference to adoption, amendment, etc.)

Councilman Godfrey said that "this won't accomplish anything" He advocated taking the item off the docket, or referring it to Conference, regarding a finished product.

Beecher Dixon, Manager of the Better Business Bureau, said that he thinks the Ordinance should be passed; amended later. He said that he urges the passage, and told of letters from jewelers.

Vice Mayor Wincote said that the timing is bad; that the Council can't stop anything before Christmas.

121578

Auction & Action Sale

Ord. discussion.

Mr. Dixon referred to discussions which have been had with the City Attorney's office.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance prior to passage was dispensed with. 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, reading of the next ordinance was dispensed with.

ORDINANCE NO. 6339 (New Series), recorded on Microfilm Roll No. 88, amending San Diego Municipal Code relating to Auction Sales, was adopted.

RESOLUTION NO. 121579, recorded on Microfilm Roll No. 88, referring to Council Conference for further study, the enlarged matter of auction regulations, as presented verbally by Sam Fischer, Auctioneer, at this meeting, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The ordinance, referred to earlier in this meeting, and which had been continued from time to time - and introduced November 18, 1954, regarding Liquefied Petroleum Gas was presented.

The Vice Mayor pointed out that the hearing (various ones) had been closed. Councilman Schneider spoke to Lewis Dowdy, Jr., of the San Diego Liquid Gas & Appliance Co. He asked about the ordinance, and if Mr. Dowdy would be satisfied, if the industry gets the same as the Los Angeles ordinance.

Mr. Dowdy replied "yes and no". He said that there are loopholes in the Los Angeles Ordinance. He spoke of remarks having been made regarding the Los Angeles Ordinance, but that he does not agree with them.

Councilman Schneider said that the probable problem is regarding distance from the street.

Mr. Dowdy said that he could not operate on the 20,000 basis; only 10,000 gas tank.

Councilman Schneider asked Mr. Dowdy if he could have one of 15,000 gal. capacity.

Mr. Dowdy said "no"; the breaking point is 10,000 and 20,000. At the request of Vice Mayor Wincote he read from the ordinance regarding distances and quantity.

Councilman Godfrey asked on a cold day how long the 10,000 would last. Mr. Dowdy's reply was "only a little time". He spoke of a continuous transfer at the plant on a cold day.

Councilman Godfrey spoke directly to Mr. Dowdy regarding deliveries.

Mr. Dowdy said that the supplier sometimes does deliver.

Councilman Schneider spoke to the Fire Chief regarding the smog threat, as being State-wide. He said that if, as a result, buses are ordered to use Butane, a tremendous storage would be needed.

Fire Chief Courser replied that the more liquefied petroleum gas that is used, the more storage would be needed. He added that the Gas Co. has a standby "way out".

Mr. Dowdy tried, without success, to speak about smog.

Then Councilman Burgener addressed Mr. Dowdy directly about smog.

Mr. Dowdy told the Council that a scientist had received a medal regarding his recommendation that buses go to Propane, to reduce the smog. He said that several aircraft companies are changing over to Propane.

Then Councilman Schneider spoke to Mr. Dowdy about storage.

The Vice Mayor said that Mr. Schneider was not out of order, in that he was asking questions on the subject.

Councilman Schneider said, then, that if there is an increase in business 30,000 gal. won't do any good. He said that Mr. Dowdy might not need help.

Councilman Godfrey, pointing out that the Council has wanted to do every thing possible to bring about fairness in the issue, has taken a lot of time for the purpose. He said that if there are big orders from Consolidated or Solar, the gas would have to be sent directly from Los Angeles.

Mr. Dowdy told the Council that his plant has a Civil Defense standby.

Vice Mayor Wincote spoke directly to Mr. Schwartz (Walter C. Schwartz, Soper Butane Service). Mr. Schwartz told the Council that if it goes through regarding the business, he is out of business, although he has the required distance "on a portion".

The Vice Mayor asked why the street can't be taken into consideration, on calculating distances.

The Fire Chief stated that he is not familiar with the set-up of the Schwartz property.

The Vice Mayor referred to it being 15 feet from the property line, front and back.

The Chief spoke to Mr. Schwartz regarding when his lease is up.

Mr. Schwartz said that it has a renewal clause, and that he has a problem regarding extra handling and trucking.

Chief Courser said that he had not tried to hurt anyone, and that Mr. Dowdy has a fine operation. He asked Capt. Franklin to comment.

Captain Franklin said that the property is not adequate.

Councilman Godfrey said that street distances are the same as Los Angeles.

Councilman Godfrey moved to dispense with the reading of the ordinance, and adopt it.

Auction discussion

121579 - ref Auction matter to Conf.

Liquefied Petroleum Gas Ord. discussion

Councilman Dail said that this has gone on a long time, and that there has been "pressure on both sides". He stated that it is not a question of 1 side or the other; it is a question of public interest. He said that there is a lot of unnecessary accusation. Mr. Dail said that he has no hesitation in voting "yes".

Councilman Schneider related that he has been told of having changed his mind. He referred to situation not stopping, but getting bigger and bigger.

Vice Mayor Wincote mentioned having learned more and more; he had learned a lot.

Councilman Burgener declared that State requirements are not enough; this is too rigid.

Councilman Godfrey said that for this ordinance, it is unfortunate for Mr. Schwartz, and that he is deeply sympathetic of the effect on him.

The roll was called:

ORDINANCE NO. 6340 (New Series), recorded on Microfilm Roll No. 88, amending San Diego Municipal Code by amending Sections 55.06, 55.06.1, 55.06.2 and 55.06.3 thereof, and by Adding thereto new sections numbered 55.06.4, 55.06.5, 55.06.6, 55.06.7, 55.06.8, 55.06.9, 55.06.10, 55.06.11, 55.06.12, 55.06.13, 55.06.14 Regulating Storage, Use, Transfer and Transportation of Liquefied Petroleum Gas - directing that any bulk storage plant or container filling plant now in existence and not in compliance with the provisions of the Code shall be caused to conform with provisions of the Ordinance or shall be removed and use thereof discontinued by the 30th day of June, 1955, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen Burgener, Wincote. Absent--Mayor Butler.

ORDINANCE NO. 6341 (New Series), recorded on Microfilm Roll No. 88, amending The San Diego Municipal Code by amending Section 91.16 Regulating Cloth Canopy Shelters, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Absent--Mayor Butler. Nays--Councilmen None.

Reading was dispensed with not less than 4 votes. Copies were available prior to day of adoption.

The next item had been continued from meeting of December 2, 1954:

ORDINANCE NO. 6342 (New Series), recorded on Microfilm Roll No. 88, appropriating \$1,150.00 from Unappropriated Balance Fund, for providing funds for preparation of plans and cost estimates in connection with construction of public Golf Courses at Torrey Pines Mesa and in Balboa Park, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey; Nays--Councilmen None. Absent--Councilmen Mayor Butler.

Prior to adoption, the Ordinance was introduced, on motion of Councilman Godfrey, seconded by Councilman Burgener.

Reading was dispensed with by not less than 4 votes. Copies were available prior to day of adoption.

ORDINANCE NO. 6343 (New Series), recorded on Microfilm Roll No. 88, establishing Grade of Alley Block 19 North Shore Highlands, between easterly line of Fanuel Street and Westerly line of Gresham Street, 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.

Prior to adoption, the Ordinance was introduced, on motion of Councilman Godfrey, seconded by Councilman Kerrigan.

Reading was dispensed with by not less than 4 votes. Copies were available prior to day of adoption.

ORDINANCE NO. 6344 (New Series), recorded on Microfilm Roll No. 88, establishing grade of Alcott Street, between northwesterly line of Roseville, and northwesterly termination of Alcott Street in Lot 100 Point Loma Villas, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--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.

Prior to adoption, the Ordinance was introduced, on motion of Councilman Godfrey, seconded by Councilman Kerrigan.

Reading was dispensed with by not less than 4 votes. Copies were available prior to day of adoption.

ORDINANCE NO. 6345 (New Series), recorded on Microfilm Roll No. 88, establishing grade of Euclid Avenue between southeasterly line of Imperial Avenue and westerly prolongation of northerly line of Lot A Block 16 Las Alturas No. 4, 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.

Prior to adoption, the Ordinance was introduced, on motion of Councilman Godfrey, seconded by Councilman Burgener.

Reading was dispensed with by not less than 4 votes. Copies were available prior to day of adoption.

In connection with the next ordinance, Councilman Godfrey asked what it is for.

Acting City Manager Blom told the Council that it has to do with the Mission Bay Director, and placing the position in the unclassified service.

Councilman Schneider asked who made the selection. He stated that McGee was a special services man in the Navy, and wondered if he qualified for the position.

Mr. Blom replied that the City Manager made the final selection, upon advice from the Mission Bay Advisory Commission.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance amending Section 3 of Ordinance No. 6319 (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. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance repealing Section 33.2204 of the San Diego Municipal Code, Regulating Housing Moving, 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 dedicating easements for Public Use Over Public Lands in portions of Pueblo Lot 1203, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The Vice Mayor, requested, and was granted, unanimous consent to present copy of proclamation of the Mayor to the effect that City of San Diego is the world capital of the universally-recognized Christmas flower, the poinsettia; that December 13 to 19 has been designated Poinsettia Week by San Diego Junior Chamber of Commerce; and re Poinsettia Bowl football game between 2 outstanding Service teams, Bolling Air Force Base and Fort Sill.

(There was no action).

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

Mr. Blom made reference to an Assembly Interim Committee regarding Trailer Parks; also a League of California Cities' committee on the same subject, on which City Manager Campbell is chairman. He made reference to Resolution to be brought in.

There was no action.

There being no further business to come before the Council, the meeting was adjourned by the Vice Mayor at 12:32 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

Ords. introduced.
Comment re Poinsettia Wk. & Poinsettia Bowl
Football Game
Comment re Assembly Interim Committee
re Trailer Parks, etc.

REGULAR MEETING

Chamber of the Council of The City of San Diego,
Thursday, December 9, 1954

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

The Mayor requested, and was granted permission to circulate the President's Safe Driving Pledge. He asked members of the Council and people attending the meeting to sign it.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing continued from December 4, 1954, on Street Superintendent's modified and corrected Assessment No. 2298 made to cover expenses of paving and otherwise improving Wunderlin Avenue and 60th Street, under Resolution of Intention No. 116721,

RESOLUTION NO. 121579, recorded on Microfilm Roll No. 88, confirming and approving Street Superintendent's modified and corrected Assessment No. 2298 made to cover expenses of paving and otherwise improving Wunderlin Avenue between 60th Street and 63rd Street, and portion of 60th Street, under Resolution of Intention No. 116721; 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 in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Councilman Dail entered the meeting

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on recommendation of the Planning Commission for rezoning portion of Block A Tecolote Heights, and portion of Block 11 Mission Bay Heights, in vicinity of Burgener Boulevard and July Street, from Zone R-1 to Zones R-2, RC and CP zones, was presented.

The Reverend William Copeland, representing the Clairemont Episcopal Church, the applicant, was present.

Report, signed by P. Q. Burton, was presented, and read by the Clerk. Report states that Burgener Boulevard will lead to Tecolote Valley in the near future, and Milton Street extended will run from Morena Boulevard to Burgener Boulevard - land, fairly level, occupies about 2 acres. It says that parcel to be zoned R-2 on north side of Milton Street is owned by the Episcopal Church and at all times it has been represented that sole use of property would be for church purposes. Proposed RC and CP zones on south side of the proposed Milton Street is to be used for 3500 sq. ft. neighborhood market, without about 6 times as much parking as its building area. The report goes into considerable detail about the neighborhood, and the Board of Education's non-objection to the rezoning. It refers to a petition with what appears to be more than 500 signatures brought to the hearing indicates that only about 325 pieces of property are represented - some people living almost across the street from the South Shopping Center in Clairemont have signed opposition to neighborhood store - almost one-half mile away. Communication suggests that matter be forwarded to City Attorney's office for drafting proper ordinance prior to setting for public hearing before the Council.

RESOLUTION NO. 121580, recorded on Microfilm Roll No. 88, requesting City Attorney to prepare and present necessary ordinance for rezoning portion Block A Tecolote Heights, and portion of Block 11 Mission Bay Heights, at southwest corner of Burgener Boulevard and July Street, and proposed Milton Street from R-1 to R-2, in accordance with recommendation of Planning Commission contained in Document No. 501509, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Councilman Burgener announced that he would abstain from voting (having an interest in the property). The record shows that he was excused from voting.

Communication from Planning Commission, signed by P. Q. Burton reporting on petition for rezoning from Interim R-1B regulation to C Zone of approximately 24 acres of land on west side of Cabrillo Freeway, just north of flight pattern of proposed instrument runway to be located at Montgomery Airport, was presented. It states that circulator of petition had told of intention to establish a drive in theatre. It reports that only access to property in question is by way of frontage road along side of Cabrillo Freeway, now only 40 feet in width; that it should be widened to 80 feet and paved to care for the number of vehicles that might use it in connection with drive in theatre; it now has only an oiled surface. It states that the only person in the audience who was interested, was R. A. Hall, a realtor who circulated the petition. In addition to giving a detailed report, communication reports that the Commission was unanimous in its recommendation for denial of proposed rezoning.

Hearing
Rezoning
121579

Glenn A. Rick, City Planning Director, after report had been read, made a verbal report. He said that Mr. Hall should be given an opportunity..... Councilman Kerrigan moved to follow the recommendation to deny the request for zone change. It was seconded by Councilman Schneider.

RESOLUTION NO. 121581, recorded on Microfilm Roll No. 88, denying petition for rezoning from Interim R-1B regulation to C Zone of approximately 24 acres of land on west side of Cabrillo Freeway and just north of flight pattern of proposed instrument runway to be located at Montgomery Airport - Lots 27 and 28 The Highlands - as recommended by City Planning Commission in Document No. 501508, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the appeal of J. J. Maechtlen, owner, owner, and Von Der Ahe Van & Storage Co., purchaser, from Board of Zoning Adjustment denial for permission to use Lot 3 Block 31 Mission Bay Park Tract for off-street parking and loading in conjunction with van and storage business on Lots 1 and 2 Block 31 Mission Bay Park Tract on east side of Bond Street between Balboa Avenue and Figueroa Street in Zone R-4, report from zoning administrator dated October 27, 1954, was presented and read.

A realtor, whose name was understood to be Westbein, spoke. He told of having checked, and having been informed that a zone variance might be obtained. He referred to petition having been circulated as a result. He said that opposition arose, later, regarding lack of information. The speaker stated that the structure would fit well into the neighborhood, and exhibited picture of the building on the C zone property, and of the parking area. He passed a around a plat for members of the Council to see. He stated that the adjoining Bond St. and Highway 101 are now developed. He referred to just parking of trucks off-street, and that property is in escrow pending outcome of this appeal.

A woman, identified for the Clerk by the Planning Director, asked to see a picture of the CP zoning.

She, Councilmen Burgener and Godfrey looked at the plat and petition.

Mrs. Jamison spoke of approximately 14 children nearby, and said that she has 2 handicapped children whom she does not want subjected to the van trucks.

Individuals spoke directly to Councilman Godfrey.

The realtor stated that objection was regarding children on Figueroa.

A man who identified himself only as manager of the company, declared that the Van and Storage Co. would not use Figueroa, and there would be no night time operation.

Mrs. Jamison, chairman of the health committee at the school, referred to the many handicapped children. She declared that they should not have to wait for van and storage trucks on 101, and that the trucks should not block it.

Councilman Wincote explained that the petitioners want to get the trucks off the street.

The business manager for the company referred to having 2 or 3 trucks, and to the tremendous traffic now.

Mrs. Jamison declared that granting of the variance would add to the traffic situation.

Mr. Bertelini told the Council that there is nothing but a chain link fence to separate his property from that of the petitioner. He pointed out that the people who are asking for change of zone own 2 lots of unimproved property. He told of trying to get improvements. Mr. Bertelini spoke of there being no objection to the Van and Storage business, but that he does not want it in his back yard.

Councilman Schneider asked about the reverse.

Mr. Bertelini said that it is residential neighborhood.

Councilman Wincote said that is not true on the front. He spoke to Mr. South, and asked if it is a variance or a zone change.

Mr. South replied that it is a request for variance.

Councilman Wincote asked if the petitioner is willing to landscape.

Mr. Bertelini's reply was "no". He told of there being another log, and of petitioner being unable to use the alley, because it would be impossible to get the trucks through.

Councilman Dail asked about the principal use.

Mr. Bertelini replied that it is mostly single-family, but that there are quite a few rental properties. He stated that the petition has been passed, 68%, for the paving. He stated that insofar as the property in question is concerned, it is a matter of a sale.

Councilman Godfrey asked if there is a legal basis for granting the appeal.

The Mayor replied that the Planning Commission says "no".

Douglas D. Deaper, Deputy City Attorney, read the requirements from the San Diego Municipal Code.

Councilman Godfrey contended that there are 4 legal conditions to be met; that there is no legal basis for granting, that the Council could be restrained on account of there being no prohibition of a reasonable use. He declared that it would be a "very special privilege". He said that it would be necessary to meet all 4 qualifications.

Mr. Bertelini pointed out to the Council that when the petition in favor of the variance was first brought into the neighborhood it had 6 or 7 signatures, signed mostly by housewives, without their husbands' consent. He stated that views have now been changed. He said that Mr. Taylor, next door was away at the time, and that he opposes the variance.

The Mayor declared that legally, there are "no peculiar circumstances".

Councilman Burgener stated that it is a matter of judgment; that it is necessary to look at the entire thing as a matter of long-range planning.

Mr. Bertelini stated that the neighborhood is largely built up, waiting for sewers. He spoke of trying to get streets in

Councilman Godfrey spoke of the most economical use, regarding changing zone, rather than a variance.

Councilman Burgener wondered if the variance would or would not injure the neighborhood.

Councilman Kerrigan referred to the C Zone, with creation of CP for use of big trucks, which he said would be like a manufacturing zone.

Mr. Bertelini said that the truck parking is not permitted on the property; there is other property nearby, more nearly business.

Councilman Wincote said that there might be a buffer, under a variance, providing for planting and erection of a wall.

Mr. Bertelini described property at 60 ft x 60 ft; not in the front yard.

Since there was much talk back and forth, not addressed to the Chair, Councilman Godfrey said that there had been brought up last week the matter of orderly procedure of the meeting.

The Mayor's comment was that he likes to hear the protestants first.

Councilman Godfrey stressed the need for order. He said that he favors, as do other members of the Council, use of land by businesses. He spoke of the City being restrained by legal procedures. Then, he contended that the 4 points required are not made. He stated that the Council would have to deny the appeal, if not eligible on all the legal points. He said that maybe petitioner had picked the wrong place.

Councilman Godfrey moved to deny the applicants' request, and uphold the Board of Zoning Adjustment in denying the variance. Motion was seconded by Councilman Burgener.

Councilman Burgener asked about an accurate count on views.

Mr. Taylor said that he had signed; now he retracts his approval of the variance.

Councilman Wincote spoke to the Planning Director about parking in Ocean Beach. (It developed into a controversy if he was referring to Ocean Beach or Pacific Beach).

Mr. Rick replied that it was a violation of zone; R-4, next to a residence. (evidently referring to Pacific Beach parking of Muehling's Department Store).

Councilman Wincote asked how the applicant in that case qualified.

Councilman Godfrey answered the question, by saying that there was an area at the back of the department store which had stood idle, inasmuch as it was not economically sound to build upon it. He referred to the area having been used by chance for parking. Mr. Godfrey stated that owners have a right to consider economic pressure, as the Council does also. He stated that if owners of the property in question can prove that economic use of the property is not practical for residence, they have a case.

Councilman Wincote said that it is R-4.

Councilman Schneider contended that there is no real comparison regarding this piece of property and one in Pacific Beach. He spoke of having to travel 100 feet down the street.

Councilman Burgener said that he wants a map brought up.

Mrs. Carlson told the Council that she is objecting.

Councilman Wincote said that alley is back of the lot, and that it does come down to a matter of judgment regarding change of zone.

Mrs. Carlson said that "those" streets (not known to the Clerk to which she referred) were improved, in a commercial area. "This", she said, does not come under a small business area. She declared that if the residents and property owners had wanted to live in a commercial area, they would have bought there. She referred to a vacant lot, and that they would want the same.

Councilman Wincote stated that people to the west, back of Muehling's, protested vigorously.

Councilman Dail said that the store, for which parking area was sought, was already there.

Councilman Godfrey said that Councilmen Burgener and Wincote are correct regarding judgment in connection with existing circumstances. He stated that in Pacific Beach it had been made economically impossible to use property for residences. He said that applicants for the variance have not proved the points required.

Councilman Burgener told of having 2 letters, which he read (1 of them is a withdrawal of a protest). He spoke of wanting to consider all property owners in the area.

Mr. Bertelini said that the man has 2 lots, and that it could go commercial.

Councilman Wincote said that he was thinking about Ocean Beach.

The roll was called on the motion, resulting in

RESOLUTION NO. 121582, recorded on Microfilm Roll No. 88, overruling and denying J. J. Maechtlen, by Robert C. Tyler, Wildwood Ranch, Glendora, Calif., appeal from decision of the Board of Zoning Adjustment in denying by Res. 8566 application No. 13505 for variance to permit J. J. Maechtlen, owner, and Von Der Ahe Van & Storage Co., Purchaser, to use Lot 3 Block 31 Mission Bay Park Tract, for off-street parking and loading in conjunction with a van and storage business to be constructed on Lots 1 and 2 Block 31 Mission Bay Park Tract, east side of Bond Street between Balboa and Figueroa in Zone R-4; sustaining the action in denying the permit, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote. Absent--None.

Hearing
121582

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of C. G. Brabazon, by Robert C. Tyler, 112 Fig, Chula Vista, Calif., from decision of the Board of Zoning Adjustment ~~Board~~ in denying permission to Cecil G. and Gladys M. Brabazon, owner, and Von der Ahe Van & Storage Company, purchaser, to use Lot 4 Block 31 Mission Bay Tract, for off-street parking and loading in conjunction with van and storage business to be constructed on Lots 1 and 2 Block 31 Mission Bay Park Tract, on east side of Bond Street between Balboa and Figueroa, Zone R-4, finding of fact was presented. The matter was heard in connection with the preceding item, which is related.

One protest, and a withdrawal of protest, were presented.

RESOLUTION NO. 121583, recorded on Microfilm Roll No. 88, overruling and denying appeal of C. G. Brabazon, by Robert C. Tyler, 112 Fig, Chula Vista, Calif., from Board of Zoning Adjustment in denying Cecil G. and Gladys M. Brabazon, owner, and Von der Ahe Van & Storage Company, purchaser, for permission to use Lot 4 Block 31 Mission Bay Tract, for off-street parking and loading in conjunction with van and storage business to be constructed on Lots 1 and 2 Block 31 Mission Bay Park Tract, east side of Bond Street between Balboa and Figueroa, Zone R-1; sustaining the action in denying the permit, 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 John C. Lewis comments in connection with loss of physically handicapped person's parking privileges, the Mayor spoke. He stated that the Council had received a report from the City Manager, the Chief of Police and Dr. Williams, police physician. He stated that the application to Dr. Williams does not show 100% disability. The Mayor stated that after examination the situation changes, another interview can be arranged. He asked Mr. Lewis if he cannot move without crutches.

Mr. Lewis replied that he can move 50, 75, or 100 feet without crutches. He stated to the Council, as he had at a previous hearing, that he had been active in the original program to provide special parking for the physically handicapped. He said that after having been granted several years ago, he had to show evidence to the police.

Councilman Schneider referred to situation being not in line with the present ordinance.

Mr. Lewis spoke of having no direct benefit.

Councilman Wincote said that he was in the Chair at the time the case came before the Council previously, and that the Chief of Police and the Police doctor are here. He stated, for the benefit of the Mayor who had not been here earlier, that Mr. Lewis felt he had not received an examination, but that he had been only interviewed. Mr. Wincote said that Mr. Lewis does not now qualify. He added "if you don't qualify, you don't qualify".

Chief A. E. Jansen presented Dr. Williams, the police physician. The Chief stated that the Police Traffic Division conducted the original interviews, and referred Lewis to the doctor. He told of the doctor having a private practice.

Dr. Williams arose, but did not speak.

Councilman Wincote spoke directly to Dr. Williams regarding statement that no examination on Mr. Lewis had been conducted.

Dr. Williams answered by saying that he did an examination, but not as some would. He declared that Mr. Lewis did have an adequate examination.

Mr. Lewis told the Council that he thought he had a right to speak at this hearing.

Councilman Schneider asked Mr. Lewis if he had said that he did not have an examination.

Mr. Lewis replied that he had said that he had no adequate examination.

Councilman Dail spoke to Dr. Williams regarding the condition. He stated that it has a bearing on what had been discussed at the time the Ordinance was before the Council.

Dr. Williams said that when he examined Mr. Lewis - on October 16 - he did not have crutches, but that he had walked across the courtyard without them. He stated that Mr. Lewis can walk considerable distance without crutches. He said that Mr. Lewis had no gangrene in the toes. He agreed that there is a slight loss of use, and that he does not have to have 100% loss of use.

Councilman Schneider asked Mr. Lewis why he had not used crutches when he went to the Police Station for examination.

Mr. Lewis replied that he did not need them.

Councilman Godfrey stated that Mr. Lewis has given statements, and that he did not "ham up the act".

Mr. Lewis said that he will not respect the decision. He told of having received a State license, 1-Q, issued by the State, for automobile plates. He spoke of the Chief's resistance on "this program". He mentioned having to take evidence to the Police regarding loss of use: 150% damage. He referred to having said nothing about the program for years. He asked if he was really at fault, and told of himself and his car having been screened. Mr. Lewis told of being physically handicapped, and that he cannot abuse any parking privilege. He related that he was looked at 3 minutes when he went in for examination, although he has been looked at by 20 physicians, and told who his personal physicians were. He said that if he overdoes, he has to go to the hospital. He spoke of having to go on crutches; next to a wheel chair. He spoke to Dr. Williams regarding his limitations as a result of his condition. He said that the condition has increased 10 fold since losing the parking privileges.

Councilman Wincote told of having wanted to hear from the doctor and the Chief. He said that the only thing the Council could do would be reconsider the ordinance in conference with the Chief, doctors and veterans groups.

Councilman Godfrey said that the Ordinance is still in its trial period. He repeated that the disabilities of Mr. Lewis are such that he did not "ham up the act".

Dr. Williams told the Council that he respects Mr. Lewis' condition, which is a progressive one, which he does not minimize. He admitted that he was influenced in his decision by Mr. Lewis not having to use crutches.

Councilman Godfrey said that this is "the other way". He said that he is not interested in being swayed, but that Mr. Lewis' case is worthy of reconsideration.

Dr. Williams said that if Mr. Lewis can substantiate his case, by walking 75 feet, he would be glad to reevaluate it.

Mr. Lewis said that Dr. Williams had the written evidence in his hands, but that he would not open the envelope. Then he reviewed his condition, again.

Councilman Dail spoke directly to Mr. Lewis, and said that if he is right, there is no reason to review the ordinance.

Councilman Wincote declared that it should be reviewed.

Councilman Schneider spoke directly to the doctor. He said that he feels that the ordinance, as now worded, might keep Mr. Lewis from being given the permit. He asked Dr. Williams if that is so.

Dr. Williams told the Council that he admits he was influenced by Mr. Lewis walking in to his office. He said that Bergeron's disease is progressive.

Councilman Godfrey spoke directly to the doctor regarding reading of 1 instead of 10.

Doctor Williams said that it can be determined by the pulse.

Councilman Godfrey stated that he has confidence in the Chief and in the doctor. He said that there may be reason to review the Ordinance. He said that the Council should look at the factual evidence.

Dr. Williams told of having served on the board in the service, and that he passed on the case in regard to the ordinance. As a result, he said that he did not need to look at further evidence.

Councilman Godfrey said that he has confidence in the fairness.

The Mayor stated that the ordinance is apparently working well. He said that if it should be reviewed, it ought to be referred to the doctor.

Councilman Dail said that in the ordinance the degree of a situation is a matter of judgment on the part of the physician.

Chief Jansen said that in the final issue, he can make the determination under the ordinance. He stated that the Council wanted the ordinance enforced in a reasonable way. The Chief stated that he wants to re-examine the situation. He asked Mr. Lewis if he lives in El Cajon.

Mr. Lewis replied "no; on Bates". He told of looking for a job. He stated that he is trying to follow the intent in connection with exceptions. He said that if he is entitled to the permit, he is trying to carry out the intent.

RESOLUTION NO. 121584, recorded on Microfilm Roll No. 88, referring to the Chief of Police and to the Police Physician; the case of John C. Lewis, 4751 Bates Street, San Diego, in connection with his appeal to the City Council, verbally, for physically handicapped person's parking privileges which had not been granted, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

In connection with the hearing shown just above, Councilman Wincote said that maybe the Council should review the Ordinance re parking requirements for Physically Disabled Drivers, and get a report on the Ordinance.

The Mayor said that all exceptions can't be written into the ordinance. He reviewed the Police Chief's report.

Councilman Dail said that the Ordinance needs review on the employment angle.

Councilman Godfrey moved to review the ordinance in Conference. It was seconded by Councilman Dail.

Councilman Godfrey spoke of having talked with representatives of Veterans' groups, and that there is only 1 complaint. He said that the hearing was well known, but no one else appeared. He said that he feels the ordinance is working pretty well.

Councilman Wincote said that under a review it may be determined that the ordinance is working splendidly.

The roll was called, resulting in

RESOLUTION NO. 121585, referring to Council Conference for review, Ordinance No. 6277 (New Series), which amends Section 86.04 of San Diego Municipal Code prescribing parking requirements of physically disabled drivers, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Councilman Dail requested, and was granted unanimous consent to present the next matter.

A communication copy from the Park Superintendent, addressed to the City Manager was presented. It refers to Resolution No. 99208 enacted by the City Council Dec. 28, 1954, setting up scale of rentals for the Electric Building in Balboa Park. It refers to having talked at length to Mrs. Alice Zukor in an attempt to work a means whereby anticipated Spring Flower Show of the Florists and Nurserymen's Assn. would have the best possible rental advantage. It states that non-profit corporation will produce the Show, giving proceeds from opening night's review to newly organized Girls' Club, and that for the one event the City would be justified in charging the benefit rate, but no means can be seen in deviating from straight commercial charge unless controlling resolution is waived or amended. It says that although the interest of the Park Department is in complete support of the proposed exhibition it can make no concession unless authorized to do so by the City Council. The letter was read by Councilman Dail. He referred specifically

Hearing re physically handicapped person's parking

121584 - 121585

U.S. re Flower show in Balboa Park

to Mrs. Zukor, who was present.

Mrs. Zukor told the Council that there would be a 4-day flower show, and that there would be a sizable amount for the 1-night show for the benefit of the Girls' Club. She said that on the other 3 days the actual amount is not to go to the Club. She stated that the Park Department hesitates to grant the permit for the 1-night only. She spoke of policy for the exhibitions, and of the heavy expense.

The Mayor asked how, when rates are set up, the Council can pick between shows. He asked about waiving in connection with cat and dog shows.

The question was not answered.

Councilman Schneider asked where profits go. He said that the amount of profit, where it goes, and if the event qualifies on a charity basis can all be considered.

Mrs. Zukor stated that the industry has formed a corporation, and that if it even makes expenses in the County of San Diego it is good. She said that it is not wanted to have just 1 flower show, but every year. She said that after the first night, money would be for future shows, and for paying exhibitors to come here. She read from corporation papers. She referred to the future - year to year.

Councilman Schneider referred to being able to go along with the first night, but not the others.

Councilmen Schneider and Dail both said that they are not provided for.

Mrs. Zukor said that for 15% they can't get exhibitors; they have to pay for prizes, and pay the same as at the County fair. She told of having to give monetary reward. Mrs. Zukor expressed hope for \$20,000. She stated that on the premier night, effort would be made to have a TV show, with a higher admission - for the Girls' Club.

The Mayor pointed out that there are 2,000 clubs in San Diego, that if this request is granted, it will practically eliminate the charge which has been set. He said that if the exhibitors get \$20,000, and deduct 15% it will not hurt.

Mrs. Zukor told of having to fix up the building, and spend money for props, dividers, etc.

The Mayor said that "so does the home show".

Councilman Godfrey asked if for the 1st night it would be the proceeds, or the net proceeds given to the Girls' Club.

Mrs. Zukor said that the Corporation will have to give \$1,000 to the Pacific Flower Corporation of San Diego. She declared that it consists of the "complete industry".

Councilman Godfrey asked if it will be net, or if they would take out the rental of the hall, etc.

The question was not answered.

Councilman Schneider stated that he does not see how it would comply.

Councilman Wincote said that it has been done before.

Councilman Dail said that Mrs. Zukor is on the Board of Directors of the Soroptomists. He said that she should file a brief, which will have effect, and then the Council will have to act.

Councilman Wincote said that the ruling is where there is collection charge.

Councilman Kerrigan said that the policy was determined by the Council.

Councilman Wincote asked if this is regarding charging a fee.

The Mayor replied that is correct.

Councilman Dail said that this should be discussed in Conference. He said that the event draws a lot of people.

Councilman Wincote spoke of changing policy from time to time. He said that the Poinsettia Bowl Game is going to make a charge. He asked if that is right or wrong.

Councilman Kerrigan said that is different; it is in the Stadium, not in a Park Building.

The Mayor stated that the only time it has been waived is regarding the Miss San Diego event.

Councilman Schneider spoke of a request, not many months ago, from a fraternal group, but that while it was in the public interest it was denied.

Councilman Godfrey said that the Fire Assn. had put on an annual affair in the Balboa Stadium, but that the Council had insisted on collection of a percentage, so they went to Del Mar.

RESOLUTION NO. 121586, recorded on Microfilm Roll No. 88, referring to Council Conference request of Spring Flower Show of the Florists and Nurseryman's Assn. for special rental in the Electric Building, Balboa Park - on which a brief is to be filed by Mrs. Alice Zukor - was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121587, recorded on Microfilm Roll No. 88, requesting a report on events, in connection with conference to be held to review ~~of the~~ Stadium and Balboa Park Buildings rental policy, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121588, recorded on Microfilm Roll No. 88, granting permission to Maude W. Deeble, care Fritz A. Nachant, 1864 National Avenue, San Diego 13, California, to install 18-foot driveway on south side of C Street between points 43 and 61 feet east of east line of 11th Avenue, adjacent to Lots A and B Block 29 Horton's Addition, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Permission was granted, under Unanimous Consent, for Councilman Wincote to present the Resolution.

U.C. re flower show in Balboa Park
121586 - 121588

Report of Purchasing Agent for furnishing 570 tons Soil Cement (3 bids) recommending award to Daley Corporation, low bidder, at \$2665.43, was presented.

RESOLUTION NO. 121589, recorded on Microfilm Roll No. 88, accepting bid of Daley Corporation for furnishing 570 tons soil cement at \$4.54 per ton, plus 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 Schneider, adopted.

RESOLUTION NO. 121590, recorded on Microfilm Roll No. 88, authorizing and directing Purchasing Agent to advertise for sale and sell House No. 0823 located at the Highway 101 underpass in Camp Callan, to be moved by purchaser; provided, however, that cyclone fence surrounding house be left intact, and conditions of sale shall specify that any damage to fence resulting from moving the house shall be repaired by purchaser of the house, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition which proposes widening of 20-foot alley to total of 44 feet and naming it "Hartford Court", was presented. It identifies street as northwesterly of Clairemont Drive between Hartford Street and Galveston Street. It states that the several departments affected recommend acceptance on conditions suggested by City Engineer, and recommended its naming.

RESOLUTION NO. 121591, recorded on Microfilm Roll No. 88, accepting offer of property owners contained in Document No. 499601 for widening 20-foot alley to total width of 44 feet and naming area "Hartford Court", recommended by City Planning Commission under Document No. 502337 - in Block 104 Morena - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Under unanimous consent, J. R. Goodbody, City Attorney of Coronado, was heard, regarding a Tunnel Authority. He told the Council that the Legislative bodies of the 2 cities (San Diego and Coronado) have to ask the Board of Supervisors of the County to hold an election for the tunnel. He stated that the City of Coronado has authorized him to prepare a Resolution for the proceedings.

Mayor Butler spoke of the situation having been determined before, and that it should be up to Coronado, now.

Mr. Goodbody referred to the City of San Diego's elections in March and April. He said that there will be an election in Coronado, and referred to placing proposition on the ballot.

The Mayor spoke to the Clerk regarding time needed to put such a proposition on San Diego's ballot.

The Clerk replied "60 days".

Councilman Burgener asked if there would be no cost.

First, the Mayor said that there would be no cost, and then amended the statement to the effect that it would be small.

Councilman Schneider asked Mr. Goodbody if San Diego people vote for the Ordinance, would the City of San Diego and the people and its credit be involved.

J. F. DuPaul, City Attorney, stated that the Act (State) provides that until bonds are issued, the cities who put the act into effect share the expense of the Authority - until put into operation. He spoke further about the expense which he said would probably be in proportion, with the 2 cities paying the expenses.

Mr. Goodbody spoke about reimbursement of cost.

Councilman Kerrigan told of there having been expense - last time.

Mr. Goodbody said that he felt that it was his duty to come down and talk to the San Diego City Council. He said that the Board of Supervisors of the County can call a special election.

Councilman Burgener spoke directly to Mr. Goodbody regarding time.

Mr. Goodbody's reply was "60 days".

Councilman Godfrey said that this is the 9th of December, 60 days..... (he did not complete the statement). He said that there would be an answer February 14, there would be 4 days. He spoke about another big issue, with a likely lively campaign. He said that if Coronado should have its election first, it would be all right.

Mr. Goodbody said that he had figured 60 days, with 2 elections in Coronado. He said that if it is put on the Spring election, it would save costs.

The Mayor said that the San Diego City Council would like to know if Coronado is favorable to having such a tunnel authority.

Councilman Wincote spoke to Mr. Goodbody, and said that he wanted Coronado to make its decision - first. Then, he said, San Diego would wait for its regular election. He asked how much a special election would cost.

The Clerk replied \$70,000.

Councilman Dail spoke of a good point having been made. He mentioned a wise way as of 2 years ago, but that situation had changed with the ferry strike which has now affected a lot of people. He said that the sentiment "over here" is sound. He spoke of taking a chance, regarding defeating the proposal, on one side or the other.

The Mayor expressed appreciation of Mr. Goodbody's information, and said that he wants to go into Conference with the City Attorney.

J. F. DuPaul, City Attorney, said that in the first place, it would be determined if Coronado wants to set up a tube authority. Then he said that San Diego Council would be willing to go along, and go along with a City election. He pointed out that the Board of Supervisors is not going to call an election in Coronado unless it has a petition from the 2 cities. He said that he wants to know if San Diego will "go along".

Councilman Godfrey asked if there would be 2 sets of elections.

Mr. DuPaul said "No; 1 election in 2 cities." He said that previously, it was a straw vote.

The Mayor asked if it is recommended that the Supervisors call the election.

Mr. DuPaul said that The Supervisors can call the election, under force; it can be thrown into Special Election. He said that the election should throw the issue to the people.

The Mayor told of the attitude (turning down the previous tunnel proposal) having led to serious consequences.

Councilman Burgener wondered there being no danger of an expensive campaign in the April election.

Mr. DuPaul said that election would be called only if both cities agree. He said that Mr. Goodbody should go to the Coronado Council.

Councilman Wincote referred to Coronado having voted the tube down on the straw vote, and as a result the Ferry Company built a new ferry. He said that it should have years to pay it off.

Mr. Goodbody said that he would be glad to check that.

Councilman Wincote spoke to Mr. Goodbody about the prior situation. He said that more might sign the petition than come to the election. He spoke for deferring action until Coronado takes a vote.

Councilman Dail moved to request the Council of the City of Coronado to invite the Council of the City of San Diego to dinner in Coronado.

That motion was not seconded.

Mr. Goodbody said that the Coronado has told him to have the election papers for next Tuesday - either on or off the record. He said that it would be strange if the election were called in Coronado, and then San Diego refuses.

Councilman Wincote told of there still being time for a meeting of minds. He said that Coronado should let San Diego know how it feels. He stated that the 2 cities would put the election, if it is agreed in Coronado.

Councilman Wincote asked if somebody would make a motion.

Councilman Kerrigan was excused

Councilman Godfrey asked the Mayor if he was ready.

Councilman Wincote spoke of being "for it" before, but that he wanted the City of Coronado to act first. He said that amotion would not be binding.

The Mayor said that San Diego could have an early meeting, that Mr. DuPaul should check the franchise, and that Mr. Goodbody could meet with his Council - then San Diego Council meet Tuesday.

Councilman Kerrigan returned

Councilman Wincote said that Coronado should have 2 elections, for propaganda. He said that San Diego might defeat the vote, unless it has Coronado answer.

Councilman Dail spoke for favoring a tube, in principle.

The Mayor spoke to Mr. Goodbody. He asked that if the Supervisors call the election, Coronado turns down - then what?

Mr. Goodbody referred to no authority.

The Mayor said that there should be a Conference.

Councilman Godfrey said that he wants to review the situation. This comes up cold, he said.

The Mayor stated that the Council can invite the Coronado Council to a Conference on Tuesday.

Councilman Godfrey said that he wants a report from the City Manager.

Mr. Goodbody told the Council that maybe he could contact the Coronado Council regarding the Tuesday evening conference.

Councilman Godfrey moved to direct the City Attorney and the City Manager to investigate legal problems in connection with a San Diego-Coronado Tunnel Authority; have members of the Coronado City Council present in Conference 9:00 A.M.; the City Manager to report to the Council in Conference at 8:15 A.M. - Tuesday, December 14, 1954. Motion was seconded by Councilman Schneider. It resulted in

RESOLUTION NO. 121592, recorded on Microfilm Roll No. 88.

Councilman Godfrey referred to a question of intention. He said that he wants only background, not a recommendation.

Communication from the Street Superintendent, approved by Assistant City Manager, recommending petition to close San Fernando Street for 114 feet northerly from northerly line of Perry Street, was presented. In addition to a detailed report, it states that San Fernando between Perry and Qualtrough is unimproved and extends across a deep canyon (50 feet deep) in manner which makes it unlikely that it will ever be improved.

RESOLUTION NO. 121593, recorded on Microfilm Roll No. 88, granting petition for closing portion of San Fernando Street for 114 feet northerly from northerly line of Perry Street as recommended by Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Nora Janes (no address), dated Dec. 6, was presented. It requests a 4-way boulevard stop at 30th and Juniper Streets.

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

121592 - 121593

Petition -
Cont. discussion re tube bet S.D. & Coronado

Communication from Lloyd D. Richards, 235 S. Ozark St., San Diego 13, dated Dec. 6, 1954, was presented. The writer, who identifies himself as a city bus driver, makes suggestion regarding platform for buses at the Civic Center.

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

RESOLUTION NO. 121594, recorded on Microfilm Roll No. 88, requesting the Board of Supervisors of the County of San Diego to authorize and direct the Registrar of Voters to perform various services - as listed in the Resolution - under direction and supervision of the City Clerk, in connection with the Municipal Primary Election to be held on 8th day of March, and Municipal General Election to be held on the 19th day of April, in 1955, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted. The Resolution also requests the Board of Supervisors to authorize and direct the County Auditor and Controller to assist the Registrar of Voters in the conduct of the work by drawing warrants for payment of members of the Precinct Boards, the Polling Place rentals, and persons returning ballot bags, in amounts to be specified by Ordinances calling the elections; It authorizes and directs the City Auditor and Comptroller to reserve an amount ten per cent in excess of estimated cost of services requested of the County of San Diego from City funds, in such manner that sum equal to actual cost of services be transferred to the County when the work is completed.

RESOLUTION NO. 121595, recorded on Microfilm Roll No. 88, authorizing and directing City Manager to negotiate with the State of California authorities for a modification of Freeway contract to make traffic interchange at intersection of Chollas Expressway and Freeway, so as to permit east-bound vehicular traffic to use interchange for access in Federal Boulevard, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Resolution states that hearing was held August 3, 1954 in the Council Chamber, attended by interested citizens and petitioners, that protests were voiced against limitation of access, by vehicular traffic to vicinity of 47th Street and Federal Boulevard for east-bound traffic on proposed State Highway 94, a Freeway, shown on Map in Document No. 497184. It says that The City of San Diego signed an agreement August 6, 1954 with State of California Division of Highways for construction of the Freeway, that plan and maps in the contract make provision for future access to Chollas Expressway where it will when constructed intersect the Freeway. It states that contract provides plans attached to and incorporated in the contract 'may hereafter be modified by subsequent between the parties', and that need appears for providing traffic interchange in plans for the Freeway, at location where the Expressway will, when constructed, intersect the Freeway.

RESOLUTION NO. 121596, recorded on Microfilm Roll No. 88, prohibiting parking of automobiles at all times:

Both sides of east frontage road of Pacific Highway, between point 420-feet south of south line of Enterprise Street and point opposite south line of Smith Street; authorizing and directing installation of necessary signs and markings; stating 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 State of California, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121597, recorded on Microfilm Roll No. 88, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a Joint Use Agreement with the State of California, acting by and through Department of Public Works, Division of Highways, involving portion of land across Lot 18 Rancho Mission of San Diego, over which The City of San Diego has easement for water main and over which the State of California is constructing State highway project, on terms and conditions contained in form of Joint Use Agreement on file in office of City Clerk as Document No. 502453, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121598, recorded on Microfilm Roll No. 88, authorizing and empowering City Manager, for and on behalf of The City of San Diego, an Amendment to Lease Agreement with Sam Lipsett and Phyllis M. Lipsett, covering portion of Mission Beach Amusement Center, for operating miniature golf course, which amendment authorizes lessees to charge increased fee, upon such other terms and considerations as are contained in form of Amendment to Lease Agreement filed in office of City Clerk as Document No. 502455, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121599, recorded on Microfilm Roll No. 88, granting permission to Campus Drive-In Theatre, 6147 El Cajon Boulevard, to install a 6" line at 1/8"

slope (instead of 1/4" as required under the Code) to serve original and added fixtures necessary at subject location; subject to approval of Chief Plumbing Inspector of the City of San Diego, and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121600, recorded on Microfilm Roll No. 88, granting revocable permit to Wayne W. Laughery and La Von F. Laughery, 6735 Goodwin Street, to install and maintain 1 1/2" galvanized water pipe line in Jellett and Galveston Streets, subject to Removal Agreement attached, to serve property described as Lots 12, 13, 14 Block 14 Block 101 Morena Subdivision, upon conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121601, recorded on Microfilm Roll No. 88, authorizing City Attorney to accept amount of \$300.00 in full settlement of City's Invoice No. W06609, issued September 3, 1954, against Santa Fe Transportation Company in amount of \$355.56, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121602, recorded on Microfilm Roll No. 88, authorizing City Attorney to settle case of Sharnsky vs. The City of San Diego, Municipal Court Case No. 15281 for \$160.25; authorizing City Attorney to dismiss cross-complaint filed by the City; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Edward F. Sharnsky and Yale, Wilson, Summers & Yale, attorneys, in said amount in full settlement of the case, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121603, recorded on Microfilm Roll No. 88, authorizing City Attorney to accept \$57.40 in full settlement of City's Invoice No. 38120 issued September 14, 1954, against Dorothy H. Bench in amount of \$80.68, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121604, recorded on Microfilm Roll No. 88, authorizing and directing City Auditor and Comptroller to draw warrant in sum of \$40.03 in favor of State of California, Department of California Highway Patrol, in full payment of judgment against The City of San Diego in Small Claims Court Case No. 15332, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121605, recorded on Microfilm Roll No. 88, authorizing and directing City Auditor and Comptroller to draw warrant in favor of Mary Lou Adams, in amount of \$9.66 in full payment of claim - approving Document No. 498364 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121606, recorded on Microfilm Roll No. 88, denying claim of Henry Nunez Ortiz, on file in office of City Clerk under Document No. 500323, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121607, recorded on Microfilm Roll No. 88, denying claim of Raymond S. Pease, on file in Office of City Clerk under Document No. 500866, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121608, recorded on Microfilm Roll No. 88, denying claim of Edward John Roberts, Jr., on file in Office of City Clerk under Document No. 500865, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121609, recorded on Microfilm Roll No. 88, denying claim of Servando Ocano Sega, on file in office of City Clerk under Document No. 500322, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121610, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, bene-

RESOLUTION NO. 121611, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by the Palomar Mortgage Company, beneficiary, and Security Title Insurance Company, trustee, bearing date November 16, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 1 Rancho Cabrillo, 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121613, recorded on Microfilm Roll No. 88, accepting subordination agreement, executed by the Palomar Mortgage Company, beneficiary, and Security Title Insurance Company, trustee, bearing date November 16, 1954, wherein they subordinate all right, title and interest in and to portion of Lot 61 Rancho Cabrillo, 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 Godfrey, seconded by Councilman Kerrigan, adopted.

In Campo Del Dios Unit No. 2; Lot 1 Block 23
Lot 7 Block 34
In Campo Del Dios Unit No. 3; Lot 2 Block 58
In Campo Del Dios Unit No. 4; Lot 18 Block 93
Lot 1 Block 98

RESOLUTION NO. 121617, recorded on Microfilm Roll No. 88, accepting deed of Western Lumber Company of San Diego, bearing date November 30, 1954, conveying easement and right of way for alley purposes in portion of Ravina Street closed, Blocks 8 and 22 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121618, recorded on Microfilm Roll No. 88, accepting deed of Loma Lands, Inc., bearing date November 29, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block 86 E. W. Morse's Subdivision of Pueblo Lot 1150; setting aside and dedicating the land to public use as and for public street and naming it 30th 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 Kerrigan, adopted.

RESOLUTION NO. 121619, recorded on Microfilm Roll No. 88, accepting deed of La Jolla Mesa Lands, Inc., bearing date December 1, 1954, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1774; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121620, recorded on Microfilm Roll No. 88, accepting deed of Duke A. Lovell and Rose Monique Lovell, bearing date December 2, 1954, conveying easement and right of way for sewer purposes in portion of Lot B and Lot K Block 376 Horton'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 Godfrey, 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. 6346 (New Series), recorded on Microfilm Roll No. 88, dedicating portion of Lot 25 Block 10 San Diego Land and Town Company's South Chollas Addition for Street purposes and naming it 36th Street, was on motion of Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Yeas--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, 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. 6347 (New Series), recorded on Microfilm Roll No. 88, appropriating \$10,000.00 from Capital Outlay Fund for providing additional funds to pay City's share of cost of construction of storm sewers under co-operative agreements with property owners - in addition to Ordinance No. 4948 (New Series) - 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 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. 6348 (New Series), recorded on Microfilm Roll No. 88, appropriating \$10,000.00 from Capital Outlay Fund for providing funds to pay improvement assessments against property owned by Federal Government, State of California, County of San Diego, City of San Diego, or San Diego Unified School District, repealing Ordinance No. 6239 (New Series), 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 Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading

121618 - 121620

6346 N.S. - 6348 N.S.

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. 6349 (New Series), recorded on Microfilm Roll No. 88, establishing grade of Imperial Avenue between line drawn southeasterly at right angles to northwesterly line of Imperial Avenue from intersection of northerly line of Imperial Avenue with westerly line of Euclid Avenue and line drawn southeasterly at right angles to northwesterly line of Imperial Avenue from intersection of northwesterly line of Imperial Avenue, with easterly line of Alley Block 16 Las Alturas 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.

E. W. Blom, Acting City Manager, requested, and was granted unanimous consent to bring up the next matter not listed on the agenda:

Mr. Blom made a verbal report on moving of the Linda Vista Building (for use as a recreational building). He said that Mr. Hanson can move it for \$700 - by Tuesday. He said that cost for the building (ultimately) and a new building would be about the same.

Councilman Godfrey asked about its size.

Mr. Blom replied that it is too small for basket ball. He referred to schools furnishing building. He stated that if it were to be used for a gym, it would need to have a high ceiling.

Councilman Wincote stated that sizes vary, and that he has been told the one at State College is not standard.

Mr. Blom said that there would be "another \$600. or \$700. to pick it up and set it on foundation. He said that the building remains on the school grounds until picked up. (The Council had directed the City Manager's office to request that the building be not included in those put up for sale). He said that the City had agreed to take it off. He stated that the cost would be \$500. to demolish.

Councilman Godfrey said that it would be moved for \$700., it would cost another \$200. to move.

Councilman Dail referred back to the Paradise Hills people having made an offer, and that they expected something. He said that he is not going for a new building in Linda Vista. He asked for evaluation regarding new buildings elsewhere.

Councilman Wincote said that Linda Vista wanted an old building last week, to get something. He questioned advisability of various plans.

Councilman Godfrey said that the Council had a letter from the Linda Vista about their putting in \$500. toward cost. He said that they had told of being able to raise more for a new building. He said that they might raise \$2000. on a new building.

Councilman Godfrey moved to request the City Manager, in line with his report, to move the Linda Vista Building (band room at Montgomery School) from its present site. Motion was seconded by Councilman Burgener. (While the motion carried, the Clerk was not to write a Resolution).

The Mayor told the Council that he wants to give a report on meetings he attended (away from San Diego). He said that he left Puerto Rico yesterday, talked with the pilot and rode in the cockpit. He mentioned check on the radar in connection with aircraft coming in. The Mayor told about a sealed packet being handed to the pilot, with orders. He stated that directions are given by Sea Frontier, by code. He told the Council of the flight plan being within 1 minute at 1 point. Also, he told the Council that in many cases of doubt, a pilot looks out and finds a couple of fighters following him. He said that the same is true on the Pacific (he has been speaking about Atlantic). Mayor Butler referred to radar screen extending far north for warning. He said that reports in Washington are screened.

Councilmen Wincote, Kerrigan and Burgener asked for a report.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:37 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

6349 N.S.
Verbal report by Acting
City Mgr., re moving
Linda Vista Recreational
Bldg.
Verbal report by Mayor on
his recent trip.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 14, 1954

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

Rev. Orno Tyler, of the Pt. Loma Presbyterian Church, was presented by the Mayor. Rev. Tyler gave the invocation.

On motion of Councilman Dail, seconded by Councilman Godfrey the minutes of the Regular Meetings of Tuesday, December 7, 1954, and of Thursday, December 9, 1954, were approved without reading. They were signed by the Mayor.

Service awards, for long-time service with the City of San Diego, were awarded by the Mayor to the following City employees:
Talmadge V. Huff, Junior Civil Engineer for Water Department, Engineering Division - 25 years;
Paul J. Morrison, Police Motorcycle Sergeant - 20 years;
Fire Chief George E. Courser, head of the San Diego Fire Department - 40 years.

The Mayor said this was the first 40-year pin handed out, and that the Chief has many friends here. He introduced Louis Almgren, former Fire Chief. Mr. Almgren spoke regarding Chief Courser's respect throughout the nation. The Mayor presented a parchment scroll. The Chief responded by saying that he is grateful to the City for his 40 years. He told of wandering the streets Christmas eve 40 years ago, and that the then-chief Almgren gave him a job.

Councilman Kerrigan was excused

The next 3 items were taken out of order to accommodate Carl Reupsch, of the Harbor Department. He explained in detail each of them.

RESOLUTION NO. 121621, recorded on Microfilm Roll No. 88, ratifying, confirming and approving Termination Agreement, form filed in Office of City Clerk as Document No. 502594 between Kona Kai Corporation, Licensor, and Leonard S. Rowberry and Laura A. Rowberry, Licensees, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121622, recorded on Microfilm Roll No. 88, ratifying, confirming and approving License Agreement, form of which is on file in office of City Clerk as Document No. 502595, between Kona Kai Corporation, a California corporation doing business as Kona Kai Club, Licensor, and John Camann and Evelyn Camann, Licensees, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121623, recorded on Microfilm Roll No. 88, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, copy of which is on file in Office of City Clerk as Document No. 502596 between City of San Diego as Lessor, and J. C. Slaughter, an individual, doing business under name and style of Shelter Island Yacht Ways, Lessee, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The Purchasing Agent reported in writing that bids had been received December 10, 1954, for improvement of Gregory Street between Webster Street and Home Gardens, from William H. Clint, H. C. Dennis, Sim J. Harris Co., H. H. Peterson, Schafer & Stowers.

Finding was made, on motion of Councilman Schneider, seconded by Councilman Burgener that the bids were publicly opened, examined and declared, and that motion included acceptance of the Purchasing Agent's report. The motion carried.

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 Purchasing Agent reported in writing that bids had been received December 10, 1954, for improvement of Quimby Street from Sely line of Willow Street 208.00
Invocation - Service Awards

Minutes approved - Report on Bids Received

feet Sely, from Daley Corporation, H. C. Dennis, M. H. Golden Constr. Co., Griffith Company, Sim J. Harris, R. E. Hazard Contr. Co.

Finding was made, on motion of Councilman Schneider, seconded by Councilman Burgener, that the bids were publicly opened, examined and declared, and that motion included acceptance of Purchasing Agent's report. The motion carried.

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 Purchasing Agent reported in writing that bids had been received December 10, 1954, for improvement of La Jolla Hermosa Avenue, from Daley Corporation, H. C. Dennis, M. H. Golden Construction Co., Griffith Company, Sim J. Harris Co., R. E. Hazard Contr. Co.

Finding was made, on motion of Councilman Schneider, seconded by Councilman Burgener, that bids were publicly opened, examined and declared. The motion included acceptance of Purchasing Agent's report. The motion carried.

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 current for lighting ornamental street lights located in 7th Avenue Lighting District No. 1, for 1 year from and including January 1, 1955, to and including December 31, 1955, the Clerk reported that 1 bid had been received.

It was the bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$5.10, given Document No. 502597.

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 latest time set for receiving bids for furnishing electric current for lighting ornamental street lights located in 8th Avenue Lighting District No. 1, for 1 year from and including January 1, 1955 to and including December 31, 1955, the Clerk reported that 1 bid had been received.

It was the bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$4.08, given Document No. 502598.

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

Councilman Kerrigan returned during reading of bid for 8th Avenue Lighting. He went out again, almost immediately.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2299 made to cover costs and expenses of paving and otherwise improving Logan Avenue and Florence Street, under Resolution of Intention No. 116621, the Clerk reported that written appeals had been received from John G. Ginos. Also, a newly-filed appeal from Conrado Sulpacio was presented together with the first-mentioned one.

Asked for a report, the City Engineer told of there being a 1% appeal on the one filed earlier. He stated that he had not seen the other one.

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

John G. Ginos told the Council that his property does not front on Logan Avenue or Florence Street. He spoke of an error in assessment. He asked if he is assessed properly at \$111.69.

The City Engineer looked at Ginos appeal.

Mr. Sulpacio appeared.

Councilman Schneider asked if the pavement had not been cleaned - as stated in the Sulpacio appeal.

The City Engineer replied "yes", that it is 2" of asphalt on a basis. He said that there is no serious structural defect, but that the condition is characteristic of the type of surfacing.

The Mayor told the appellant that there is no structural failure.

Councilman Kerrigan returned.

The City Engineer spoke of having inspected the improvement.

The Mayor said that the Engineer may take a look.

Bids reports
Bids
Hearing

Conrado Sulpacio stated that there are different assessments.

The Mayor spoke of there being different circumstances. He stated that the City Engineer can give him specific information.

Willard Olson, of the City Engineer's office told the Council that Mr. Ginos had a notice for the right property.

The matter was held up temporarily.

After a brief discussion, the Council returned to the hearing.

RESOLUTION NO. 121624, recorded on Microfilm Roll No. 89, overruling and denying appeal of John G. Ginos and appeal of Conrado Sulpacio from Street Superintendent's Assessment No. 2299 made to cover costs and expenses of paving and otherwise improving Logan Avenue and Florence Street under Resolution of Intention No. 116621; overruling and denying all other appeals; 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 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 appeals on Assessment No. 2300 made to cover cost and expenses of paving and otherwise improving Catoctin Drive under Resolution of Intention No. 114249, 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. 121625, recorded on Microfilm Roll No. 89, confirming and approving Assessment No. 2300 made to cover cost and expenses of paving and otherwise improving Catoctin Drive under Resolution of Intention No. 114249; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 121185 for storm drains and appurtenances in Talbot Street and Gage Drive, the Clerk reported that written appeals had been received from J. W. Grosdidier and others, and from Bertrand Chambeau and Esther Chambeau. They were presented.

Van C. Anderson spoke for residents on Hill Street. He presented the written protest, referred to first. Before filing it, he read it to the Council.

The Mayor spoke of this being a storm district, to which the City is contributing 50%. He said that the appeal should be referred to the City Engineer for evaluation.

Mr. Anderson said that he was speaking only for persons in 3 blocks on Hill Street.

Councilman Dail moved to continue the hearing 1 week, and refer the "petition" to the City Engineer. Motion was seconded by Councilman Schneider.

John E. Bush (Clerk is unsure of the name, but it sounded like "Bush"). He said that he understands there is supposed to be petitions.

The Mayor said that there several ways that it can be set up. He said that the proceedings were initiated by the Council for the storm, and that the City is to contribute 50%.

Mr. Bush asked regarding cost on the subdivision.

The City Engineer stated that it is not included, in that the subdivision is to put in its own drain.

The City Engineer stated that cost would be about 1¢ per square foot.

The Mayor said that the question should be referred to the City Engineer.

There was a reconsideration on the motion.

Bertrand Chambeau said to the Council that he could have gone further in his letter. He asked why the drain was set up.

The Mayor replied that it was on account of a critical situation which exists.

Mr. Chambeau said that the runoff is the thing that it is needed.

The Chambeau letter was read by the Clerk.

Councilman Dail was excused

The Mayor told of a sliding assessment.

The City Engineer stated that his office has not arrived at the assessment point in the proceedings.

The Mayor said that it is difficult to set up a district, and that it is a problem. He said that 1¢ per square foot is normal, and pointed out that the City is to contribute \$13,000.

Mr. Chambeau asked if the assessment will be standard.

The Mayor replied that it had not been set up.

Hearings

121624 - 121625

Mr. Chambeau asked if his property would be assessed if the drain were put in the front.

The question was not answered.

Mrs. Chambeau told the Council that there is another drain up at Concord. She asked about the assessment on the Steiger area. She referred to that being done just this year.

The City Engineer said that it was just a culvert under the street, with no assessment.

Councilman Schneider spoke to Mrs. Chambeau regarding City participation, and this being the last storm drain area.

On motion of Councilman Burgener, seconded by Councilman Wincote, the hearing was continued 1 week, and referred to the City Engineer, by Councilman Dail.

RESOLUTION NO. 121626, recorded on Microfilm Roll No. 89.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on request for rezoning from R-1 to C and CP of southerly 307.29 feet of Pueblo Lot 1202 and Pueblo Lot 1203 measured at right angles to southerly line of Pueblo Lot 1202, between Linda Vista Road and Highway, Glenn A. Rick, City Planning Director, spoke at the request of the Mayor.

Mr. Rick told the Council that several people are here to speak on the question. He identified the area, and said that it forms a triangle. He told about it being owned by 3, and that there are 3 petitions. He reviewed the requests, and the ring: that is, 2 of them. He told of the strong protest.

Councilman Dail returned.

Mr. Rick recommended modification of the requests: to R-C, if change is made, to file a subdivision for Linda Vista, re Linda Vista road and going up access to freeway - and having parking. He spoke about eliminating portion of the Frost request.

A detailed report from the Planning Commission, signed by P. Q. Burton, was presented. It was a 5-page report, and was not read.

Frank Frye, Jr., attorney, told the Councilmen that he was speaking for a petitioner.

Mr. Rick pointed out the several zones on a map.

Mr. Frye stated that he was appearing for Safeway Stores, and Mr. Rick's having made reference to the 3 petitions. He said that all want him to comment on the petitions. He pointed out an area on a map prepared by him. He identified the individual ownerships on the map. Mr. Frye stated that the Fletcher property is the one to the east; Linda Vista Shopping Center is over a mile to the south. Mr. Frye referred to "all" being familiar with the area. He stated that opposition comes almost entirely from others interested in other shopping centers: Carlstrom and Fletcher. He said that the Planning Commission's vote was 4 to 1 (not 4 to 0 as shown on the agenda). He spoke of the proposal having received the recommendation of the Planning Department, but that the Planning Commission failed to follow the recommendation of the Department. He stated that the Commission recommendation for R-G is more limited, and being agreeable. Mr. Frye said that in addition to the Planning Department recommendation, it had been recommended regarding Shopping Center in 1951 that it be abandoned. He said that the Commission recognized the need for new shopping centers. He said that he has no quarrel with the Highway Department, and is willing to accede to requirements and decision re new streets. He stated that there will be adequate parking. Mr. Frye said that it is difficult to understand why the Commission did not follow the department. He spoke of his client being a tenant of Mr. Carlstrom, and being unable to remodel the store to fit its needs.

Wm. Volmer, realty manager for Safeway Stores, was heard. He said that the Council has a resume, that petition hearings have been held several times. Mr. Volmer told of studies having been made: 1) regarding present property being improperly zoned R-1, schools located west of Linda Vista Road. He said that school children would have to cross. He said that the noise makes the area undesirable for residential use. He told the Council that the State Highway Department proposes a clover leaf at Aero Drive & Linda Vista Road. 2) Board of Education approved the rezoning. He said that Mr. Culver, of the Board of Education office would City's property development. He said that it had been decided by the Council that development was not objectionable. He said that Safeway has determined that the proposed rezoning is feasible. Mr. Volmer contended that growth will be to the north and northwest. He said that the company (Safeway) is desirous of investing \$300,000 to \$500,000 in a new facility. He stated that a market research was made by organization well qualified in the food business field. He said that Safeway is not entering the area on a guess. Mr. Volmer said that analysts have found it to be good.

The Mayor declared that to be extraneous to the question.

Councilman Dail said that they are pertinent.

Mr. Volmer spoke of being qualified in the marketing field. He said that building would benefit the residential area for a suitable shopping center. Mr. Volmer said that although many subdivisions have been filed, there are no shopping centers. He said that this area will be close enough to the new subdivisions, regarding financing. He said that petition has been revised by letter to the Planning Commission, accepting recommendations regarding changes. He told of expressly giving up access to Highway 395. He expressed concern over the Commission not following the department's report. Mr. Volmer said that Linda Vista commercial district is the only one constructed during the war, and that it is not good. He said that a modern building would be constructed with 22,000 sq. ft. and with an excess of parking for 225 cars. He passed around picture of the present store for comparison with a recently-constructed store. Mr. Volmer spoke of plan for another clover leaf 6,000 ft. south. He said that this development would be in the center. He spoke of rezoning from RC to CP in the interests of the present and future population. He stated that it is not objectionable to adjacent property owners, and that it will be beneficial to the proposed subdivisions.

Councilman Dail spoke to Mr. Vollmer regarding subdivisions.

Mr. Vollmer replied that there are several.

David Pain, attorney for the Linda Medical Center was heard. He said that the doctors involved own the southerly 5 acres, which they have owned for a couple of years. He said that they will have an up to date modern clinic. Mr. Pain stated that they favor the Safeway and Frost development. He showed a blue print of the proposed development. He spoke about the self-contained shopping center - with shopping and access road area being given up for clover leaf. He said that the original did not have a 3-1 parking ratio. He said that a project of which all can be proud, is wanted. He told of space for bank and post office, with post office now in escrow. Mr. Pain said that there are 17 prospective tenants who have signed leases on a tentative basis - including the medical center and the drug store. He spoke of \$600,000. to \$700,000. investment, which he said would not be a speculation.

Councilman Burgener asked if RC would eliminate liquor.

Mr. Rick said that no liquor or dine & dance is permitted, but that many stores sell beer.

Mr. Pain said that his client belongs to a religious faith that prohibits alcoholic beverages. He said that there would be several restrictions.

Councilman Schneider asked if there would be no liquor.

Mr. Pain said that can be included as a condition. He said that he was speaking for only 5 acres. He said that they have adequate off-street parking. He stated that he has nearly 300 signatures, and that the School Board now endorses the proposal, and merchants approve - except for vested landlords who are more than a mile away. Mr. Pain told of having a letter from Kay Laboratories endorsing the plan. He said that they are in an industrial zone. He spoke of roads being proposed, for need of re-zoning and good zoning practice. He quoted from the Burton report to the Planning Commission. He referred to a map, with only 3 major roads. He said that proposed roads would make of the property actually a hub on Kearny Mesa. He said that the area is ideally located for commercial development, and not for residences. Mr. Pain referred to the (Victor) Lundy motion, and took issue with his points. He told of development and of future development.

Councilman Schneider was excused

Mr. Pain asked if it was up to the Planning Commission to protect vested interests. He showed the Council another chart, and said that it is revealing that Kearny has only 44 sq. ft. of C Zone per capita. He said that other areas have a much larger per capita C Zone.

Councilman Schneider returned

Mr. Pain said that chart was prepared by Fred Rhodes, former City Manager.

Councilman Dail spoke directly to Mr. Pain about the population.

Mr. Pain said that there are approximately 50,000 residences - estimated. He said that had been compiled from Planning Department and Census figures issued by San Diego Chamber of Commerce. He referred to there being little C Zone area on Kearny Mesa.

Councilman Godfrey spoke to Mr. Pain about leaving Clairemont out of the count.

Mr. Pain said that it is still the lowest; 50 acres of C on Kearny Mesa. He said that Mr. Lundy did not take into consideration the potential fast growing area. He stated that as soon as the Linda Vista property is put up for sale it will be taken up.

Councilman Godfrey asked to see the chart again.

Mr. Pain showed it, and spoke directly to Councilman Godfrey.

Councilman Godfrey asked Mr. Pain for an explanation. Mr. Pain said that Mr. Lundy used the motion that there is plenty of C Zone on Kearny Mesa. He said that other areas have greater C Zone. He repeated the comparative C Zones in the various areas.

Councilman spoke about knocking Cardiff off, regarding population growth.

Councilman Godfrey told Mr. Pain that some graphs do not prove anything. He asked for comparison on acres.

Mr. Pain said that the ratio is on population. He said that he took the population from the census, and referred to service in C Zone.

Mr. Rick spoke to Councilman Godfrey, at his request, regarding shopping habits, and the areas. He said that it is difficult to make comparisons. He stated that some of the outlying areas shop downtown.

Councilman Wincote spoke to Mr. Rick regarding C Zone area relation.

Mr. Rick spoke about 12-1/2 acres set aside by the City.

Mr. Pain pointed that out. However, a question arose over the area outlined on Mr. Pain's map.

Glenn Rick showed a map, which he stated is to scale.

Mr. Pain said that his map is somewhat larger than the City's, that he is not misleading the City; it is a matter of population. He stated, again, that Kearny Mesa has less C Zone than other areas. He said that the Linda Vista shopping center is not entirely populated, that there is poor planning and promotion. He said that they are off the beaten track. He stated that "this property" is the heart. Mr. Pain contended that the situation is not the same. He referred to requirements of the Municipal Code having been met. He said that this might be in excess of a million to a million and a half dollars.

Eugene Glenn, attorney, identified himself as appearing for the Frost interests. He said that the property has been in the family's ownership for 50 years. He mentioned having abandoned portion to the west of the road. He said that the State acquired right of way, got access to Highway 395, now wants it back. Mr. Glenn referred to limiting area to 7.9 acres to the north, and Mr. Rick's having asked for elimination of the "top 200 feet". He said that owners did not accede to that. He referred to trying to keep in ratio to the City property. Mr. Glenn said that it was not magic.

Councilman Kerrigan was excused.

Mr. Glenn referred to size of the City ownership, as being 136,000 sq. ft. of building space. He said that the "other" is more. Mr. Glenn spoke of having acceded to the wishes of the Planning staff regarding of Tecolote Road across from Linda Vista Road, for access to the Freeway. He spoke of owner going to dedicate land, for additional footage along Linda Vista Road. He said that the Road is 60 ft...., and another 25 feet, to facilitate flow of traffic. Mr. Glenn stated that no one in his right mind would develop the property as residences.

Councilman Burgener spoke to Mr. Glenn about the area.

Mr. Rick, answering Councilman Schneider, spoke about private ownerships, and said that there are 3 new homes at the fork of the road.

Mr. Glenn said that it is ideal for first class commercial zoning. He said he was astonished that request for rezoning was turned down by the Planning Commission. He said that everyone is prepared to spend money. Mr. Glenn said that he was willing to go along with Safeway, rather than with an expert who had testified for a fee. He asked who objects. Then he said that the Fletcher interest had put in a Wherry project, that 1 store protested. Mr. Glenn said that the main opposition has come from Mr. Carlstrom. He stated that it is a disgrace to have to shop in Linda Vista, and that Linda Vista people are entitled to first class shopping center. He said that he opposed a monopolistic shopping center.

Councilman Kerrigan returned.

Mr. Glenn said that they shouldn't be hurt by those who have a monopoly. He contended that a fair hearing was not held. He said that Mr. Lundy pulled out a report, prepared well in advance. He stated that the Commissioner pulled out a report, and read it. He said that Mr. Lundy had made up his mind in advance.

Councilman Burgener said that there have been 5 hearings.

Mr. Glenn said that Mr. Lundy is a good friend; that he is too tied up with Fletcher. He said that he could not vote against them.

Councilman Schneider said that he does not like the inference.

Mr. Glenn said that he is too close to the the interests.

Councilman Schneider asked if those against whom Mr. Glenn was speaking were here to defend themselves.

Mr. Glenn said "let's forget Fletcher and Carlstrom." He asked if this is good zoning. He said that if it is there is no basis for complaint. He stated that it should be the privilege of the people getting into business. He contended that a City department should not stifle them. Mr. Glenn said that what they want is just the opportunity to go ahead.

Mr. Rick spoke directly to Mr. Glenn regarding Mr. Lundy. He declared that Mr. Lundy is doing a job in a creditable manner. He said that Mr. Lundy's action shows that he gave more time and effort to the problem than most. Mr. Rick said that the Fletcher interest did not affect the vote.

Councilman Wincote spoke to Mr. Glenn, concurring with Mr. Rick. He told Mr. Glenn that the "same thing can happen here". He defended Mr. Lundy.

Mr. Glenn said that Mr. Lundy's opinion had been written in advance of the hearing, regarding unsound zoning.

The Mayor and Councilman Dail both spoke to Mr. Glenn regarding hearings which have been held.

Mr. Rick stated that the zoning has been considered over a long period of time. He said that the first petition was by Cotton, and that he suggested that it be combined with the Frost property, but that Mr. Frost was not ready. He said that it has all been discussed. He stated that 2 had been considered, and held up. Mr. Rick spoke of having considered the entire area.

Mr. Glenn said that the recommendation^{was} made by the Planning staff, but that it was overridden.

Councilman Dail spoke to Mr. Glenn about the Commission having studied the recommendation. He said that if it were to follow the recommendations only, there would be no need for a Commission. He said that the Commission can't always go on that.

Mr. Glenn said that he has a high regard for Mr. Rick and his staff.

The Mayor announced that it was 12:00 o'clock Noon, and that the meeting would be recessed to 1:30. He recessed the meeting until that time.

The Council reconvened at 1:40 o'clock P.M. The roll call showed the following:

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

The hearing, which had been recessed at 12:00 Noon, was resumed.

Ed Weldy, a resident of Linda Vista, and publisher of the Voice, was heard. He said that he had no connection with the people involved. He stated that he was surprised at the Planning Commission's decision. The speaker told the Council that the Lundy decision revealed an understanding of the situation. He said that Mr. Carlstrom had bought almost a year ago, that grass is uncut and unwatered. He said that the shopping district has become a source of shame. Mr. Weldy said that he speaks the thoughts in the minds of many people in Linda Vista. He said that they are dissatisfied, that they are not offered facilities which they should have. He stated that it cannot be brought out in the open on account of being at the mercy of Mr. Carlstrom. He asked why merchants are

Recess & Reconvene
Hearing re zoning in P/Ls
1202 & 1203

anxious to leave, if the situation is adequate. He stated that residents have written asking why things are not better. He told of the Post Office being ready to leave.

Councilman Schneider entered

Councilman Godfrey entered

Mr. Weldy stated that his presence at this meeting was not planned. He passed around pictures of the existing conditions. Mr. Weldy said that there is only one way: the American system of enterprise, which can work, only if free. He stated that Mr. Carlstrom has a monopoly.

Councilman Dail spoke to Mr. Weldy regarding rentals, and asked if Mr. Carlstrom controls prices.

Mr. Weldy said no; not directly; but if merchants have to pay high rentals they have to pass on in prices.

Councilman Dail spoke to Mr. Weldy about Mr. Carlstrom rentals.

Mr. Weldy replied that men are contemplating moving out of old buildings into new buildings, and they are doing so for some reason.

Councilman Burgener asked if the manner of conducting the shopping center isn't up to Mr. Carlstrom.

Mr. Weldy said "yes", but that the shopping center has to serve the people under free competition. Mr. Weldy said that Mr. Carlstrom has had over a year to serve well, but that he has not.

William Cotton showed a map on the wall, regarding new development, after zone change application has been made. He told of new subdivisions which have gone since petition filed.

Mr. Pain told the Council that a rebuttal is wanted.

Morey Levenson, attorney, said that he realized that the hearing has been time consuming, and that he would try to be brief. He spoke of there being many factions familiar with the situation. He said that he was making a general objection to the rezoning. Mr. Levenson told of representing a number of interests affected: Ed Fletcher Co., Linda Vista Development Co. (Mr. Carlstrom, Mr. Capman, Crown Properties, (Henry Cramer and Associates); master lessee, Ace Market, Mr. Gross, American Shoe Repair, Roy's

Councilman Godfrey was excused

and several other business people in the Linda Vista area. Mr. Levenson exhibited a large map, and said that so far as it goes there has been a fair representation, but that it does not show the limited possibility of expansion. He showed another map for consideration, which he explained to the Council - including City's Montgomery Airport, public or quasi-public uses, and canyons. He said that if the map is examined, it will be found that area proposed to be zoned is surrounded by public and quasi-public use and canyons, and for that reason the Council should come to the conclusion that it is not good practice to rezone the property for commercial uses. He pointed out an area in green to the east of the site of 2 hospitals, to the south new juvenile home, to the west Kearny Mesa High School site, to north primary school site. Then he pointed out on the map, identifications as requested by Councilman Dail. He identified other properties regarding rezoning, including new armory.

Councilman Godfrey returned.

Mr. Levenson said that there is also a portion that is R-4. He told of existing C Zones and big Ace markets. He spoke of the existing commercial zones, Magnolia Downs, Clairemont and Vista Park. He told the Council that a careful analysis and study will indicate that the proposed rezoning is not in accordance with good zoning practice, and that development on Kearny Mesa will be in areas "uncolored" (on his map). He said that it will be to the north and west of the site. Mr. Levenson said that it is not the proper area for a site. He said that if there is a possibility of further commercial zoning on the Mesa, this is premature. He contended that this would not be the location, but that it would be north and west, in the heart of the residential area. He said that in the so-called future plan in 1951 there was set aside 12 acres for commercial zone, but that there is not sufficient residential to warrant the use. He said that this is an application for a large zone. He said that there cannot be the development, as said. He said that after property is rezoned, it can remain idle. Mr. Levenson said that a representative of the Planning Dept. made a different recommendation. He said that in the report of the department to the Commission there was 1) recommendation that zone be changed from C to RC on an area which should not exceed the area in size set aside by the City: 12 acres. 2) pointed out that there was also planned commercial development referred to as Highlands-New Riverside section, north of this area, north of Linda Vista and Highway 395, at the apex of the triangle. He referred to this as the Council talking stage regarding rezoning for commercial use. He said that area expanded has to be considered. Mr. Levenson said that a reason for continuance time for consideration was to have all 3 get together. He said that if not logical to rezone the Frost property, then it is logical to continue with the rezoning. He referred to asking for other sections for rezoning, and that there would be no limit to where applicants would go on the Mesa, re "C" uses. He spoke of there being a tremendous area, already. He said that there isn't much left for residential uses, which would justify commercial uses. Mr. Levenson said that Mr. Frye pointed out that opposition comes from financial interests, but that other statements made were not so kind. He stated that the Zoning Ordinance expressly provides that any property owner may appear and be heard regarding a zone change. He said that every property has an interest, which is recognized in the Code and in the Courts. Mr. Levenson said that his clients have an interest, and are not to be criticized. He said that he is not so much concerned with small 17 acres, as with the pattern. He stated that it would open the door for future "C" uses. He said that Mr. Frye pointed out, and Planning Department had in mind "C" Zone uses. He said that the 12-acre tract was included 4 years ago, but is not used, or need to expand "C" use in area.

Mr. Levenson read from a Lundy statement.

Councilman Wincote spoke about not having been Zoned "C". He had a discussion directly with Mr. Levenson.

Mr. Levenson re-read the Lundy motion.

The following is quoted from the Planning Commission's minutes:

"THE MOTION

In view of the situation which I have just described and with due regard for my responsibility as a member of this commission I hereby move as follows:

That this commission finds that there is no apparent public need for this proposed rezoning, either in whole or in part, and that the petition or petitions requesting it are, therefore, hereby denied."

Councilman Godfrey spoke directly to Council^{man} Schneider regarding intent.

Councilman Wincote spoke to Mr. Levenson regarding commercial zone on City property.

Mr. Levenson spoke to Councilman Wincote. He repeated the Lundy motion.

Councilman Schneider spoke to Mr. Levenson about the City property, and said that this is "privately" zoned, that City property would have to be put out to bid on a sale.

Mr. Levenson told the Council that the only reason he quoted the motion was regarding there being no need to rezone in connection with commercial zoning addition.

Councilman Schneider spoke directly to Mr. Levenson regarding public property.

Mr. Levenson made reference to improper zone on account of highways and schools. He said that the area is immediately across from the Hospital. He stated that type of use should lend itself to peace and quiet, on account of being across from the hospital.

Councilman Burgener spoke directly to Mr. Levenson regarding highway width.

Glenn A. Rick, instead, showed a map, and stated that there is noise from the Freeway.

Mr. Levenson stated that Mr. Volmer has said that the Board of Education withdrew objection, but that he did not so understand. He told the Council that the same representative appeared at the next meeting, and did not favor commercial development in the proximity of a public school, but the City has designated a 12-acre site between the two. He stated that it has been said that the proposed rezoning is objectionable.

Councilman Dail said that the people are not present. He suggested that somebody from the School Board ought to appear.

Mr. Pain said that presentation was made first; then it was changed.

Councilman Wincote spoke to Mr. Rick regarding 2 schools contemplated.

Mr. Rick stated that the City sold the property to the high school "after". He stated that this might have had an influence, if known. Mr. Levenson spoke of Volmer having made reference to surveys by Safeway Stores. He told the Council that Safeway is not omnipotent regarding the site. He said that they have probably made mistakes. Mr. Levenson declared that this is no criteria on which to base judgment.

Councilman Dail was excused

Councilman Wincote spoke to Mr. Levenson.

Mr. Volmer stated to the Council that the property is in escrow, subject to this hearing.

Mr. Levenson stated that this is not a zone variance; the property can be rezoned tomorrow. He said that it could be held for speculation. He said that Ford Samis was not here, that he was the economist who made the analysis - including the one in Clairemont. Mr. Levenson read from the Samis' report, to the effect that a shopping center could not exist successfully. He identified report as of November 16, 1954.

Councilman Dail returned

Councilman Godfrey was excused

Mr. Levenson said that on the north point of Linda Vista to the south point of the rezoning is .8 mile.

Councilman Schneider spoke to Mr. Levenson regarding Mr. Samis' and Mr. Levenson's clients not putting down a nickel.

Councilman Wincote spoke to Mr. Levenson about the overpasses.

Mr. Levenson said that if that is the focal point of Safeway Stores, it should be borne in mind that there are other markets in Linda Vista and Cabrillo Heights. He said that the area is not easily accessible. He contended that shopping is more than adequate, and that it is not as accessible as other areas. He said that the Pain remarks were regarding 17 tenants who are ready to sign leases and move in. He said that Bank of America is the only 1 charter, and it is not interested; that the Post Office does not go into escrow. Mr. Levenson said that he thinks the 2 tenants are signed, sealed and delivered. He stated that he does not know if the petition with no protests is true. He said that there are some protests. He spoke of agreement for deletion of a portion.

Mr. Rick said that 2 lots within 300 feet have protested, and identified property as being in Magnolia Downs.

Mr. Levenson spoke to Councilman Schneider regarding the Samis report, based on a survey in May. He referred to there being no personal interest. He referred to Mr. Pain's comments on the Code, which he said laws down the formuli, and that it is difficult to see what this is the "hub of". He spoke of there being 100 houses in Magnolia Downs.

Councilman Schneider spoke directly to Mr. Levenson regarding the "hub".

Mr. Levenson spoke to Councilman Schneider. He stated that Mr. Samis had said that the area is not easily accessible. He spoke regarding Pain's statistics on Kearny Mesa area. He said that he had the latest edition of COMMUNITY BUILDERS' HAND BOOK. He read from it. Mr. Levenson said that he respects the judgment of the staff of member of the Planning Department, but does not see how it could be justified. He referred to this as a large area that could be possibly zoned. He spoke of there being area which

lends itself to proper zoning.

Councilman Godfrey returned.

Mr. Levenson spoke of being ignored; the City is using string-type and spot zoning. He declared that to be not good planning or zoning. He read, further from the report. Mr. Levenson said that as Mr. Pain had pointed out, there is more "C" area already; 44 sq. ft. instead of 40 sq. ft. per capita. He said that there are at present approximately 20,000 people in Linda Vista. He told of approximately 25 acres having been sold. He said that some is available for "C", because it is already zoned. Then, he said that there are about 28 acres available. He stated that of 25 acres of "C" only 40% is occupied by buildings or tenants. He said that the area is undeveloped and unused.

Councilman Godfrey spoke directly to Mr. Levenson.

Councilman Schneider spoke to Mr. Rick regarding the park.

Mr. Rick replied that all is zoned C, but that there was an agreement to have left open a 50% area, with 50% for buildings.

A map was spread on the Council table. It was looked at by members of the Council, Mr. Rick and Mr. Carlstrom.

Mr. Rick stated that the question of the open area was under an agreement between the Government and the City at the time the City was considering the off-street parking. He said that they had written in a statement which Mr. Rick read.

Councilman Kerrigan spoke to Mr. Rick regarding the off-parking-street parking ordinance (which was not adopted by the Council).

There was discussion between the Councilmen over that point, including the situation at St. Paul's Church, 5th and Nutmeg.

Mr. Rick said that the church owns the property to the other street (between 5th and 6th).

Mr. Levenson said that he does not know if the total of 25 acres has only 3 acres occupied by buildings. He spoke about the Pain statement regarding poor management in Linda Vista.

Councilman Burgener stated that the Council is not interested in the Carlstrom operation.

Councilman Godfrey said that does not have too much bearing, but the Council has heard the other side. He said that it is only fair to hear this one.

Mr. Levenson said that he had no new statement, that the Carlstrom investment is upward to \$2,000,000. He spoke of Mr. Carlstrom having to assume the government leases, and that he cannot change them until the leases expire. He said that the owner is not responsible for policing the area. He said that when the leases expire, that will be changed.

Councilman Wincote spoke directly to Mr. Levenson regarding proposal of people wanting to move.

Mr. Carlstrom said that all (leases) are in effect except 1; it expired, has been renewed.

Councilman Dail said he is satisfied regarding the only 1 tenant.

Mr. Culver, from the School Board, who had arrived at the request of the Council to clarify the School Board's attitude, was heard. He said that at the first meeting he appeared, but had only 1 day's notice, and protested. He said that the protest was withdrawn at the later hearing. He read a letter addressed to Mr. Rick, and said that later there was no objection, regarding the high school.

Mr. Levenson spoke to Mr. Culver regarding statement at second hearing regarding Board of Education policy against commercial area near schools.

Mr. Culver stated that use of the City land was one of the things taken into consideration. He spoke of the importance for consideration of the safety of children. He referred to date of November 12, following hearing of November 3. He said it had already been changed from C to RC.

Councilman Godfrey spoke to Mr. Culver about it being contemplated that there be no beer and wine.

Mr. Culver said that is the understanding.

Councilman Dail told of beer and wine being sold, where there is an off-sale license.

Douglas D. Deaper read from San Diego Municipal Code permitted uses in RC, which prohibits intoxicating liquor.

Councilman Godfrey asked if beer and wine are intoxicating liquors.

Mr. Frye said that the client would abide by State regulation, and the Code.

Councilman Wincote said that would have to be decided later.

Mr. Frye, repeated, at the request of Councilman Godfrey, that there would be compliance with the Ordinance.

The Mayor stated that the Ordinance is ambiguous.

Councilman Schneider pointed out that the school is going to be less than 600 feet away.

Mr. Levenson spoke regarding remarks of Mr. Glenn. He said that there were 2 remarks made upon which comment should be made. Mr. Levenson said that the one regarding Mr. Lundy was one on which Mr. Lundy needs no assistance from him. He stated that he was not at the meeting of November 17. He mentioned having discussed the matter with Mr. Lundy and 4 members. He stated that Mr. Lundy had said that he had a feeling he would be accused. Mr. Levenson told the Council that Mr. Lundy took it upon himself to go out and analyze the situation because he was not present at the earlier hearing. He said that it was put in writing, and was read for the record. He declared that it is unfair to make innuendo. Mr. Levenson stated that the other statement by Mr. Glenn is surprising, because in effect he had stated that there was willingness to gamble with their own money, and that they should be allowed to do so. He stated that the zoning cannot be interpreted on that basis.

Hearing re rezoning
on P/Ls 1202 & 1203

He stated that anybody with enough money could say that he is willing to gamble. That is contrary to every basis of good zoning, according to Mr. Levenson. He declared that there had been no showing made in the several hearings to rezone the property. Mr. Levenson said that public necessity had not been shown, or that public uses permitted are contrary to public and quasi-public welfare. He said that the case has to be considered on various favors. He declared that this might be a monstrosity; it could be re-zoned, then go on and on with the zoning. He said that he hoped that it might be decided on the facts. He spoke of delving in personalities. Mr. Levenson stated that all zoning experts say "that actually a commercial zone is something that should not come before a residential development, but should follow a residential development". He declared that the very choice property is the commercial property. He contended that this is coming in well in advance of need. He said that it is inequitable to good zoning, and to good practice. Mr. Levenson said that the property cannot be rezoned; conditions therefor do not exist.

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

The Mayor showed an aerial photograph, which was passed around to the Councilmen.

Mr. Rick pointed out various locations to Councilman Dail on that photo.

Mr. Pain stated that the vote was 4-1; not 4-0 (for denial by the Planning Commission).

The Mayor stated that the burden of proof is the same.

Councilman Schneider spoke to Mr. Levenson regarding school and large developments. He told of having in mind the property on El Cajon Boulevard from several years ago. Mr. Schneider spoke about the Schools on El Cajon Boulevard being there, although that is not good zoning.

The Mayor stated that Councilman Kerrigan suggests that the Council look at it, as a group.

Councilman Kerrigan moved to continue the hearing 1 week for the Council to observe on the ground. Councilman Schneider seconded the motion.

Councilman Wincote stated that he opposed that, inasmuch as there are many persons here, for action.

Councilman Schneider withdrew his second.

Councilman Godfrey stated that he would not object to having another look.

There was discussion between Councilmen Wincote and Godfrey about the purpose served.

Councilman Dail pointed out that the Council has had a long hearing, and that some involved might be distraught. He said he would like to look at it on the site.

Councilman Godfrey seconded the motion for continuance. He said that he wants to give the problem due consideration.

Councilman Wincote said that he does not want to rush, but that it is stupid to look at it further.

Councilman Godfrey told about the Council having been out to look at property in Linda Vista (prior to the action by the Council on the subdivision map). He said that he has looked at this, but that there have been arguments on both sides. He entered into discussion with Councilman Wincote over comment that it would be stupid to all look at it.

Councilman Schneider said that if it makes others happy to have a delay, he is happy. He said that he thinks the area does not lend itself to residential use. Councilman Schneider said that if owners have an offer, they have the right to ask for a change of zone.

The Mayor asked the Council not to argue the merits, but to talk on the motion, if there is to be discussions.

Councilman Godfrey said that there are questions remaining. He said that he wants to review the situation on the site.

Councilman Schneider declared that in a court of law, they go off and discuss the case. He said that he may, or may not, be influenced by the delay and the review.

The roll was called on the motion for continuance on the hearing for 1 week, and members of the Council to look at the property. The roll call was as follows: Yeas--Councilmen Burgener, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Wincote, Schneider. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of First Baptist Church of La Jolla from decision of Board of Zoning Adjustment denying permission to erect new church on existing church site, Lot 3 and easterly 50 feet Lot 2 Block 11 F. T. Scripps Addition to La Jolla Park - to observe 15-foot rear yard and 75 per cent coverage - on southwest corner of Genter Street and Draper Avenue in Zone R-2, finding of facts was read. The hearing had been continued from the meeting of December 14, 1954.

Councilman Schneider spoke E. E. South, Zoning Administrator, regarding the side yard.

Mr. South replied that it is 3'6".

The Mayor asked how much of an encroachment there would be.

Mr. South said that 50% is allowed, that the church wants 75% coverage. He told the Council that churches are permitted in R-2 zones. He spoke of observing setback on Genter. He exhibited a plat.

Hearing re rezoning
on P/Ls 1202 & 1203

Councilman Dail spoke to Glenn A. Rick, Planning Director regarding hearings.

Then Mr. South showed the Councilmen a plat reflecting views of property owners. He stated that parking is not mandatory, just desirable.

Robert Mosher, architect for the church, was heard. He told of development of the plans to meet the growing need, and of them having been "trimmed", to needs.

Councilman Dail was excused

Mr. Mosher said that the church has less than 50% of what it wants. He spoke of effort made to find land, but that there is none left which is suitable for the use. He mentioned having tried to find land for parking, also, that effort will be continued. Mr. Mosher mentioned having obtained all signatures but 3, in the beginning. He said that the owner to the west is perturbed regarding there being only 4 feet from the property line, on account of views being cut off. He said that if the church is forced to go up, the view will be decreased. He stated that land slopes from Draper a full floor. Mr. Mosher said that an analysis of the property had caused determination to place the sanctuary on the west boundary regarding the highest point. He said that the church could use the present building, build new one, and move the old one off. He said that use of land on Draper, on the east could be used to sink the property as a basement for a basement dining hall. He stated that the other would be only 1 floor above the street. He contended that if he has to "squeeze", the building has to go "up".

Councilman Schneider asked if that had been explained to the people across the street.

Mr. Mosher replied that it had.

Councilman Godfrey referred to the recommendation of the Planning Department in connection with there being no special circumstances, etc. He handed it to Mr. Mosher.

Councilman Dail returned

Councilman Wincote said that if an elevation were shown to the property owners their opinion might be altered.

Mr. Mosher said that the condition exists which forces the church to go "up" or "out". He said that a church has to be in a residential neighborhood. He spoke of trying to make the church in harmony with conditions, and that to go up would be less attractive. He told of adhering to all setbacks, except the rear yard, on the alley. He said that residents don't want parking in the rear, but that the Planning Commission asks for that. He said that the church is there now, that it will have to be changed and will have to expand. Mr. Mosher told the Council that the church does not want to create a nuisance, but that he does not know how to keep the church from growing.

Councilman Schneider spoke to Mr. South about the side yard.

Mr. South said that is not an infraction; 3 feet would be allowed.

Answering Councilman Schneider, Mr. South said that none in the area is over-covered.

Mr. Mosher said that the Planning Commission asks for 50% coverage, and that the people would request that they be permitted to build as much church as allowed. He stated that some have been allowed 60%; that if 75% is too much, it can be reduced, but that more than 50% coverage is needed.

Councilman Wincote told Mr. Mosher that the Council is not being arbitrary; it is, rather, a matter of law.

Mr. South said that if the property were zoned R-4 it would allow 60%.

Councilman Wincote asked about St. Paul's Episcopal Church (at 5th Avenue and Nutmeg Street).

Mr. Rick said that St. Paul's is in one ownership, and that the church uses the "open" area.

Mr. Mosher declared that the applicant has a crying need. He said that it is a matter of opinion, regarding use of land.

Councilman Godfrey spoke to Mr. Mosher regarding the investment.

Mr. Mosher said that the property adjacent is not obtainable

Councilman Schneider spoke to Mr. Rick about re-zoning the property to R-4.

Mr. Rick replied that maybe there are neighbors. He said he does not know if that would be right.

Mr. Mosher told of having 18 people here this morning, but that they had to leave.

Councilman Wincote pointed out that the Council had allowed variances in some instances. He asked why. He said that it is a matter of judgment, and that he was getting alarmed about interpretations.

Harry S. Saunders told the Council that he owns 5 houses to the west of the church. He said that it was known that the zone was R-2 when property was purchased. He said that he is not opposed to church, and that he has 2 brothers who are ministers. He spoke of churches always wanting to expand, and that he knows of situations which develop when there is overbuilding in a residential neighborhood. Mr. Saunders said that the auditorium, or sanctuary, would be on the newly-acquired property. He said that the church may not tear down the old building for some time. He maintained that it should be built on the site of the present church. He spoke of 2 houses which will be affected regarding light and air.

Councilman Wincote spoke to Mr. Saunders about going to the "line and going up".

Hearing on cont. appeal
of First Baptist Church of L.J.

(Cont. in Book 82)