

Hearing on appeal of First Baptist Church of La Jolla  
(continued from a previous meeting) cont. from  
Book 81 of Minutes

Mr. Saunders said that he knows the church can build. He suggested getting together with neighbors. He said that stand has been taken that they are entitled to go ahead. He said that neighborhood has gotten together, regarding investment.

Councilman Wincote asked if owners have no objection to a church.

Mr. Saunders said no, but that they prefer that it be low and on the corner.

Councilman Schneider said that there there is agreement, the question of coverage becomes secondary. He asked if they can get together.

Mr. Saunders replied that he is willing to try.

Councilman Wincote mentioned speaking to the Attorney, and asked if that can be done. He said that it would be better to get on the beam, and do things in a similar manner.

Mr. Mosher admitted that it had not occurred to him to get together with the neighbors. He said that he thought it was a matter for the administrative body to make the decision.

Councilman Wincote said that the Council has to be conscious of 2 sides of the argument. He said that if there can be a meeting of minds it would be a happy solution.

Douglas D. Deaper, Deputy City Attorney, said that the Council is bound by findings.

Grant Bartlett, 634 Arenas Street, said that there has been adequate time for the purpose ("getting together"). He spoke of there having been few overtures to the neighborhood by the church. He said that prior to the petition, he knew of no instance of church people going to the neighbors. He said that the people were not clear about what they had signed. Mr. Bartlett said that he was going to sign, then read the petition and asked for a preliminary sketch. He felt that the proposal would not be in keeping with the neighborhood. He stated that a vast majority are opposed to the variance, and that a petition was circulated in opposition. He spoke about being concerned in connection with the church going higher, and that a sky-scraper is not wanted in the neighborhood. He said it is not the purpose of zoning to get around the law. Mr. Bartlett told of the insinuation in connection with proposal to be worse in going "up" if they can't go "out", and that is interpreted as a threat.

Councilman Wincote spoke to Mr. Rick about height.

Mr. Rick said that height is not limited.

Mr. Bartlett said that the Church building should be in keeping with the neighborhood.

Councilman Wincote told Mr. Bartlett that the City has been stopped on its attempted regulations regarding aesthetics.

Councilman Schneider spoke to Mr. Bartlett about going "up" for more needed room. He said that the Church is not threatening, regarding need for more room.

Mr. Bartlett said that parking had been mentioned. He read a prepared having to do with even the slightest zoning variance. He stated that he can find no reason for major exemption; that it would be not for 1, but on 3 adjoining lots. He referred to there being several-fold expansion. Mr. Bartlett told the Council that few of the church members come from the neighborhood. He spoke about property owners in the area having invested their wealth, time and care. He said that no one will question the depreciation of value.

Councilman Schneider spoke to Mr. Bartlett regarding right to build a church. He said that it is "their" church, "their" property. He said that if the City refuses to grant more than 50% coverage, the church has the right to increase the height.

Councilman Godfrey said that it has been suggested and hinted that parties are not getting together. He said that he feels that it would be an advantage in trying make a decision regarding interests. He said that if a way can be found, it might be better.

Mr. Bartlett said that he is aware of requirements; the main point is regarding the 50% coverage, and that 25% increase over that allowable figure is great.

Councilman Burgener referred to there being a threat on both sides.

Councilman Schneider was excused

Mr. Bartlett said that they should sit down ahead of time.

Councilman Godfrey said that it is still time for that.

Mr. Bartlett said that few people have spare time.

Councilman Schneider returned

There was discussion between Councilman Godfrey and Mr. Bartlett

Mr. Saunders said that it is a matter of future expansion, and that the church has only 300 members.

Mr. Mosher said that it (the old building) is to be moved off and demolished.

Mr. Bartlett said that it is already a 3-story building.

Councilman Schneider stated that it is not the City's choice.

Mr. Bartlett asked if problems of traffic can be considered.

Councilman Godfrey replied "sure".

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Church of L.J.

Mr. Bartlett told the Council that across the street is another church, and referred to the heavy traffic which would result. He said that he has small children, and that more people are killed by automobiles. He said that activities of 2 churches overload facilities. He declared that it has reached the saturation point.

Mrs. Myers, 621 Genter Street, whose property adjoins the church, was heard. She said that she has no objection to expansion. She said that protestants live in the area. Mrs. Myers told the Council that people of the church will be unable to get in, on account of there being no parking. She spoke about having asked people to talk about it, and that she is not antagonistic. She said, however, that a 2-story wall would do as much damage as a 7-story one.

Suzanne Carrol, 626 Arenas Street, said that much of the congregation comes from Pacific Beach. She said that they might go to that area to build, rather over-build on this location.

Rev. Reid, 7411 Draper Street, pastor of the church, asked to be heard. He stated that when the project began, there was an investigation made of the whole area. He said that it was thought that property was lined up for the purpose, but it was not. He said that due to expansion, there is actually not the accommodation for the people that there should be. He said that there is need for expansion, and it has come to that point. Rev. Reid said that it is hard to understand, when property owners in the area say that they don't understand. He stated that many would like to see a new church. He spoke of having gone to the Gyers family for a discussion, but that there was no conclusion. He stated that they want to say where the church shall put each section. If the church is obliged to leave an opening, it would have to be a patio or the corner, according to him. Rev. Reid said that the church wants to build as much as possible - for the future.

Mrs. C. C. Whittier, who identified herself as 1 of the 2 women who went out with the petition, was heard. She spoke of having carried plans, and of having explained. She stated that all had been given an opportunity to see the plan. She stated that there is no other area in La Jolla for the church. She said that Pacific Beach will probably build its own church.

Councilman Godfrey moved to close the hearing. Motion was seconded by Councilman Dail.

Councilman Godfrey asked if any purpose would be served by "trying to get together".

The Mayor said that plans might be revised.

Councilman Burgener said that the Code has leeway.

Councilman Godfrey said he would suggest that the hearing be continued 1 week - if interested parties can get together - but that there seems to be coolness.

The Mayor said that the situation is unfortunate. He spoke of wanting to encourage churches. He said that if the City breaks down the requirements, it will have to do so for others....then it breaks down values.

Councilman Wincote said that the parties are not in a position where they cannot try. He said that they should ask for a week; maybe another.

Rev. Reid told the Council that he will be happy to meet with the neighborhood.

Mr. Saunders said that was the recommendation of the Zoning Committee. He stated that is where it started.

On motion of Councilman Wincote, seconded by Councilman Dail, the hearing was continued ~~continued~~ 1 week, and that if no compromise appears, the Council will take action (Hearing was declared closed, in the motion, although the item was continued).

The motion carried.

Petition of Quintin Whelay, Attorney at Law, 524 San Diego Trust & Savings Building, San Diego 1, dated December 10, 1954, in behalf of Elizabeth Goodwin, was presented. It represents her as being owner of portion of Lot 17 Rancho Ex Mission, fronting on Federal Boulevard easterly of Euclid Avenue and contiguous with Rancho Drive-In Theatre. It asks permission to use public sewer line which crosses her property.

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

Mayor Butler left the meeting at 4:45 o'clock P.M. Vice Mayor Charles B. Wincote took the Chair.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing galvanized, copper bearing steel Culvert Pipe, was presented. It shows 4 bids - 2 of them identical from Consolidated Western Steel and Armco Drainage & Met. Prod. : \$1,396.00 plus Sales Tax terms 1/2% 10 days. It states that Armco Drainage & Metal Products, Inc., Calco Division, was the successful bidder decided by drawing lots.

RESOLUTION NO. 121627, recorded on Microfilm Roll No. 89, accepting bid of Armco Drainage & Metal Products, Inc., Calco Division, for furnishing 400 lineal feet Galvanized Copper Bearing Steel Culvert Pipe at \$1,396.00 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 Kerrigan, seconded by Councilman Schneider, adopted.

Hearing on cont. appeal

of First Baptist Church of L.J.

Petition

Pur. Agt report

121627

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for improvement at intersections in vicinity of 71st Street and El Cajon Boulevard - 3 bids - was presented. It recommends acceptance of low bid of Daley Corporation in sum of \$2150.00.

RESOLUTION NO. 121628, recorded on Microfilm Roll No. 89, accepting bid of Daley Corporation for improvement at intersections in vicinity of 71st Street and El Cajon Boulevard; awarding contract, authorizing and instructing City Manager to enter into and execute same pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing and installing San Vicente Aqueduct Connection - 8 bids - was presented. It recommends acceptance of low bid of Rogers Construction Company in sum of \$507,599.40.

RESOLUTION NO. 121629, recorded on Microfilm Roll No. 89, accepting bid of Rogers Construction Company for furnishing and installing San Vicente Aqueduct Connection; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121630, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Lots 15, 16, 31 and 32 Kensington Villa Annex, Lots 152 and 153 Talmadge Park, and in Vista Street, Van Dyke Avenue, and Burnham Place, under Document No. 502586; 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 Planning Commission, signed by Harry C. Haelsig, reporting on communication from Lester D. Pendarvis for amendment of conditions of approval of Tentative Map shown as Resolution 120335 - Lot B Block 3 Magnolia Park - was presented. It says that City Engineer stated in letter of December 1 that existing curbs are unsatisfactory on Dudley Street and are not to grade, that on Albion Street curbs are inferior but are on proper alignment and proper grade. It reports that City Engineer has recommended removal of curbs on Dudley Street and establishment of grades so that property owners would be warned of future grades when constructing buildings. It says that Planning Commission, on recommendation of Planning Office, approved tentative map subject to removal of existing curbs on Dudley Street and installation of curbs and gutters, and bringing Dudley Street to proper grade adjacent to the lots. It recommends an amendment to condition No. 1 of the Resolution.

Mr. Pendarvis and Mr. Zuest appeared.

Councilman Godfrey was excused

Mr. Pendarvis told the Council that many improvements are required. It becomes too costly, according to him. He said that in July property owners across the street asked for variance, and that one succeeded regarding no improvements - other did not. The "streets are packed hard", Mr. Pendarvis said, and that they would need no improvements.

Councilman Wincote recalled that petitioners were before the Council before. He said that the curb is in, although not "up to snuff". He stated that the Council could look at it. He stated that the property owners will put it in, when the others improve.

Mr. Pendarvis said that it was required by the Planning.

Councilman Kerrigan said that on account of the improvement the buyer can't get a permit.

Mr. Rick stated that it is a long lot, cut up. He stated that across the street is a similar situation; Albion Street is not good, but the only argument is on the Dudley Street curb. He declared that it would be better to bring the streets to the grade provided by the Engineer.

Councilman Wincote said that property falls off into Gage Lane, that the owners will go along when demanded, on the full streets.

Mr. Rick contended that there should be minimum improvement.

Mr. Pendarvis told the Council that the street is 35 feet wide, and calls for 60 feet. He said if recommendation is followed curb would have to be torn out. He said that it is going to be a 16% grade down, and that the Engineer wants to bring dirt down.

Mr. Zuest said that it has to be done, now, or not at all.

Councilman Wincote wondered if it connects with Gage Lane.

Mr. Rick said only if it becomes valuable to build on the 3rd lot. He insisted that improvements should be made, when building is done.

Mr. Pendarvis said that there would not be plans until improvements are put in. He spoke of \$1400 on 2 lots for curbs and engineering.

Councilman Godfrey returned.

Councilman Kerrigan spoke regarding storm drain.

P. Q. Burton, from the Planning Office, told the Council that he believes that if the job is only half done it will cost more, and will be less satisfactory. He said that it should be done all at once. He referred to Dudley Street as being 150 feet.

Mr. Pendarvis said that only the last portion is not on grade.

According to Councilman Kerrigan, if nice house is built, there should be curbs.

Mr. Benton (who apparently has the property across the street) said that it is a pretty good street.

Mr. Pendarvis referred to a change of grade on a portion.  
 Councilman Godfrey said that people buy homes, put in drives, and then find they can't get in or out of the property.  
 Councilman Wincote asked if it is to be widened.  
 Councilman Wincote read the original resolution.  
 Councilman Burgener asked for deletion of requirement for curb and grading, as long as the grade is known.  
 Mr. Rick pointed out that Haelsig (Asst. Planning Director) has conceded a number of things. He contended that requirement for grading, curb and gutter, is not unreasonable.

Councilman Schneider spoke to Mr. Rick regarding Gage Drive.  
 Mr. Rick said that it is no City obligation, and it is not right today.  
 Councilman Dail said that it is to their detriment if they don't develop.  
 Councilman Wincote said that the 3rd lot will be salable.  
 Councilman Dail said that the property owners can get a 1911 Act project.  
 Councilman Schneider seconded the Burgener Resolution.  
 Mr. Pendarvis said that the area is countrified, and a dead-end.  
 Councilman Kerrigan said that the street can be improved to a point, which he showed on a map.  
 Mr. Pendarvis said that the Street is not the proper width.  
 Mr. Rick said that he has explained the situation to Mr. Pendarvis.  
 RESOLUTION NO. 121631, recorded on Microfilm Roll No. 89, granting request of Lester Pendarvis and Max Zuest in respect to subdividing Lot B Block 3 Magnolia Park, and that Dudley Street be not improved at this time, was adopted.

After adoption of the Resolution, on motion of Councilman Godfrey, seconded by Councilman Schneider, the subject was referred to the City Manager - for report next week.

Communication continued from November 30, 1954 - at which time opinion and report were to have come from the City Manager and City Attorney - from City Auditor and Comptroller, et al., re \$300,000. appropriation from Capital Outlay Fund for acquiring Public Housing Projects, was presented. (Subsequent to the first presentation of the item, an ordinance appropriating the funds from the Unappropriated Fund, instead, was  
 RESOLUTION NO. 121632, recorded on Microfilm Roll No. 89, referring to Council Conference communication from City Auditor and Comptroller re \$300,000. appropriation from Capital Outlay Fund for acquiring Public Housing Projects, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Personnel Director, requesting approval for Hal Martin, Personnel Technician, to incur travel expenses for gathering first-hand salary, classification and organization information from cities of Long Beach, Los Angeles, Oakland, and San Francisco, and State of California, was presented. It says trip has been planned for period of December 27 to January 5, with personal interviews arrange with responsible authorities, that estimated total expense should be not more than \$200.

RESOLUTION NO. 121633, recorded on Microfilm Roll No. 89, authorizing Hal Martin, Personnel Technician in Civil Service Department, to visit various cities in California for period from December 27 to January 5, for obtaining salary and classification data; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from County Clerk submitting certified copy of Resolution adopted by County Board of Supervisors, declaring portions of University Avenue and other highways within limits of The City of La Mesa and City of San Diego no longer County Highways, was presented. On motion of Councilman Kerrigan, seconded by Councilman Godfrey, it was ordered filed. (The Clerk sent it to the City Manager, later, for information of the Manager's and Engineer's offices).

The continued communication from Francis J. Maher, attorney, requesting hearing re food handlers' ordinance, for members of chiropractic profession to be permitted to make physical examinations, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was continued 1 week - to December 21, 1954.

Communication from Mrs. H. J. Vinjk, 2950 Massachusetts Ave., Lemon Grove, Calif., dated December 8, 1954, was presented. It requests assistance in settling a high water bill.

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

Communication from San Diego Rental Owners' Association, Inc., dated December 9, 1954, signed by T. S. Thompson, president, was presented. It expresses approval of



the increased City Sales Tax - if it is felt that additional source of income must be found - on account of distribution of burden over a broader base.

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

Communication from Russell Segel, dated December 8, 1954, in connection with petition for rezoning Lots 27 through 36 and Lots 39 through Chester Square, was presented. It sets out the things to be done in connection with the property involved.

On motion of Councilman Godfrey, seconded by Councilman Schneider, it was filed - with the Re-zoning Ordinance.

RESOLUTION NO. 121634, recorded on Microfilm Roll No. 89, directing Notice of Filing of Assessment No. 2311 and of time and place of hearing thereof, for paving and otherwise improving Boundary Street, under Resolution of Intention No. 116400, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121635, recorded on Microfilm Roll No. 89, directing Notice of Filing of Assessment No. 2312 and of time and place of hearing thereof, for paving and otherwise improving Commercial Street, under Resolution of Intention No. 117357, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 121636, recorded on Microfilm Roll No. 89, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract 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.

The City Engineer reported in writing that low bid is 10.9% below estimate.

RESOLUTION OF AWARD NO. 121637, recorded on Microfilm Roll No. 89, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract 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.

The City Engineer reported in writing that low bid is 6.9% below estimate.

RESOLUTION OF AWARD NO. 121638, recorded on Microfilm Roll No. 89, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract for paving and otherwise improving Dudley Street, under Resolution of Intention No. 120267, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 19.1% below estimate.

RESOLUTION NO. 121639, recorded on Microfilm Roll No. 89, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Boston Avenue; approving Plat No. 2640 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution to file bid in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121640, recorded on Microfilm Roll No. 89, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving C Street, Pickwick Street, E Street and 33rd Street; approving Plat No. 2508 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file bid in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121641, recorded on Microfilm Roll No. 89, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Commercial Street; approving Plat No. 2659 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file bid in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121642, recorded on Microfilm Roll No. 89, Directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in Crown Point Lighting District No. 1, in accordance with Engineer's Report and Assessment filed October 2, 1954 in office of City Clerk - for 11 months and 16 days from and including February 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121643, recorded on Microfilm Roll No. 89, Directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 1, in accordance with Engineer's Report and Assessment filed October 22, 1954 in office of City Clerk - for 1 year from and including March 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 121644, recorded on Microfilm Roll No. 89, for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 2, in accordance with Engineer's Report and Assessment filed October 29, 1954 in office of City Clerk - for 1 year from and including March 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 121645, recorded on Microfilm Roll No. 89, for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 3, in accordance with Engineer's Report and Assessment filed October 29m 1954 in office of City Clerk - for 1 year from and including March 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121646, recorded on Microfilm Roll No. 89, accepting offer of Econolite Corporation, authorized agent for General Electric Company, filed in office of City Clerk December 10, 1954 under Document No. 502454, agreeing to furnish General Electric Form 109 luminaires complete, etc, to any and all contractors desiring to bid on installation of street lighting system on Broadway between 8th Avenue and 14th Street, under prices named in offer and license agreement, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121647, recorded on Microfilm Roll No. 89, accepting offer of Pacific Union Metal Company, filed in office of City Clerk December 9, 1954, under Document No. 502383, agreeing to furnish 31 Union Metal octaflute Monotube pendent standards, Design 403 Catalog F250-B2, to any and all contractors desiring to bid on installation of street lighting system on Broadway between 8th Avenue and 14th Street, under prices named in offer and license agreement, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121648, recorded on Microfilm Roll No. 89, for removal of street light foundations and pull boxes and that street lighting standards, etc., be installed in portions of Broadway between 8th Avenue and 14th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121649, recorded on Microfilm Roll No. 89, for furnishing electric current for lighting ornamental street lights located in College Park Lighting District Number One, for 1 year from and including June 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121650, recorded on Microfilm Roll No. 89, for paving and otherwise improving Boston Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121651, recorded on Microfilm Roll No. 89, for paving and otherwise improving C Street, Pickwick Street, E Street and 33rd Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121652, recorded on Microfilm Roll No. 89, for paving and otherwise improving Commercial Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121653, recorded on Microfilm Roll No. 89, appointing time and place for hearing protests, and directing Notice of Hearing for furnishing electric current in Talmadge Park Lighting District No. 4, for 1 year from and including April 1, 1955 to and including March 31, 1956, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121654, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 16 La Mesa Colony, 73rd Street, and Public Right of Way in Lot 40 La Mesa Colony, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121655, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121656, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121657, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Franklin Avenue and 28th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121658, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121659, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121660, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121661, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 11 City Heights Annex No. 2, under Resolution of Intention No. 114246, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121662, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 3 Normal Heights, under Resolution of Intention No. 116054, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121663, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 56 Ocean Beach, under Resolution of Intention No. 118554, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121664, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121665, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on installation of sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, under Resolution of Intention No. 118862, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121666, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on installation of storm drains in Streamview Drive, 54th Street and Public Right of Way, under Resolution of Intention No. 115496, and to be assessed to pay expenses thereof; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

directing City Engineer to furnish  
RESOLUTION NO. 121667, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleghany Street, under Resolution of Intention No. 119499, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121668, recorded on Microfilm Roll No. 89, 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 29th Street and E Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121669, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 500356 for paving and otherwise improving Alley Block "M" Tract Number Two of Alta Vista Suburb; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121670, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 500355 for grading and paving Alley Block 334 Choate's Addition; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121671, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 499781 for paving and otherwise improving Cottonwood Street; directing City Engineer to furnish description of assessment district, and plat showing

exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 119671, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121672, recorded on Microfilm Roll No. 89, granting petition for installation of ornamental street lighting system on Fifth Avenue, between Market Street and Ash Street; directing City Engineer to furnish description of assessment district, and plat showing boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121673, recorded on Microfilm Roll No. 89, granting petition for installation of sidewalks on portions of Haniman Drive, 54th Street, Silk Place, Pirotte Drive, Lyle Drive, Susan Place and 52nd 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, all in accordance with recommendation of City Engineer filed in office of City Clerk under Document No. 502026 (includes McGann Drive), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121674, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 499774 for installation of sidewalks on easterly side of Nipoma Street; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121675, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 499271 for paving and otherwise improving Treat Street; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121676, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 499775 for installation of street lighting system on Wisteria Drive in Wisteria Heights Subdivision; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The next 3 items on the agenda, having to do with Tidelands Leases were adopted by the Council at the beginning of the meeting, out of order.

RESOLUTION NO. 121677, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to do all work in connection with replacement of 730 feet of 12" cast iron water main with 12" asbestos-cement water main in alley between Van Dyke and 43rd Streets, from University Avenue to Wightman 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, 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. 121678, recorded on Microfilm Roll No. 89, authorizing and directing City Treasurer to exchange \$500,000.00 par value of United States Treasury 1-7/8% Notes purchased from inactive funds in the City Treasury, due December 15, 1954, for \$500,000.00 1-1/4% United States Treasury Certificates of Indebtedness, due December 15, 1955; authorizing and Directing City Treasurer to sell all or such amount of said investments whenever additional cash is required for the purpose for which funds were originally accumulated and placed in the Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



RESOLUTION NO. 121679, recorded on Microfilm Roll No. 89, authorizing and directing San Diego Gas & Electric Company, pursuant to recommendation of City Manager, to install a 6000 lumen overhead street light at each of the following locations:

Wells at Atascadero Drive

College at Adelaide

Seminole at Bradford

Seminole at Estelle

Marraco Drive at Estelle

Bradford, between Seminole and Marraco Drive

Estelle, between Seminole and Marraco Drive

Estelle, between Seminole and Marraco Drive (a duplication in the Res.)

Revilla Drive, north of Lerida, approximately 600 feet;

authorizing and directing installation of 2 6000 lumen overhead street lights at 49th Street and Federal Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121680, recorded on Microfilm Roll No. 89, granting permission to John A. Campbell, 1579 Morena Boulevard, San Diego 10, to remove 42 feet of curb on westerly side of Crown Point Drive between Moorland Drive and Shasta Street, for installation of driveway adjacent to Lot 470 Crown Point; to be located to provide access to 4-car garage at 3686-94 Crown Point Drive, subject to conditions of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121681, recorded on Microfilm Roll No. 89, granting revocable permit to W. R. Goddard, 3851 Edenhurst, Los Angeles, to install and maintain water line "in 711 San Fernando Street" to serve property described as East 1/2 of North 1/2 of SE 1/4 of Pueblo Lot 173, in accordance with Revocable Permit Application and Removal Agreement, on file in office of City Clerk, subject to all covenants and conditions therein contained, etc., was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

In connection with the next item, the City Manager made a verbal explanation.

RESOLUTION NO. 121682, recorded on Microfilm Roll No. 89, granting revocable permit to Gene Vedder, 4455 Home Avenue, San Diego, to install and maintain water line in Home and Fairmount Avenues, to serve property described as Lot 30 Wadsworth Olive Grove Subdivision, in accordance with Revocable Permit Application and Removal Agreement, on file in office of City Clerk, subject to all covenants and conditions therein contained, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121683, recorded on Microfilm Roll No. 89, granting permission to Arvid Pearson, 1677 Grand Avenue, San Diego 9, to install a 52-foot driveway on westerly side of Jewell Street, between points 7 feet and 59 feet south of southerly line of Grand Avenue, adjacent to Lots 18 to 20 Block 251 Pacific Beach, subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121684, recorded on Microfilm Roll No. 89, authorizing O. W. Campbell, City Manager, to attend first meeting of Public Health Interim Advisory Committee, Thursday, December 16, 1954, at 10:00 A.M., Conference Room, League of California Cities, Hotel Claremont, Berkeley, California; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

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

ORDINANCE NO. 6350 (New Series), recorded on Microfilm Roll No. 89, 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 -(to cover Mission Bay Park Director, in the Unclassified Service)- was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-- Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, 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. 6351 (New Series), recorded on Microfilm Roll No. 89, repealing Section 33.2204 of San Diego Municipal Code, Regulating House Moving, was on motion of Councilman Wincote, 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 Burgener, 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. 6352 (New Series), recorded on Microfilm Roll No. 89, dedicating Easements for Public Use Over certain Public Lands, being portions of Pueblo Lot 1203, 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.

Councilman Dail was excused

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading 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. 6353 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Beryl Street, between line parallel to and distant 24.96 feet westerly from northerly prolongation of westerly line of Olney Street, closed, and line parallel to and distant 299.96 feet easterly from said parallel line, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading 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. 6354 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Brookline Street, between northerly line of Marilou Road and westerly prolongation of southerly line of Date Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading 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. 6355 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Grand Avenue, between southerly prolongation of easterly line of Quincy Street and westerly line of Pendleton Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading prior to final passage was dispensed with by vote of not less than 4 members of the

6351 N.S. - 6355 N.S.

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. 6356 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Marilou Road, between southerly prolongation of easterly line of Brookline Street and its termination at westerly line of 48th Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading 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. 6357 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Shafter Street between its termination at Upshur Street and southwesterly line of Canon Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, reading 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. 6358 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Upshur Street, between termination at Shafter Street and southeasterly line of Scott Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

Ordinance was listed on the agenda as "Ordinance Establishing a Revolving Fund to be known as the 'Municipal Housing Revolving Fund'".

At the request of the City Manager, it was withdrawn.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance incorporating portion of Lot 16 Ex Mission Lands (Horton's Purchase) into CP and C Zones, as defined by Sections 101.0410 and 101.0411 of San Diego Municipal Code; and repealing Ordinance No. 5809 (New Series) adopted October 1, 1953, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

The Vice Mayor requested, and was granted, unanimous consent to present the next resolution, not listed on the agenda:

RESOLUTION NO. 121685, recorded on Microfilm Roll No. 89, deleting the word "aboveground" in Resolution No. 121425; substituting words "municipal convention auditorium" in lieu of words "municipal auditorium"; directing the Planning Commission to convey the substance of the clarifying resolution to the public at its hearing on December 15, 1954, set for 4:00 P.M. in the Council Chambers, Room 358 Civic Center, 1600 Pacific Highway, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that on 30th day of November, 1954, by Resolution No. 121425 the Council initiated a public building plan, which plan was stated to be "That the area bounded by Broadway, 3rd Avenue, 4th Avenue and E Street, shall be the site for the construction and operation of a public facility consisting of underground parking space and aboveground municipal auditorium". It says that by the Resolution, the Council directed the Planning Commission to hold at least one public hearing, that some misunderstanding has arisen concerning the phrase "an aboveground municipal auditorium" which misunderstanding should be removed.

The City Manager requested, and was granted unanimous consent to present the following Resolutions, which he explained to the Council:

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 Ranch Unit No. 1, was presented.

RESOLUTION NO. 121686, recorded on Microfilm Roll No. 89, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.17-c of San Diego Municipal Code in connection

6356 N.S. - 6358 N.S.

Ord listed on agenda withdrawn

Ord introduced

121685 - 121686 under U.S.

with Tentative Map of College Ranch Unit No. 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of College Ranch Unit No. 1, for 393-lot subdivision of portions of Lots 68, 69, 70 Rancho Mission of San Diego, subject to 12 conditions, was presented.

RESOLUTION NO. 121687, recorded on Microfilm Roll No. 89, approving Tentative Map of College Ranch Unit No. 1, subdivision of portions of Lots 68, 69, 70 Rancho Mission of San Diego - located immediately north of Lake Murray Manor, easterly of Lake Murray Blvd. within recent annexation of Waring property, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121688, recorded on Microfilm Roll No. 89, authorizing City Manager to execute agreement with John Hansen for moving Montgomery Junior High School band room to temporary location, some 75 feet from its present site, for sum of \$1100.00, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that City recently acquired the building from 2470 Ulric Street from San Diego Unified School District, that it is necessary to move it immediately from its site to make room for certain construction work at the school, that every effort was made consistent with section 94 of City Charter to obtain informal bids for moving the building but only 1 bid was obtainable.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 5:20 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom  
Deputy

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

#### REGULAR MEETING

Chamber of the Council of the City of San Diego, California,  
Thursday, December 16,  
1954

The Mayor called the meeting to order at 10:04 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on recommendation of the Planning Commission, dated Dec. 2, 1954, signed by P. Q. Burton, for rezoning portions of Blocks 12 and 14 Cleveland Heights from R-2 to R-4 Zone, report of petition requesting the rezoning on the south half of block on both sides of Front Street between Walnut and Brookes Avenues, was read. It states that Planning Commission held a public hearing December 1, 1954. It states that there seems to be only 2 lots in the entire blocks that do not comply with the present R-2 zoning, one has 4 units on it and the other is located at northeast corner of Walnut and Front Streets. It says that lot is occupied by a legal duplex, but it also contains 5 additional kitchens, all constructed illegally and without building permits. Report says that other lots within the area proposed to be rezoned appear to comply with zoning, 7 lots being occupied by single-family dwellings and 2 parcels of land being occupied by 2 living units. The communication reports that the Albert H. Kesling building, which contains the 7 kitchens, 5 of them illegal, was altered

121687 - 121688  
Meeting Adjourned  
Meeting Convened  
Hearing



to an apartment building in violation of the zoning ordinances and the State Housing Act. It says that Albert H. Kesling was the circulator of the petition after investigations by the Planning Office and by the Health Department revealed the violations. The report, which was read to the Council, goes into detail in connection with the property involved, and with surrounding properties. It says, also, that Mr. Kesling proposed in a letter that he be permitted to withdraw his petition, provided protestants would not object to a subsequent petition for zone variance on the property. It stated that the Planning Commission rejected the proposal because it has no jurisdiction in granting zone variances. According to the report, the Planning Commission voted 4-0 to deny the petition for the rezoning.

Councilman Godfrey entered

A map from the hearing was produced and shown to members of the Council. George McClenahan, attorney, spoke in behalf of Mr. Kesling - for 6 lots on each side of Front Street. Mr. McClenahan identified the property as being northerly of Walnut Street.

Harry C. Haelsig, Asst. Planning Director, explained the various properties, both for and against the requested re-zoning.

Mr. Clenahan showed on a plat of his own, and told of zoning of property south of Walnut and east of Front in R-2, and of other nearby property owned by his client. He identified the subject property. He told of there having been some objections, and of willingness to abandon a portion of the petition - except Lots 11 and 12. He showed what the effect of such a plan would be. Mr. Clenahan referred to Mr. Burton's report which speaks of flagrant violation. He stated that there are only 2 families living in the house, but the plan contemplates 2 apartments. He stated that only area on Walnut Street which is not R-4 is small. He contended that it would be sound planning to rezoning to R-4. He described it as a large house with 5,000 feet of floor space, and that 2,500 sq. ft. is adequate for 2 families. Mr. McClenahan told the Council that Mr. Kesling has no desire to violate the law. He said that he understands Mr. Fisher, an objector, has fine bushes and fine large tree. He stated that the residence can hardly be seen from the petitioner's property. Mr. McClenahan said that it is his understanding that Mr. Fisher intends to live there.

Mr. Kesling stated that he had made no changes, that things were there, except for cabinets, etc. He said that the kitchens were there.

Councilman Wincote expressed a wish to check regarding the illegal kitchens. He asked about building permit.

Mr. Burton replied that the only permit was for a duplex.

Councilman Wincote asked how the kitchens got in, if there was no building permit.

Mr. Kesling, answering Councilman Schneider, said that he came to San Diego in 1936, and acquired the property in 1937.

Councilman Schneider spoke directly to Mr. Kesling.

Councilman Wincote said that if the kitchens were bootlegged in, it is a different thing; but if not, the City is in error. He asked how they got there. He asked if there is no record.

Mr. Burton answered the question by saying that there was a permit in 1948 for 1 kitchen; changing the property from a single-family residence to a duplex.

Councilman Wincote spoke to Mr. Burton, and said that he thinks the City made a mistake.

Mr. Kesling said that there were no cabinets or kitchens; there were hot plates.

Councilman Dail said that Health Department blinked eyes during the war, regarding "sneak kitchens".

Councilman Schneider spoke to Councilman Dail regarding make-shift kitchens.

Councilman Wincote wanted to know about letting down the bars for boarders, and the bootlegged kitchens. He referred to the property in question as having 7 kitchens.

Councilman Kerrigan said that there were roomers in the house, that they put in sinks and hot plates. He spoke of the premises being based on a plan for a duplex. He said that he thinks that since 1950 those things have been referred to the Planning Department. He added that there was a lot of bootlegging.

Councilman Schneider asked Mr. Kesling when the improvement was made.

Mr. Kesling said between 47, 48 - or 49. He agreed that there was no building permit. He told of having dismantled the 2 upstairs, there were 6 to start, and are only 3 now.

Councilman Godfrey asked who is right: 6 or 7?

Councilman Kerrigan said that the problem is regarding re-zoning the area to a smaller space. He contended that the Council has to consider the re-zoning on the request. He said that he wanted to hear what's before the Council. Mr. Kerrigan stated the only question is "do we or do we not change from R-2 to R-4".

Councilman Wincote said that the owner can't be criticized, if he had a permit for the work.

Mr. McClenahan said that the owner is not quarreling regarding the violation. He said that rightly or wrongly, operation has continued, and now he wants to get straight. He advocated rezoning those lots requested.

Councilman Wincote said that between Front and Albatross property is not R-4.

Mr. McClenahan told the Council that if the proposal would result in hardship and illwill, petitioner will ask for zone change on only Lots 11 and 12.

Councilman Wincote said that if the City changes the zone on 2 lots, it becomes a key to change on the others.

Mr. McClendon said that it is regarding the existing R-4.

Councilman Godfrey asked what percentage is in favor, and what is protesting.

Councilman Wincote said that it is 4 to 1 against - in the 300-foot area.

The Mayor said that it is on a basis of rezoning.

Councilman Wincote pointed out that the modification has not been before the Planning Commission.

Councilman Godfrey stated that the Council is having a hearing on the appeal. He repeated that is what the hearing is on, and that is what has been protested. He said that the Council is not dwelling on establishment of various points. He said that if there Hearing - Appeal



is something new, the neighborhood might not protest. He said that if there is a new idea, this hearing is not fair.

The Mayor said that if the case is modified, it should go to the Planning.

Mr. Burton said that the Planning Commission recommended withdrawal regarding 2 lots. He said that the Planning could make no trade. He said that the protest was on 2-lot rezoning, also.

Mr. McClenahan said he thought it was about 5 to 8. He talked to Councilman Schneider regarding the neighborhood.

Councilman Wincote asked where other R-4 is.

Mr. McClenahan answered that there is not there.

Councilman Kerrigan stated that he was ready to make a motion "on the thing that is before the Council. He moved to sustain the action of the Planning Commission in denying the Rezoning from R-2 to R-4, and that there be no ordinance drawn. Councilman Schneider seconded the motion.

Councilman Wincote spoke directly to Bill Fisher, who was in the audience, regarding a change.

Mr. Fisher spoke about being against the proposal to rezone. He said that it did not seem to be before the Planning Commission regarding trading on another thing. He felt that the petitioners have a right to withdraw, and come up with the other thing. Mr. Fisher stated that many didn't know that they were petitioning to rezone. He said that he doesn't see why there should be the rezoning, because the owners have done something they should not. He spoke of need for a new petition.

Councilman Wincote said he wanted to see if the City made an error, regarding installation of the extra kitchens.

Mr. Fisher said that he does not know when it was done, but thought it was probably during the war.

Councilman Godfrey stated that channels are open for Mr. Kesling to come in with a new proposition.

RESOLUTION NO. 121689, recorded on Microfilm Roll No. 89, sustaining the action of the Planning Commission in denying petition for rezoning portions of Blocks 12 and 14 Cleveland Heights, on both sides of Front Street between Walnut and Brookes Avenues, from the prevailing R-2 to R-4; denying petition therefor, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

Pacific Highway Lighting District No. 1;

El Cajon Boulevard Lighting District No. 1;

Montemar Lighting District No. 1.

Petition of property owners for annexation to the City of San Diego of territory to be known as "Grantville-Rancho Mission Tract" to the City of San Diego, was presented. Attached is certificate from the Registrar of Voters that records of registration have been determined that there were on 10th day of December 1954, 137 qualified electors residing in the territory; that 74 signatures were checked and 62 qualified signatures of registered voters residing within the territory were found. Also attached, is certificate from the City Clerk stating that petition contains signatures of more than 25% of the qualified voters residing in the territory, and that petition is sufficient as to number of signatures.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was referred to the City Attorney

RESOLUTION NO. 121690, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting systems on F Street between 12th Avenue and Kettner Boulevard, bearing Document No. 502637; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, 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 Camino Vista, was presented.

RESOLUTION NO. 121691, recorded on Microfilm Roll No. 89, suspending Sections 102.07-2, 102.09 1 & 2, 102.17-C of San Diego Municipal Code in connection with Tentative Map of Camino Vista, 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 Camino Vista, 13-lot subdivision located between 69th

Contracts signed  
Petition - referred  
Communications  
121689 - 121691

Street and Manchester Road north of Mandalay Road, subject to 11 conditions, was presented.

RESOLUTION NO. 121692, recorded on Microfilm Roll No. 89, approving Tentative Map of Camino Vista, subject to conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of College View Estates Unit No. 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 121693, recorded on Microfilm Roll No. 89, authorizing and directing the 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. 2 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121694, recorded on Microfilm Roll No. 89, adopting Map of College View Estates Unit No. 2, subdivision of portion of Lot 67 Partition of Rancho Mission of San Diego, and allowing the subdivision; accepting Saxson Street, Remington Road and Drover Drive, and unnamed easements shown for public purposes; declaring them to be public streets and unnamed easements and dedicated to public use; directing City Clerk to endorse upon map, as and for act of the Council, that streets 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 Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with tentative map of Hotel Block, of Morena, a 12-lot resubdivision, was presented.

RESOLUTION NO. 121695, recorded on Microfilm Roll No. 89, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision of Hotel Block, Morena, 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 resubdivision of Hotel Block in Morena, a parcel of land bounded by Jellett, Kane, Frankfort and Galveston Streets in Bay Park Village area, subject to 4 conditions, was presented.

RESOLUTION NO. 121696, recorded on Microfilm Roll No. 89, approving Tentative Map for resubdivision of Hotel Block in Morena, subject to conditions set out 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 Mitchell Heights, was presented.

RESOLUTION NO. 121697, recorded on Microfilm Roll No. 89, suspending Sections 102.08-1, 102.07-5, 102.11-2, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Mitchell Heights, a subdivision located in northerly half of Pueblo Lot 1202, 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 Mitchell Heights, a 118-lot subdivision located in northerly half of Pueblo Lot 1202 easterly of Cabrillo Freeway and north of Sharp Memorial Hospital, was presented. It is subject to 10 conditions.

RESOLUTION NO. 121698, recorded on Microfilm Roll No. 89, approving Tentative Map of Mitchell Heights, subject to conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of portion of Lot 129 into 2 parcels fronting on Silvergate Place approximately 100 feet easterly of Silvergate Avenue in Point Loma area, was presented. It states property is within R-1C zone and proposed lots are in compliance with zoning for the area. It recommends approval subject to 2 conditions.

RESOLUTION NO. 121699, recorded on Microfilm Roll No. 89, approving Tenta-

tive Map for division of portion of Pueblo Lot 129 into 2 parcels, subject to conditions set out in the Resolution, 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 for division of Lot 16 Block 0 Riviera Villas, was presented.

RESOLUTION NC. 121700, recorded on Microfilm Roll No. 89, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Lot 16 Block 0 Riviera Villas, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of Lot 16 Block 0 Riviera Villas, into 2 parcels, located on Point Loma at northwesterly corner of Piedmont and Alexandria Drives, was presented. It states that ensuing lots will be approximately 10,440 square feet and 8,800 square feet in area. It mentions hearing having been held since it would in effect be a zone variance to divide land into smaller parcels. It recommends approval, subject to 3 conditions.

RESOLUTION NO. 121701, recorded on Microfilm Roll No. 89, approving Tentative Map of Lot 16 Block 0 Riviera Villas, subject to 3 conditions, 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 Vista Mesa, was presented.

RESOLUTION NO. 121702, recorded on Microfilm Roll No. 89, suspending Sections 102.07-5, 102.11-2, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Vista Mesa, 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 Vista Mesa, for 466-lot subdivision of remaining unsubdivided portion of Pueblo Lot 1214, directly northerly of new Kearny High School, a continuation of subdivision of Vista Park, subject to 12 conditions, was presented.

RESOLUTION NO. 121703, recorded on Microfilm Roll No. 89, approving Tentative Map of Vista Mesa, subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121704, recorded on Microfilm Roll No. 89, granting application of Samuel Z. Greenberg for Class "A" license to conduct dance at Harlem 400, 202 Market Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations; granting permission to conduct cabaret with paid entertainment subject to regular license fee, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

#### East

Communication from/Mission Bay Business Association, 855 Morena Boulevard, dated December 1, 1954, signed by D. E. Conover, secretary, was presented. It endorses action taken by Pacific Beach Town Council in respect to proposed Sports Arena, and supports points set forth.

The Mayor stated that he had answered the letter. (It was addressed to him).

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

Communication from Mrs. H. R. Scott, 3204 Dale St., dated Dec. 13, 54, was presented. It refers to a small news item on an inside page of the Tribune, which it refers to as another little beginning way of taking away rights of people - having to do with a health situation. It states that if there are unsanitary conditions existing, means like like those of our forefathers - with a warrant - should be used instead of giving power to any group of servants, etc., etc.

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

Communication from Evelyn Shaw, 8211 Paseo del Ocaso, La Jolla, dated December 10, signed also by Ada E. Leeke, was presented. It refers to dogs running at large

in the La Jolla Shores area. It speaks of the nuisance, and urges enforcement of the ordinance, or its revocation.

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

Communication from Raymond N. Harter, 2048 - 3rd Avenue, San Diego 1, dated December 13, 1954, was presented. It complains of City buses which have been camouflaged, gayly-colored, of circus-type, motorized wagons. It states that the writer let 2 of them pass before he realized that they were not converted beer trucks, a group of Shriners or Legionaires. He learned that they were moving advertising billboards. The communication makes suggestions for the City selling colorful advertisements on all its vehicles if it can't "either stop this nonsense of bus external decorations or start making the idea pay off for the City too".

The letter was read, at the request of Councilman Burgener.

Councilman Schneider asked if the City has any control over the buses.

Councilman Wincote felt it should be referred to the Bus company. He said that buses should be identified as regular buses.

There was discussion between several Councilmen, not through the Chair.

Councilman Schneider moved to refer the communication to the Bus Company.

Councilman Godfrey asked what for. He contended that the Bus Co. knows that they are painted.

Councilman Dail said it should be referred to the City Attorney.

Councilman Burgner said it should be referred to the City Attorney and the Bus Co. He said that it is a public utility.

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

RESOLUTION NO. 121705, recorded on Microfilm Roll No. 89, authorizing City Manager to do all work in connection with repairs to Junction Box "B" housing the emergency control gates at Sewage Treatment Plant, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that City Manager has recommended the repair, 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. 121706, recorded on Microfilm Roll No. 89, authorizing City Manager to employ H. C. Dennis to replace 31.42 lineal feet of curb and 141.76 square feet of sidewalk at intersection of Long Branch Avenue and Spray Street, and do necessary concrete removal and patching; cost not to exceed \$154.00 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that City of San Diego has heretofore entered into contract with Dennis for improving Long Branch Avenue between Abbott Street and Spray Street under a 1911 Street Improvement Act proceeding; that Drawing shows work to be done by City forces, and contractor has offered to do the work at said price, and City Manager has recommended that offer be accepted and work be done.

RESOLUTION NO. 121707, recorded on Microfilm Roll No. 89, authorizing City Manager to employ R. E. Hazard Contracting Co. to remove 50 lineal feet of curb, construct 88.6 lineal feet of Type G curb; remove a fence; grade 138 square feet, together with sub-grading, and construct 4-inch A. C. paving on Udall Street; cost not to exceed \$218.86 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that City has entered into contract with Hazard Co. for paving and otherwise improving portions of Udall Street under a 1911 Street Improvement Act proceeding; that Drawing shows work to be done by City forces, and contractor has offered to do the work at said price, and City Manager has recommended that offer be accepted and work be done.

RESOLUTION NO. 121708, recorded on Microfilm Roll No. 89, authorizing City Manager to employ M. H. Golden Construction Co. to remove 15.71 lineal feet of Type G Curb, construct 19.71 lineal feet of Type G curb, and replace 99 square feet of sidewalk on Clove Street, cost not to exceed \$122.24, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that City has entered into contract with Golden Co. for paving and otherwise improving portions of Clove, Plum, Oliphant and Newell Streets under a 1911 Street Improvement Act proceeding; that Drawing shows work to be done by City forces, and contractor has offered to do the work at said price, and City Manager has recommended that offer be accepted and work be done.

Communication  
121705 - 121708



RESOLUTION NO. 121709, recorded on Microfilm Roll No. 89, authorizing City Manager to employ R. E. Hazard Contracting Co. to do misc work on Wells Street, shown in the Resolution, at not to exceed \$585.83, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that City has entered into contract with Hazard Co. under 1911 Street Improvement Act proceeding; that Drawing shows work to be done by City forces, and contractor has offered to do the work at said price, and City Manager has recommended that offer be accepted and work be done.

RESOLUTION NO. 121710, recorded on Microfilm Roll No. 89, authorizing and directing City Attorney to take such action as may be necessary and appropriate to reconstruct premises or abate unhealthful situation existing at 5050 Saratoga Avenue, owned by Madelon D'Aubert, more particularly described as Lot 12 Block 75 Ocean Beach Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that Council has requested City Manager to make investigation of unhealthful situation existing; that Director of Public Health of The City of San Diego, with permission of owner has entered upon and inspected the premises and has reported to the Council that the premises are unfit for human habitation, that steps should be taken to cause the unhealthful condition existing to be abated or rectified.

RESOLUTION NO. 121711, recorded on Microfilm Roll No. 89, approving Change Order No. 1, dated December 3, 1954, heretofore filed with City Clerk as Document No. 502676, issued in connection with contract between The City of San Diego and William H. Clint for construction of outfall sewer at underpass, Wabash Boulevard at Olive Street, contained in contract on file in office of City Clerk; changes amounting to increase in contract price of \$100.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121712, recorded on Microfilm Roll No. 89, approving Change Order No. 1, dated December 3, 1954, heretofore filed with City Clerk as Document No. 502678, issued in connection with contract between The City of San Diego and Taylor & Sloan, for construction of Kensington Park Replacement Sewer, contained in Document No. 499538 on file in office of City Clerk, changes amounting to increase in contract price of approximately \$921.40, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121713, recorded on Microfilm Roll No. 89, authorizing City Manager to execute agreement with Geological Diving Consultants, a co-partnership, Box 6571 San Diego 6, whereby consultants shall make 2 surveys of the sea floor, 1 west of Point Loma along the "County Outfall", and 1 along a line west of a point in Imperial Beach, to be designated by City Engineer, at \$980.00 for each such survey, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121714, recorded on Microfilm Roll No. 89, granting permission to Murray Goodrich (Milo L. Berenson, Builder, 230 12th Avenue) 1995 Newton Street, San Diego, California, to install 50-foot driveway on southerly side of Newton Avenue between points 0 and 50 feet west of westerly line of Dewey Street, adjacent to Lots 25 and 26 Block 95 Manasse and Schiller Addition, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121715, recorded on Microfilm Roll No. 89, granting permission to Earl F. Liddle, 1625 28th Street, San Diego 4, to install 1 30-foot and 1 35-foot driveway on northerly side of University Avenue between points 5 feet and 35 feet and 65 feet and 100 feet west of westerly line of Central Avenue; and to install 1 35-foot and 1 26-foot driveway on westerly side of Central Avenue between points 10 feet and 45 feet and 74 feet and 100 feet north of the northerly line of University Avenue, adjacent to Lots 25 to 28 Block 40 City Heights, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121716, recorded on Microfilm Roll No. 89, granting revocable permit to Paul H. Murphy, 4720 Atlanta Drive, San Diego, to install and maintain a fence on 4720 Atlanta Drive, to serve property described as portion of Lot 130 and portion of Lot 131 Collwood Unit No. 1, in accordance with Revocable Permit Application and Removal Agreement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



RESOLUTION NO. 121717, recorded on Microfilm Roll No. 89, granting revocable permit to Mrs. Esther Wagner, 5211 Alcorn Place, San Diego, to install and maintain fence on 5211 Alcorn Place, to serve property described as Lots 83-82 Collwood 1, in accordance with Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121718, recorded on Microfilm Roll No. 89, granting request of H. C. Dennis, dated December 9, 1954, contained in Change Order No. 1, for extension of 60 days to and including January 6, 1955, heretofore filed with City Clerk as Document No. 502686, in which to complete contract for improvement of 47th Street and Hilltop Drive, contract contained in Document No. 497701 on file in office of City Clerk; extending completion time to January 6, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121719, recorded on Microfilm Roll No. 89, granting permission to Standard Oil Company of California, Bank of America Building, San Diego 1, to install 2 35-foot driveways on easterly side of Reo Drive between points 8 feet and 43 feet, and 70 feet and 105 feet south of southerly line of Albemarle Street; also 2 25-foot driveways on southerly side of Albemarle Street between points 13 feet and 38 feet, and 61 feet and 86 feet east of easterly line of Reo Drive, adjacent to Lots 1 and 2 Block 19 Paradise Hills, subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Dail was excused

RESOLUTION NO. 121720, recorded on Microfilm Roll No. 89, granting revocable permit to Wayne C. Neal, 712 Otay Street, San Diego 14, to install and maintain water line in 61st Street and Benson, to bring water service to subject location (South 5 acres of Hoffman Tract, Encanto, Map 749), being only way to obtain connection to City Water line, in accordance with Revocable Permit Application and Removal Agreement on file in office of City Clerk and subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121721, recorded on Microfilm Roll No. 89, granting revocable permit to Dr. and Mrs. John R. Ford, 128 - 25th Street, San Diego, to install and maintain sewer line to service clinic without having to raise existing building floor 4 feet - Lots 35 and 36 Block 18 Lincoln Park, Map 48 - in accordance with Revocable Permit Application and Removal Agreement on file in office of City Clerk and subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121722, recorded on Microfilm Roll No. 89, vacating easement and right of way for construction and maintenance of sewer line in Lots 34 and 35 Orchard Villa Addition, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that by deed dated July 12, 1926, The City acquired easement for sewer purposes, that since acquisition easement has not been used nor has it been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation; that it is unnecessary for present or prospective public use; declaring from and after date of order of vacation, title to the land previously subject to easement shall revert to owners of land free from rights of the public; authorizing and directing City Clerk to cause certified copy of the Resolution, attested by him under seal, to be recorded in office of County Recorder of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121723, recorded on Microfilm Roll No. 89, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 8, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lots 28 and 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121724, recorded on Microfilm Roll No. 89, accepting subordination agreement, executed by John Burnham & Company, beneficiary, and Union Title Insurance & Trust Company, trustee, bearing date December 10, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot B Block 4 Magnolia Park,

TO THE 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 Schneider, adopted.

RESOLUTION NO. 121725, recorded on Microfilm Roll No. 89, accepting deed of Lucile Lees Chamberlin, bearing date November 26, 1954, conveying Lot 10 Block 7 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121726, recorded on Microfilm Roll No. 89, accepting deed of Douglas M. Grant, bearing date December 10, 1954, conveying Lot 8 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121727, recorded on Microfilm Roll No. 89, accepting deed of Thomas M. Lees, bearing date November 13, 1954, conveying Lot 10 Block 7 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121728, recorded on Microfilm Roll No. 89, accepting deed of Virgil S. Kipp and Louise L. Kipp, bearing date December 1, 1954, conveying portion of Lot 12 Waterville Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121729, recorded on Microfilm Roll No. 89, accepting deed of Union Title Insurance and Trust Company, a corporation, as trustee under last will of Sarah Elizabeth Hamilton, deceased, bearing date December 8, 1954, conveying easement and right of way for alley purposes across portion of Ravina Street (closed) La Jolla Park; setting aside and dedicating the land to public use as and for public alley; 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. 121730, recorded on Microfilm Roll No. 89, accepting deed of Paul R. Conner and Pamela M. Conner, bearing date November 16, 1954, conveying easement and right of way for street purposes in portion of Lot B Block 4 Magnolia Park; setting aside and dedicating land to public use 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121731, recorded on Microfilm Roll No. 89, accepting deed of Frank Manescalchi and Tommasa Manescalchi, bearing date December 7, 1954, conveying easement and right of way for street purposes in Lot 28 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121732, recorded on Microfilm Roll No. 89, accepting deed of Bennie C. Smith and Alice L. Smith, bearing date November 24, 1954, conveying easement and right of way for street purposes in portion of Lots 28 and 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121733, recorded on Microfilm Roll No. 89, accepting deed of San Diego Unified School District of San Diego County, California, bearing date November 30, 1954, conveying easement and right of way for street purposes in portion of Block 182 Subdivision of L. L. Lockling's 10-Acre Tract; setting aside and dedicating land to public use as and for public street and naming it 14th Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121734, recorded on Microfilm Roll No. 89, accepting deed of Nolan R. White and Lorna F. White, bearing date December 7, 1954, conveying easement and right of way for street purposes in portion of Lot 17 C. M. Doty's Addition; setting aside and dedicating land as and for public street and naming it Malden Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121735, recorded on Microfilm Roll No. 89, accepting deed of La Jolla Hermosa Co., bearing date December 7, 1954, conveying portion of Pueblo Lot 177B; setting aside and dedicating land to public use as and for public street and naming it Via Del Norte; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121736, recorded on Microfilm Roll No. 89, accepting deed of Capitol Incomes Corporation, bearing date December 1, 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121737, recorded on Microfilm Roll No. 89, accepting deed of John W. Rice, Jr. and Elizabeth F. Rice, bearing date December 10, 1954, conveying easement and right of way for storm drain 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 Burgener, adopted.

RESOLUTION NO. 121738, recorded on Microfilm Roll No. 89, accepting quitclaim deed executed on 2nd day of December, 1954, by Al V. Carpenter, Jane A. Carpenter; J. H. Ogden and Effie Ogden, 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 Catoctin Tract Unit No. 4, being portion of Lot 30 La Mesa Colony; 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 Burgener, 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 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. 6359 (New Series), recorded on Microfilm Roll No. 89, appropriating \$1400.00 out of Unappropriated Balance Fund for providing funds for removal of a building from Montgomery High School Grounds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, read-

ing 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. 6360 (New Series), recorded on Microfilm Roll No. 89, appropriating \$67,700.00 out of Storm Drain Bond Fund of 1952 for constructing Storm Drain in portions of Dalbergia Street and other streets in South Chollas Creek vicinity, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 at this time, the Mayor declared the meeting adjourned at 11:50 o'clock A.M.

The Mayor announced that the Councilmen would meet at the Civic Center south door in 5 minutes, for a trip to view the Linda Vista Shopping Center.

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, Decem-  
ber 21, 1954

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

The meeting was called to order by the Mayor at 10:04 o'clock A.M.

Rabbi Monroe Levens, of Tifereth Israel Synagogue and Center, was presented by the Mayor. Rabbi Levens gave the invocation.

#### Councilman Burgener entered

The Minutes of the Regular Council Meetings of Tuesday, December 14, 1954, and of Thursday, December 16, 1954, were presented. On motion of Councilman Kerrigan, seconded by Councilman Schneider, they were approved without reading, after which they were signed by the Mayor.

The next 2 items were taken up out of order, and were explained to the Council by Carl Reusch, of the Harbor Department.

RESOLUTION NO. 121739, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and expense necessary or incidental for construction of a launching ramp control building, Shelter Island, Document No. 502810; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121740, recorded on Microfilm Roll No. 89, ratifying, confirming and approving Agreement, copy of which is on file in Office of City Clerk, between City of San Diego acting by and through the Harbor Commission of The City of San Diego

Invocation  
6360 N.S. 12740

and Union Oil Company of California, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

(The lease covers Lindbergh Field Gasoline and Oil Agreement).

The Purchasing Agent reported in writing that bids had been received and opened December 17, 1954, for storm drains in Fourth Avenue, Fifth Avenue, Sixth Avenue, Seventh Avenue, C Street, Broadway, E Street, F Street, Eighth Avenue, Market Street, K Street, and Tenth Avenue.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Council made a finding that bids had been publicly opened, examined and declared.

On motion of Councilman Schneider, seconded by Councilman Burgener, bids were referred to the City Manager and to the City Attorney for report and recommendation. Bids were received from Cameron Bros. Constr. Co., Floyd Shofner, L. B. Butterfield, Chas. J. Dorfman, W. H. Barber & H. R. Breeden, Pace Construction Company, H. H. Peterson.

The Purchasing Agent reported in writing that bids had been received and opened December 17, 1954, for paving and otherwise improving Oliver Avenue and Pacific Beach Drive.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Council made a finding that bids had been publicly opened, examined and declared.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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 and opened December 17, 1954, 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.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Council made a finding that bids had been publicly opened, examined and declared.

On motion of Councilman Schneider, seconded by Councilman Burgener, bids were referred to the City Manager and to the City Attorney for report and recommendation. Bids were received from H. C. Dennis, T. B. Penick & Sons, Callahan Bros.; Al E. Riley, Inc.; John B. Henry.

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 Sunset Cliffs Lighting District No. 1 for 11 months and 17 days from and including January 15, 1955, the Clerk reported that 1 bid had been received. It was publicly opened and declared.

It was bid of San Diego Gas & Electric Company, accompanied by certified check in sum of \$177.86, given Document No. 502955.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121183 for paving and otherwise improving Alley Block 3 La Mesa Colony, 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 filed.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for preparation and presentation of Resolution Ordering Work.

Bids were received from Morris Van Meter, H. C. Dennis, M. H. Golden Constr. Co., Sim J. Harris Company, Daley Corporation, R. E. Hazard Contr. Co., Griffith Company

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121184 for paving and otherwise improving Carleton Street and Plum Street and Dickens Street, the Clerk reported written protest from Laura J. Shanley, which was 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.

The City Engineer said that he had no record of the protest. (It was a communication advising the City that no fill should be put on Lots 1, 2, 3 Block 39 Roseville, and told of having notified contractor who recently built a house in the area that he must remove dirt and debris that he has dumped).

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

RESOLUTION NO. 121741, recorded on Microfilm Roll No. 89, overruling and denying protest of Laura J. Stanley against improvement of Carleton Street, Plum Street and

Communications

Bids and Bid reports

Hearing

121741



and Dickens Street, under Resolution of Intention No. 121184; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to the City Attorney for preparation and presentation of the Ordering Work.

The Clerk was directed to send the letter from Laura J. Shanley to the City Manager.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121185 of Preliminary Determination for storm drains in Talbot Street and Gage Drive, the City Engineer reported that there was a 19.4% protest on the continued hearing.

J. H. Bush told the Council of having a letter with signatures. He read it. He stated that there is not 1 person in favor of the project - whom he had contacted. He stated that each signature represents residents; not renters.

The City Engineer referred again to the 19.4% protest; 35 property owners; then said that with the new protest it might be 30%.

Mr. Bush said that every property on Talbot, except the Chambeaus, who had already had theirs in, protest.

Willard Olson, of the City Engineer's office, said that Mr. Bush's property is not in the district.

Councilman Kerrigan moved to close the hearing, and refer the protest to the City Engineer for checking.

The Mayor said that he thinks the signatures are not from individuals in the district.

Councilman Burgener seconded the motion.

A man who did not give his name, spoke about 19% of the district in opposition. He said that he had the names of 17 in opposition. He stated that the only recourse may be going around the district (supposedly for obtaining signatures in opposition).

The Mayor said that it will be analyzed by the City Engineer.

Councilman Wincote said that maybe all the names should have been in at the first hearing. Maybe it should be wide open again, he stated.

The Mayor declared that protests should be filed prior to the hearing.

Councilman Wincote asked if the continuance was not only regarding checking the protest.

The Mayor replied "yes".

Councilman Wincote said that the Council has kept hearings open, regarding "persuasive" attitudes on the part of property owners.

Douglas D. Deaper, Deputy City Attorney, said that the Council can consider protests that come in during the hearing.

Councilman Kerrigan pointed out that there will be another hearing. He stated that this one is just to by-pass a portion of the proceedings regarding the Debt Limitation. He said that there would be another hearing (on the Resolution of Intention).

Councilman Schneider observed that the proceedings were instituted by the City. Therefore, there would be no harm in postponing the hearing. He said that if it had been instituted by property owners, the Council would have to follow their request.

The Mayor spoke directly to Mr. Olson.

Mr. Olson, answering the Mayor, said that all the engineering has been done.

Councilman Wincote said that on every storm drain proposition the Council has thrashed around to find a method. He declared that the work has to be done, and that property owners should find a way out for the City problem. He stated that the City would be putting in 50%. He said that the Council and the City Engineer had made a tour of storm drain projects, and that opposition had been met on every 1 of 19 sites. He spoke directly to the protestant. He said that the situation must be taken care of.

The Mayor said that the estimates are low; 1¢ per square foot.

Councilman Burgener asked if every owner would be mailed a notice.

The City Engineer said "yes".

The unidentified man said that he felt it is desirable, but that it would not affect his area.

Councilman Wincote addressed the speaker, and said that the City has not found a way to accomplish the storm drain - except the Streamview project. He said that perhaps a mass meeting should be had to find a way.

Mr. Bush said he had lived on Talbot 8-1/2 years, that the last time there was an appreciable rain they had only 1 problem, at an intersection. He said it would be worse if there were another storm drain. He stated that a storm drain would not help.

Councilman Wincote spoke to the City Engineer regarding help.

The City Engineer said that the silt situation will not be cleared up, until the building (above) is stabilized.

Councilman Schneider declared that haste is unnecessary.

Mr. Bush spoke of large sums to maintain the property.

Councilman Schneider said that it will be stabilized.

Mr. Bush said that then there would be no need for a storm drain.

The roll was called, resulting in

Hearing

RESOLUTION NO. 121742, recorded on Microfilm Roll No. 89, continuing hearing on proposed improvement of installing storm drains in Talbot Street and Gage Drive, under Resolution of Preliminary Determination No. 121185 until 10:00 o'clock A.M. Tuesday, December 28, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121329 of Preliminary Determination for improvement of Pacific Beach Drive, by grading and sidewalking, the Clerk reported no written protests.

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

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

RESOLUTION NO. 121743, recorded on Microfilm Roll No. 89, determining that proposed improvement of Pacific Beach Drive under Resolution No. 121329 of Preliminary Determination is feasible, and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121330 for paving and otherwise improving 51st Street, Polk Avenue, Ottilie Place, 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. 121744, recorded on Microfilm Roll No. 89, determining that improvement of 51st Street, 52nd Street and Ottilie Place, under Resolution No. 121330 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 Assessment No. 2301 for paving and otherwise improving Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard Street, Famosa Boulevard, Alleys Blocks 13 and 12 Loma Alta No. 1, and Public Rights of Way, the Clerk reported written appeals from Mr. & Mrs. Wm. F. Mitchell, Ernest and Vinnie R. Osterhout, Tom D. Drake. They were presented to the Council.

The City Engineer explained them to the Council, said they constitute 1.7%; 1 refers to a cave-in, but that the inspector did not find a problem.

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

W. F. Mitchell spoke about the assessment, protesting the condition of the alley.

The City Engineer said that the Alley is "outside the district", Alley Block 12 is not to be paved. He showed a plat referring to it as a steep alley, and that it is going to get silt. He referred to improvement as a sewer, said that it is ungraded, and is a dirt alley.

Mr. Mitchell said that when he bought, the alley was contoured - to take out the water.

The Mayor left the meeting

Vice Mayor Charles B. Wincote took the Chair

The Mayor returned while Mr. Mitchell was still talking. He said that he can't even drive in the alley, now.

Councilman Schneider said let's look at it, to see who is right.

Mr. Mitchell had photographs, which he exhibited to the Council, of the condition of the alley.

The City Engineer said that a blade can be used, but that it will still be a problem.

Mr. Mitchell told of having bought during a rain.

Councilman Wincote said that this is something the Engineer should check. He said that the City would be governed by the Engineer.

Mr. Mitchell said that Dennis (the contractor) is a nice man, but he has done nothing.

Councilman Kerrigan said that there is a difference of opinion.

Councilman Wincote said that the pictures are very revealing.

The Mayor said that the assessment should be confirmed, and refer the condition to the City Manager for report.

RESOLUTION NO. 121745, recorded on Microfilm Roll No. 89, overruling and denying appeal of Ernest Osterhout and Vinnie R. Osterhout, appeal of Thomas D. Drake, appeal of W. F. Mitchell from Street Superintendent's Assessment No. 2301 made to cover costs and expenses of paving and otherwise improving Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, et al., under Resolution of Intention No. 113267; confirming and approving Street Superintendent's Assessment No. 2301

authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121746, recorded on Microfilm Roll No. 89, referring to the City Manager the condition of the alley mentioned verbally by W. F. Mitchell in connection with Assessment for improvement of Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, et al, under Resolution of Intention No. 113267, 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. 2302 made to cover cost and expenses of sidewalks in Missouri Street, under Resolution of Intention No. 117565, the Clerk reported that no written protests or 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. 121747, recorded on Microfilm Roll No. 89, confirming and approving Assessment No. 2302 made to cover cost and expenses of installation of sidewalks in Missouri Street, under Resolution of Intention No. 117565; 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 Assessment No. 2303 made to cover cost and expenses of paving and otherwise improving 17th Street under Resolution of Intention No. 116402, the Clerk reported that no written protests or 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. 121748, recorded on Microfilm Roll No. 89, confirming and approving Assessment No. 2303 made to cover cost and expenses of installation of paving and otherwise improving 17th Street under Resolution of Intention No. 116402; 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 having arrived, the time set for continued hearing (the hearing had been closed at the original hearing) for rezoning from R-1 to C and CP of the southerly 307.29 feet of Pueblo Lot 1202 and Pueblo Lot 1203 measured at right angles to southerly line of Pueblo Lot 1202, lying between Linda Vista Road and Highway 395, the Mayor announced that he had promised attorneys that they might be heard again.

Members of the Council looked at the entire plat.

Eugene Glenn, attorney, told the Council that the Planning Commission staff recommends leaving a buffer strip to the north. He spoke of being willing to leave out 200 feet; that would leave out 5+ acres he said, and identified it as the Frost acreage.

Mr. Rick said that it makes no difference about the buffer. He stated that petition could be filed, but that it would not be possible to pre-judge.

Beryl Phelps, attorney, said that the matter came up before the Planning Commission. He stated that he has filed maps: about 500 lots filed, for tentative map. He stated that about 1123 lots are ready for subdivision. The F.H.A. wants a shopping for new developments, he stated, and expressed the belief that a shopping center is called for. He told the Council that a portion should be set aside for the purpose. He said that if the City shopping center property is to be put on the market, he has a purchaser, and he is willing to make an offer. Mr. Phelps said that with F.H.A. requirements, it would not be making a mistake to move the shopping center. He spoke of working on a trailer park, and that there will be 3,300 people in a year in the subdivisions.

Councilman Godfrey said that he does not understand Mr. Phelps regarding establishment of a shopping center for 250 homes. He wondered if it would pay.

Mr. Phelps said that another unit of 1000 is to be put on. He re-iterated that the subdivider is supposed to provide shopping center for 200 units. He stated that on 54th Street - the Furlow property - a shopping center had been put in.

Councilman Godfrey said that a petition would not necessarily justify it.

Mr. Phelps spoke of having 220 homes, and proposing 1100 in the next year. He told of being ready to let contracts.

Councilman Burgener wanted to know how much property lay in Magnolia Downs.

Mr. Rick replied 2 acres.

The Mayor said that he would give Mr. Frye 2 minutes.

Councilman Godfrey spoke to Mr. Rick about shopping center for 250 homes.

Mr. Rick replied that it would not be justified for 250.

Frank Frye, attorney, referred to opposition made last week in connection with a quote about residences should come first. He spoke of planning having been done ahead - not after building. He said that the Urban Land bulletin refers to shopping center. He quoted from the bulletin regarding selection of the shopping center in connection with planning in advance. He quoted another, regarding cooperation. He spoke of having worked

on it since August or September. He said that he was satisfied that zoning would be in the best interest of the area.

Morey Levenson, attorney, reminded the Council about the 200-foot buffer strip to the north, and another commercial area proposed in Highlands-Riverside area. He said that if established there will have been created a small residential area. Mr. Levenson said that it is not desirable to have residences on the perimeter of such a zone. He said that Wm. Cotton had pointed out (last week) the new developments to the north and west. He said that in Vista Park and Magnolia Downs there is a C zone area; within 1/2 mile of the Phelps property; also an Ace market within 1/2 mile. Referring to the map, he said that it is not easily accessible. Mr. Levenson said that there is already a commercial area in Cabrillo Heights. He said that the 1000-lot subdivision has been planned since 1950; it is still in the planning stage. Mr. Levenson said that there are many experts more capable, but he was convinced about good planning recommended. He said that it is the intent to have good planning, and that the most striking area is in the development of Clairemont. Mr. Levenson told the Council that almost the entire area was built before the commercial portion. He declared that the last thing in Clairemont was the commercial development. He declared that to be good planning. Mr. Levenson stated that there had been nothing new presented today. Again he said that it is not the proper location for a commercial zone, even considering the Phelps comments. He maintained, again, that it should be north and west. He said that it is not necessary or serving good planning, as petitioned. Mr. Levenson said that throughout the hearing there has been considerable feeling, and contended that the zoning should be decided on the merits and the facts. He asked that the Council not consider Safeway, Cotton, or Carlstrom. He pleaded for forgetting personalities; consider on the facts, he asked. He stated that this situation is important to all. He said that what the Council is doing here is establishing a precedent, which would be spot zoning all over Kearny Mesa. If that were done, the City could not deny others, he said. He said that if it continues to expand, the City is not doing a good job of planning, and it will be difficult regarding the future of the Mesa. The petition should be denied, Mr. Levenson said. He thanked the Council for its courtesy in the hearings.

Councilman Wincote said that Mr. Levenson is wrong about Clairemont. He spoke of the sign in Clairemont which had advertised that an area was reserved for Zone C. He said that there was implication that it was going to be so used.

Mr. Levenson said that was when it was planned "C" in Clairemont. He said it was the last thing zoned.

Councilmen Wincote spoke to Mr. Levenson about the situation.

Mr. Levenson replied to Mr. Wincote about the Clairemont area being good planning as done, and repeated it was "the last thing".

Councilman Wincote spoke to Mr. Levenson, and said that there are 2 or 3 things that appeal regarding the 2 clover leafs. He said that it is going to be the safest area to approach, and that there will be access regardless of the canyons. He spoke of having driven with Mr. Rick to Rotary, and that Mr. Rick has a letter on the subject.

The Mayor told Mr. Levenson that his time had expired.

Mr. Levenson spoke of asking for a new report.

Councilman Dail said that there is additional correspondence today.

Councilman Wincote asked for it.

The Mayor stated that in that case, the hearing would never get over.

Councilman Godfrey said that if it is pertinent it should be heard.

Mr. Rick read a letter. He said that yesterday the head of the Urban Land Institute resigned, and that he was in Rick's office. Mr. Rick reported that he had said that it is sound to plan, throughout the country, in advance.

Councilman Dail said that the City should require wide-spread examination - especially "up there".

Councilman Schneider said that property should be permitted to be used, unless the proposal is "proved to be good". He spoke of having more trouble with the Planning staff. He referred to the Commission having disagreed with the Planning staff. He spoke of the location of the City land, and of having looked at it. He declared it to be no good for commercial shopping area. He said that if shopping area is not instituted, there is discouragement of development. He spoke about markets being not far apart. Councilman Schneider referred to rezoning having taken place in Clairemont at 2 or 3 corners, to suit the desire. He referred to a battle between 2 groups for self-preservation, and the right to use the property.

Councilman Burgener observed that all the Councilmen are familiar with the situation, that they have looked at it and considered the area. He told of there having been proper pressure from both sides. He asked why the Councilmen should try to impress each other.

Councilman Kerrigan asked "What is the situation?"

Douglas D. Deaper, Deputy City Attorney, said that it is one for reference to the City Attorney for an ordinance - if desired by the Council.

Councilman Kerrigan said that it would take a majority vote to prepare the Ordinance.

Mr. Deaper said that it will take 4 to order the ordinance; 5 to adopt it.

The Mayor said it requires 5 votes to overrule the Planning Commission.

Councilman Kerrigan asked how many members are on the Planning Commission.

Mr. Rick replied "7 voting members".

Councilman Kerrigan spoke of the 4-1 vote, recommending on the zoning request.



Councilman Schneider moved to refer the file to the City Attorney for preparation of the Ordinance. Motion was seconded by Councilman Wincote.

Councilman Wincote said that both sides want to know what the position is. He said that the Council should indicate now what the position is.

Councilman Godfrey said that "they can read that it takes 4 or 5 votes" (depending upon the Planning Commission's voting for or against the proposal).

Councilman Kerrigan told the Council that he just wants to be sure all is clear, before the vote is taken. He said that he does not want to continue the argument.

Mr. Deaper read to the Council from the Code regarding action by the Council to adopt the ordinance by 5 votes

The Mayor suggested that if there are 5 votes, the City Attorney go ahead and draft the ordinance, but not if it would fail by a 4-3 vote.

Councilman Kerrigan wondered about the rights of the owners. He said that they could come in next month with a similar request to rezone.

Mr. Deaper agreed that they could.

\* RESOLUTION NO. 121749, recorded on Microfilm Roll No. 89, requesting the City Attorney to prepare and present Ordinance to rezone from R-1 to C and CP Zones portion of Pueblo Lots 1202 and 1203, lying between Linda Vista Road and U.S. Highway, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan. Nays--Councilmen Dail, Godfrey and Mayor Butler. Absent--None.

After the vote was taken on the Resolution, the Mayor said that the Council is taking a useless step.

Councilman Kerrigan said that the Council could set up rezoning with 5 votes.

Councilman Wincote spoke directly to Mr. Frye, and asked if he would withdraw his request, thinking it would be better than to have it denied.

Mr. Frye replied that he can't.

The Mayor said that if the matter goes to the City Attorney, Mr. Rick will have to confer with him regarding the drafting.

Mr. Rick said that it is not clear what is wanted, regarding the Frost property.

Councilman Schneider said that it should be clear.

The Mayor referred to R-C and deletion of Frost property as a buffer.

Mr. Rick said that would not be much work, but that the Council took no action regarding the recommendation and the votes.

\* There was incorporated in the Resolution, on motion of Councilman Schneider, seconded by Councilman Wincote, the suggestions made by the City Planning Director.

Mr. Deaper said that it is up to the Council if it orders the Ordinance.

Councilman Wincote said that Councilman Schneider had made the motion, and he had seconded it.

Councilman Schneider said that it is the intent for the ordinance to be drafted, and presented.

There was discussion on how long it would take to have the Ordinance before the Council. The Mayor replied that it could be a week; maybe a month.

(The Planning Director filed communication dated Dec. 20, 1954 with Clerk on Dec. 22, 1954, referring to the Handbook published by Urban Land Institute; made part of the file).

The hour of 10:00 o'clock A.M. having arrived, the time to which the First Baptist Church of La Jolla appeal had been continued, in connection with Board of Zoning Adjustment denial in Block 11 F. T. Scripps Addition to La Jolla Park, at southwest corner of Genter Street and Draper Avenue, in Zone R-2, the hearing was continued on motion of Councilman Kerrigan, seconded by Councilman Burgener, to January 18, 1955.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval reporting on bids for furnishing Dragline - bids from 10 received, was presented. It states that subsequent to call for bids the Purchasing Agent received notice from the U.S. Naval Construction Battalion Center, Port Hueneme, California, of sale to be held December 7 and 8, 1954, in which a number of Crawlers were listed as available. It states that investigation showed the equipment to be new and unused, and 2 among them are of size & type required by the City. It recommends rejection of the bids.

RESOLUTION NO. 121750, recorded on Microfilm Roll No. 89, rejecting all bids received November 24, 1954, for 1 1½ Cu. Yard Capacity Dragline, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval reporting on ~~bids for~~ furnishing additional equipment for Crawler Dragline, was presented. It recommends purchase, without bids, of required equipment, from Calavar Corporation of Los Angeles, the only Southern California agent for Marion Crane and Shovel parts.

RESOLUTION NO. 121751, recorded on Microfilm Roll No. 89, authorizing Purchasing Agent to purchase for The City of San Diego 1 Fairlead, complete, at price of \$1,963.50 and 1 10 Ft. Boom Section at \$460.90, plus estimated freight \$151.00, plus sales tax, for Marion 1½ Yd. Dragline, from Calvar Corporation of Los Angeles, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Request of Purchasing Agent, with Assistant to City Manager's signature of approval, for purchase of 1955 City Directories - 41 copies at \$45.00 plus tax - was presented.

Hearing  
Reports of Purchasing  
121749 - 121751



presented.

RESOLUTION NO. 121752, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to purchase 41 copies of 1955 City Directory from R. L. Polk & Company, publisher, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121753, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 300 tons of liquid sodium silicate for period January 15, 1955 through July 14, 1955, in accordance with Document No. 502852, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121754, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 1200 tons of bulk quick lime for period January 1, 1955 through June 30, 1955, in accordance with Document No. 502853, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121755, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing cold water disc meters and parts for period of 1 year commencing February 1, 1955, in accordance with Document No. 502854, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121756, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for preparation and glass fiber covering of 4 36-foot bow-ramp landing craft of the L.C.V.P. type; 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 item listed next on the agenda, having to do with launching ramp control building, Shelter Island, was handled at the beginning of this meeting.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with La Jolla Acres, was presented.

RESOLUTION NO. 121757, recorded on Microfilm Roll No. 89, suspending Sections 102.09 1 & 2, 102.11-2, 102.17-c of San Diego Municipal Code in connection with La Jolla Acres Tentative Map, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of La Jolla Acres, a 4-lot subdivision of portion of Lot 1280, on extension of Paseo Dorado easterly of La Jolla Shores, Paseo Dorado to be dedicated full width, subject to 10 conditions, was presented.

RESOLUTION NO. 121758, recorded on Microfilm Roll No. 89, approving Tentative Map of La Jolla Acres, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting recommendation for amendment of improvement requirements on La Jolla Scenic, a portion of major street in Tentative Map of Muirlands Crest - on recommendation of City Engineer - was presented.

RESOLUTION NO. 121759, recorded on Microfilm Roll No. 89, amending Resolution No. 118209 approving Tentative Map of Muirlands Crest, an 87-lot subdivision of portions of Pueblo Lots 1255 and 1775, Conditions 2, 5(a) and 6, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map for division of Lot 4 Block B Nettleship Tye Trace No. 2, was presented.

Communications  
121752 - 121759

RESOLUTION NO. 121760, recorded on Microfilm Roll No. 89, suspending Sections 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map of division of Lot 4 Block B Nettleship Tye Tract No. 2, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of Lot 4 Block B Nettleship Tye Tract No. 2 into 2 parcels, located on easterly side of Foothill Boulevard, approximately 120' x 206', immediately adjacent and across street from Los Altos Housing Project, subject to 2 conditions, was presented.

RESOLUTION NO. 121761, recorded on Microfilm Roll No. 89, approving Tentative Map for Division of Lot 4 Block B Nettleship Tye Tract No. 2, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Point Loma Gardens, under same conditions set forth in Resolution No. 13578 and suspension of sections of the Municipal Code suspended by Resolution No. 113577 was presented.

RESOLUTION NO. 121762, recorded on Microfilm Roll No. 89, reapproving Tentative Map of Point Loma Gardens, a resubdivision of portion of Roseville Heights, located along Gage Drive, subject to conditions set forth in Resolution No. 113578 adopted August 6, 1953; suspending sections of the Code suspended by Resolution No. 113577, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121763, recorded on Microfilm Roll No. 89, approving Tentative Map for division of portion of Lot B Block 3 Magnolia<sup>Park</sup> into 2 parcels fronting on Dudley Street easterly of Albion Street subject to conditions set forth in the Resolution; rescinding Resolution No. 120335, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121764, recorded on Microfilm Roll No. 89, approving Tentative Map for division of portion of Lot A Block 4 Magnolia Park into 1 parcel at corner of Dudley and Albion Streets subject to conditions set forth in the Resolution; rescinding Resolution No. 120336, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Francis J. Maher, attorney, 617 Bank of America Bldg., San Diego 1, which had been continued from meetings of November 30, 1954, and December 14, 1954, was before the Council again.

It requests hearing re food handlers' ordinance to permit members of chiropractic profession to give ~~the~~ physical-examinations required by the Ordinance.

On motion of Councilman Wincote, seconded by Councilman Schneider, it was continued to Thursday (December 23, 1954).

Communication from Karl F. Tuttle Engineering Co., Inc., 4251 East Live Oak Avenue, Arcadia, California, dated December 15, 1954, signed by J. Edwin Dulin, Jr., Manager, was presented. It requests permission to omit sidewalks from Tres Lomas Subdivision of Blocks 1, 2, 3, 4, 5, 6, 7, 8, and asks to submit it as subdivision rather than Record of Survey, etc.

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

Communication from Karl F. Tuttle Engineering Co., Inc., 4151 East Live Oak Avenue, Arcadia, California, dated December 16, 1954, re tentative map of Valencia Place, requesting deletion of curbs, sidewalks and paving on Euclid Avenue, was presented.

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

Communication from San Diego Municipal Employees' Association, Inc., Harbor Exchange Bldg., 3110 Goddard Way, dated December 17, 1954, signed by Mary E. Harvey, executive secretary, was presented.

Communications  
121760 = 121764

It reinstates a request concerning injury pay for City Employees, and asks for amendment to Rule X Section 1 of Civil Service Rules.

RESOLUTION NO. 121765, recorded on Microfilm Roll No. 85, referring to Council Conference communication from San Diego Municipal Employees' Association, Inc., restating request concerning injury pay for City employees, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Linda Vista Coordinating Council, dated December 11, 1954, signed by David L. Bratton, president, 7420 Baltic Street, was presented. It thanks the Mayor and Council for consideration of need for additional recreational facilities in the area, and for courtesy to members of Recreation Committee.

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

Communication from Linda Vista Coordinating Council, dated December 9, 1954, signed by David L. Bratton, president, 7420 Baltic Street, was presented. It expresses hope that proposed road between Clairemont and Highway 395 may be built in the near future.

The City Manager spoke of having the plans, and stated that the communication has been answered.

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

RESOLUTION NO. 121766, recorded on Microfilm Roll No. 89, directing Notice of filing of Assessment and of time and place of hearing thereof; No. 2313; for paving and otherwise improving Congress Street and Hortensia Street under Resolution of Intention No. 116719, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121767, recorded on Microfilm Roll No. 89, accepting bid of Sim J. Harris Company, a corporation, and awarding contract for paving and otherwise improving Gregory Street, under Resolution of Intention No. 120405, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 3.2% below the estimate.

RESOLUTION NO. 121768, recorded on Microfilm Roll No. 89, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving La Jolla Hermosa Avenue under Resolution of Intention No. 120406, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 7.9% below the estimate.

RESOLUTION NO. 121769, recorded on Microfilm Roll No. 89, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract for paving and otherwise improving Quimby Street, under Resolution of Intention No. 120407, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 14.7% below the estimate.

RESOLUTION NO. 121770, recorded on Microfilm Roll No. 89, Directing Notice Inviting Sealed Proposals for furnishing electric current for lighting Talmadge Park Lighting District No. 2, for 1 year from and including March 1, 1955, in accordance with "Engineer's Report and Assessment for Talmadge Park Lighting District No. 2", was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121771, recorded on Microfilm Roll No. 89, Directing Notice Inviting Sealed Proposals for furnishing electric current for lighting Talmadge Park Lighting District No. 3, for 1 year from and including March 1, 1955, in accordance with Engineer's Report and Assessment for "Talmadge Park Lighting District No. 3", was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communications  
121766 - 121771

RESOLUTION OF INTENTION NO. 121772, recorded on Microfilm Roll No. 89, for sewers and appurtenances in Alley Block 16 La Mesa Colony, 73rd Street, and Public Right of Way in Lot 40 La Mesa Colony, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 121773, recorded on Microfilm Roll No. 89, for paving and otherwise improvement Alley Block 2 Ocean View and Block 5 Ocean Beach Park, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 121774, recorded on Microfilm Roll No. 89, 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 121775, recorded on Microfilm Roll No. 89, for paving and otherwise improving Franklin Avenue and 28th Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 121776, recorded on Microfilm Roll No. 89, for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 121777, recorded on Microfilm Roll No. 89, for paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 121778, recorded on Microfilm Roll No. 89, accepting bid of San Diego Gas & Electric Company, and awarding contract, 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, in accordance with Engineer's Report and Assessment filed October 1, 1954 in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 121779, recorded on Microfilm Roll No. 89, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current for lighting ornamental street lights located in Eighth Avenue Lighting District No. 1, for 1 year from and including January 1, 1955, in accordance with Engineer's Report and Assessment filed October 1, 1954 in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121780, recorded on Microfilm Roll No. 89, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current for lighting ornamental street lights located in Hermosa Lighting District No. 1, for 1 year from and including May 1, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121781, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleys Block 3 Alhambra Park, under Resolution of Intention No. 118274, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121782, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, under Resolution of Intention No. 118976, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121783, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 45 Normal Heights, described in Resolution of Intention No. 116493, and to be assessed to pay expenses thereof; 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 Burgener, adopted.

RESOLUTION NO. 121784, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Ellison Place, described in Resolution of Intention No. 115895, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121785, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 3 Ocean Beach, described in Resolution of Intention No. 119786 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121786, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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, described in Resolution of Intention No. 119498 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121787, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sidewalk in 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brooklin Street, Duval Street and Date Street, described in Resolution No. 119652 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121788, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Kendall Street in vicinity of Garnet Street and Hornblend Street, described in Resolution of Intention No. 119896 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121789, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, et al., described in Resolution of Intention No. 120007 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121790, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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, described in Resolution of Intention No. 119653 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121791, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Olvera Avenue and Bonita Drive, as described in Resolution of Intention No. 119502 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.



RESOLUTION NO. 121792, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installation of curb and sidewalk in Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Hubner Road, described in Resolution of Intention No. 119787 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121793, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 29th Street, described in Resolution of Intention No. 119897 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121794, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 499896 for paving and otherwise improving 68th Street and Rosefield Drive; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including water services and sewer laterals if required, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121795, recorded on Microfilm Roll No. 89, ascertaining and declaring prevailing rate of per diem wages paid by private employers in the City of San Diego for same quality of service for 8 hours for each craft, laborer, type of workman or mechanic needed to execute work - as set out in the Resolution - in connection with provisions of Improvement Act of 1911 and amendments thereto and in accordance with provisions of Article XII of the Charter of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121796, recorded on Microfilm Roll No. 89, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of El Cajon Boulevard between Park Boulevard and Georgia Street; establishing parking meter zone; directing City Manager to cause Parking Meters to be ~~established; directing City Manager to cause parking meters to be~~ installed and parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 121797, recorded on Microfilm Roll No. 89, 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 Prospect Street and Silverado Street; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(No meters or meter spaces were authorized)

RESOLUTION NO. 121798, recorded on Microfilm Roll No. 89, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of Fifteenth Street, between F Street and G Street; establishing Parking Meter Zone; directing City Manager to cause Parking Meters to be installed and parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution authorizing City Manager to execute management contract, negotiated by him and the Housing Coordinator, with Willard W. Trask, an independent contractor doing business as Frontier Homes, 3350 Vulture Street, San Diego, whereby Frontier Homes will temporarily manage and operate certain public housing facilities to be acquired by the City, for a consideration of \$1000.00 per month, was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Resolution was continued to Thursday (December 23, 1954)

RESOLUTION NO. 121799, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to execute, for and on behalf of The City, a Joint-Use Agreement between The City of San Diego and The Pacific Telephone and Telegraph Company for common use by The City and the Company of portion of Sutherland-San Vicente Conduit easement located within Easterly 10 feet of Westerly 27 feet Block 283 Town of Ramona, Santa Maria Rancho, Township 13 South Range 1 East, Map No. 643 filed October 1890 in office of County Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121800, recorded on Microfilm Roll No. 89, authorizing and directing City Manager to install a 6000 lumen overhead street light at Euclid (Avenue) and Lantana Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121801, recorded on Microfilm Roll No. 89, approving Change Order No. 3, dated December 7, 1954, heretofore filed with City Clerk as Document No. 502915, issued in connection with contract between The City of San Diego and Fred J. Early, Jr. Company, for alterations to Sewage Treatment Plant, contract contained in Document No. 500820; changes amounting to increase in contract price of \$690.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121802, recorded on Microfilm Roll No. 89, 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 Pueblo Lots 1257 and 1262 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 him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121803, recorded on Microfilm Roll No. 89, 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 Pueblo Lot 1262 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 him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121804, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions of Lots 2, 5, 6, 7, 8, 9, 10 and 13 Block 6 Valencia Park 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 him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121805, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 12 Block 6 Valencia Park Unit No. 1 together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121806, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot A Block 4 Magnolia Park together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121807, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State

of California, requesting that all taxes against portion of Lot 1 Block 6 Valencia Park together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121808, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 67 Rancho Mission together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121809, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 4 Block 6 Valencia Park Unit No. 1 together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121810, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 11 Block 6 Valencia Park Unit No. 1 together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121811, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 3 Block 6 Valencia Park Unit No. 1 together with all penalties and other expenses in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121812, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot B Block 3 Magnolia Park together with with all penalties and other expense in connection therewith, be cancelled; authorizing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121813, granting revocable permit to Leota N. Hopkins and Jack L. Hopkins, 1265 22nd Street, to install and maintain block retaining wall on "A" near 22nd Street to serve property described as Lot 1 Block 10 Culverwell and Taggerts Addition, in accordance with Revocable Permit Application and Removal Agreement on file in office of City Clerk, subject to covenants and conditions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121814, recorded on Microfilm Roll No. 89, approving claim of Grace Delano in amount of \$301.23 under Document No. 493170; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Grace S. Delano and Charles B. Provence, her attorney, in said sum in full payment of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121815, recorded on Microfilm Roll No. 89, authorizing City Attorney to settle claim of Albert J. McFadden on file in Office of City Clerk under Document No. 499476, claiming sum of \$314.86, for \$278.15; directing City Auditor and Comptroller

121808 = 121815

to draw warrant in favor of Albert J. McFadden, Joan McFadden and Charles B. Provence, attorney, in amount of \$278.15 in full settlement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Ordinance incorporating portion of Lot 16 Ex Mission Lands (Horton's Purchase) into CP and C Zones, and repealing Ordinance No. 5809 (New Series) = introduced previously, after hearing held December 7, 1954 = was presented.

Letter dated December 8, 1954, signed by Russell Segel, was presented and read. It says.....

"1. To prepare and file a subdivision Map in accordance with the plan adopted by the City Council and the Ordinance to be adopted in accordance therewith.

2. Said Subdivision Map shall provide that the present C Zoning be extended in a Westerly direction 55 feet and that the remaining 50 feet on the Westerly direction 55 feet and that the remaining 50 feet on the Westerly side of said property, extending on the North from Federal Boulevard to Lyons Street on the South be re-zoned to CP property, and that the present CP zoning on the Southerly portion of said property be extended to meet the proposed CP zoning on the West.

3. That the proposed concrete block wall to be installed shall be installed 12 feet in from the curb line and it is understood and agreed that the area from the curb line to the concrete wall will be utilized by the installation of appropriate shrubbery which will be properly maintained by the undersigned, work to commence 90 days from the effective date of the Ordinance changing the zone.

4. That a proper driveway be maintained to allow the continuation of an existing road which enters said property on the North off of Altadena Street".

On motion of Councilman Dail, seconded by Councilman Burgener, the Clerk was directed to send certified copy of the letter to "protestants and those in favor" of the rezoning.

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

ORDINANCE NO. 6361 (New Series), incorporating portion of Lot 16 Ex Mission Lands (Horton's Purchase) into CP and C Zones, as defined by Sections 104.0410 and 101.0411 respectively of The San Diego Municipal Code, and repealing Ordinance No. 5809 (New Series) adopted October 1, 1953, insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, the ordinance incorporating portions of Block A Wells and Lane's Tecolote Heights, and Block 11 Mission Bay Heights into R-2 Zone, as defined by Section 101.0406 of The San Diego Municipal Code; and repealing Ordinance No. 85 (New Series) adopted November 21, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Councilman Wincote moved that there be no conference on Thursday morning. Motion was seconded by Councilman Schneider. No vote was taken.

Councilmen Wincote, Schneider and Godfrey entered into discussion on the Kearny Mesa zoning, handled under hearings. There was no further action.

The next matter was brought, not listed on the agenda:

The Mayor stated that National City Corridor would have to come by a Resolution. Reference was being made to a proposed resolution stating that City of National City has initiated proceedings to annex portions of the Bay of San Diego, and that territory proposed to be annexed is situated within boundaries of The City of San Diego, and that consent of the legislative body of The City of San Diego to the detachment of the territory would have to be obtained first. That proposed Resolution consents to detachment from the City of San Diego of uninhabited territory consisting of uplands, tide and submerged lands, including portion of tide and submerged lands lying within corporate boundaries of The City of San Diego more particularly described in the proposed Resolution.

Douglas D. Deaper, Deputy City Attorney, went to his office for letters.

Mr. Deaper showed a map of the annexation by the City and of portion of National City which is proposed to be annexed by it, and referred to "grey" and "pink" areas on the map.

There was discussion between members of the City Council and Orin Cope, Assistant to the City Manager.

Mr. Deaper stated that the City of San Diego is not telling National City what to do.

6361 N.S.

Ord. introduced

Further discussion on Kearny Mesa zoning

U.C. discussion on proposed National City

"corridor" annexation

Councilman Wincote wanted the Western Salt Company excluded. He told of being half way on record with Mr. Miller, in that connection.

There was discussion between Councilman Schneider and Mr. Deaper.

Councilman Kerrigan said that National City is proposing to request something; so is Western Sale. He said that the situation is governed by law.

The Mayor agreed.

Councilman Kerrigan told of National City having no objections to annexation of corridor (possibly San Diego's annexation of a corridor).

Councilman Wincote said that it did have objections, and that it did not come back to the Council for decision. He said that it was regarding Coronado's situation.

Councilman Dail was excused

Mr. Cope said that Western Salt can lease, but not own the property.

Councilman Kerrigan suggested that the Bay be under one political entity.

Councilman Wincote asked if that is what Chula Vista wants.

Mr. Cope replied "no".

Councilman Kerrigan moved to adopt the resolution.

The Mayor read the Resolution. He said that National City is going to exchange property with Chula Vista.

Councilman Wincote referred to it being the same as presented by Shelley Higgins (Asst. City Attorney). He said that it has not come back. He referred to there having been misinformation regarding Government Reservation on the south and east end of the Strand.

Mr. Deaper spoke to Councilman Wincote regarding being tied together; portion tied to Coronado annexing Glorietta Bay.

Councilman Wincote spoke to Mr. Deaper, and said that the Council had told Judge Higgins that it did not want him to go ahead until matter has been determined.

Mr. Cope spoke to Councilman Wincote regarding the Higgins' understanding.

Councilman Godfrey said that the Council has had no report.

Councilman Schneider said that Glorietta Bay had no concern with the City.

Councilman Kerrigan referred to important points back in history. He repeated that it is controlled by law. He spoke of it having been continued from week to week.

Councilman Wincote said that Chula Vista wanted to make a trade.

Councilman Schneider said that "they did not come in with clean hands".

Councilman Kerrigan said that Chula Vista does not even have a City Council, now. He spoke about right to approve or disapprove.

The Mayor said that San Diego is in a spot, in that hearing on the proposed annexation by National City is being held tonight.

Mr. Cope said that if Resolution is adopted today, it puts the City on a "fuller basis".

The Mayor referred to Chula Vista having a lame duck Council.

Councilman Wincote said that he is ready to wait.

The City Manager said that the Council is in office in Chula Vista until there is legal action.

Councilman Kerrigan wanted to adopt a Resolution regarding filing stipulation in the County.

Councilman Wincote asked if it would be smart to take a sample vote.

The Mayor said that he wants to hear from Judge Higgins, and asked for holding the proposal for 1 week, to permit him to explain it to the Council.

Councilman Wincote maintained that San Diego should find out about the trade between National City and Chula Vista. He said that he wants to know if both cities concur.

The City Manager said that he doubts that they do concur. He said that the hearing will give evidence of opposition.

On motion of Councilman Schneider, seconded by Councilman Burgener, the proposed Resolution was continued 1 week, and the City Clerk was directed to place the item on the agenda for that date.

There being no further business to come before the meeting at this time, the Mayor declared the meeting adjourned at 12:15 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

National City "corridor" annexation  
continued



## REGULAR MEETING

Chamber of The Council of The City of San Diego, Calif-  
ornia, Thursday, December 23,  
1954

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

The meeting was called to order by the Mayor at 10:08 o'clock A.M.

Petition of Henry F. Bugenhagen, 3541 Promontory Street, requesting abandonment of easement through Lot 235 Block 11 Crown Point, previously granted for sewer purposes, was presented.

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

Petition of Martin W. Johnson, 29 Discovery Way, La Jolla, et al., requesting abandonment of easement in the northeasterly 15 feet of Lot 14 shown on Map 3014 of Scripps Estates Associates, A Corporation, previously granted for drainage purposes, was presented.

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

Request of the Purchasing Agent, with Assistant to City Manager's stamp of approval, for Modular Steel Office Units for Office of Administrative Management, to be provided by Austin Safe & Desk Co., Lt., at \$1,739.42 including State Sales Tax - the sole bidder - was presented.

The City Manager told the Council that the Austin safe is of the same type as used, and that it is the only one which fits a unit. He corrected that to say that it is a desk; not a safe.

RESOLUTION NO. 121816, recorded on Microfilm Roll No. 89, accepting bid of Austin Safe & Desk Co., Ltd.; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Godfrey entered

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, stating that he had advertised for sale and sold 35 items of automogive equipment, for total of \$6,061.30, which has been deposited with the City Treasurer, was presented.

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

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, stating that he had advertised for sale and sold 18 passenger cars to 13 bidders, for total of \$3,865.00, which has been deposited with the City Treasurer, was presented.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that Final Map of Dorado Terrace be approved subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 121817, recorded on Microfilm Roll No. 89, adopting Map of Dorado Terrace, subdivision of portion of Pueblo Lots 1280, 1281 and 1286; accepting on behalf of the public Paseo Dorado and Dorado Court and unnamed easements; declaring them to be public streets and unnamed easements and dedicated to public use; authorizing and directing City Clerk to endorse upon the map, as and for act of the Council, that the streets and unnamed easements are accepted on behalf of the public; directing 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.

Petitions  
Communications  
121816 - 121817

Communication from Planning Commission, signed by Glenn Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map for subdivision of portion of Pueblo Lot, was presented.

RESOLUTION NO. 121818, recorded on Microfilm Roll No. 89, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for subdivision of portion of Pueblo Lot 183, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending approval of Tentative Map of portion of Pueblo Lot 183 at northwesterly corner of Jennings and Albion Streets in Point Loma Area - 4-lot subdivision with 162-foot frontage on Albion and 305-foot frontage on Jennings, was presented. It states that lots are in compliance with zoning and general subdivision standards. It identifies property as being at present a single family residence with auxiliary building on adjacent lot. It recommends approval subject to 6 conditions.

RESOLUTION NO. 121819, recorded on Microfilm Roll No. 89, approving Tentative Map for subdivision of portion of Pueblo Lot 183, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lots 11 and 12 Block 148 Roseville, was presented.

RESOLUTION NO. 121820, recorded on Microfilm Roll No. 89, suspending Sections 102.18-5 and 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lots 11 and 12 Block 148 Roseville, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Glenn Rick, recommending approval of Tentative Map for resubdivision of Lots 11 and 12 Block 148, subject to 3 conditions, was presented.

RESOLUTION NO. 121821, recorded on Microfilm Roll No. 89, approving Tentative Map for resubdivision of Lots 11 and 12 Block 148 Roseville, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Application of Tower Bowl, Inc., for cabaret license at Kapa Shell Room at 628 West Broadway, was presented, with interested City departments' approvals for granting, was presented.

RESOLUTION NO. 121822, recorded on Microfilm Roll No. 89, granting permission to Irving Kahn to conduct cabaret with paid entertainment at Kapa Shell Room, Tower Bowl, Inc., 628 West Broadway, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from J. F. DuPaul, City Attorney, dated December 21, 1954, reporting on study of question of Municipal Tunnel Authority as requested December 16, 1954, was presented. It states that it is assumed that problem referred to is building of tube under Bay of San Diego to connect City of San Diego and City of Coronado. It tells of advising the Council December 16, 1954, of approach through California Toll Bridge Authority, which corporation has authority to build tubes or tunnels under bays or bodies of water within State of California. It states that it would seem to be the best method of building a tube, if possible to interest the Toll Bridge Authority, for reason that the Authority is now in operation and that if the Authority determined the project is feasible it would have very little trouble in marking its revenue bonds. The communication states that another method discussed at the same meeting was activating Municipal Corporation Tunnel Authority by having City Councils of Coronado and San Diego each request Board of Supervisors of County of San Diego to call election in each of the cities requesting people to vote upon proposition of creating Municipal Tunnel Authority. It says that if a majority of the people voting at the election in each city vote "YES" the Authority would be established over boundaries of San Diego and Coronado. It states that one aspect of the Tunnel Authority Act that causes some apprehension is contained in paragraph 10 of the Act and which provides that until tunnel or tube is actually constructed and in operation and tolls and charges for use thereof received, each municipal corporation forming the Authority shall appropriate annually for use of the Authority its proportionate share of costs of maintaining Authority during the period. It says section further provides that Board of Directors of the Authority shall also have right to call upon member cities of the Authority to furnish such personnel help as may be requested by such Board, and cost thereof paid by the city furnishing such personnel, which section provides that when tube is in operation all such advances shall be reimbursed to the city making the advance. The communication says that it is not clear what is meant by "proportionate share", whether based upon population, assessed value, or what ratio, and it would appear that the obligation of

each city to furnish its share of money necessary to operate Authority until it is in operation is vague and uncertain and could amount to quite a large sum of money in view of the fact that engineering plans and surveys could well amount to large sum of money, both prior to and during construction of tube. The communication says that it is not thought that much could be gained from paraphrasing the Act, and if what is stated is not sufficient he will be glad to endeavor to answer any of the Council's questions.

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

Councilman Burgener entered

Councilman Wincote entered

Communication from Francis J. Maher, which had been before the Council November 30, 1954, December 21, was brought up again, following continuances until this date. It is entitled "In re: Food Handlers' Ordinance City of San Diego", and is dated November 19, 1954.

Mr. Maher asked each member of the Council to study something he had filed with each (but not presented to the Clerk for the file). He said that he did not want "just so much talk".

Councilman Kerrigan said that the document referred to by Mr. Maher was on his desk this morning. He spoke directly to Mr. Maher.

Mr. Maher said that public health is important thing to the Council, he realized. He told of the Health Board having listened to him in a presentation. He stated that the general motion was approved.

Councilman Godfrey spoke directly to Mr. Maher, and said that a great deal of thought was given to the subject. He pointed out that he sits in as a member of the Health Board, and that Mr. Maher apparently has an erroneous opinion.

There resulted discussion between Councilman Godfrey and Mr. Maher.

Mr. Maher said that the Board gave what they think is a fair hearing. He stated that members are prejudiced against chiropractors, and contended that prejudice comes from our education. He said that by the same token, Soviets think they have democratic elections.

Councilman Godfrey spoke to Mr. Maher about his impressions on account of review of the question.

Councilman Dail said that when the matter (of Chiropractors' health examination) came up before, it was referred back to the Health Board for recommendation. He stated that the Board had promised there would be another review.

Councilman Godfrey said that the City has an ordinance, and that the basic idea is based on the County Ordinance. He pointed out that the Board of Health is advisory to the Board of Supervisors (of the County of San Diego).

Councilman Wincote spoke to Councilman Godfrey regarding impression of people at the microphone. He stated that the matter was given lots of attention.

Councilman Godfrey said that there is a difference of opinion, and that chiropractors are making great strides.

Mr. Maher agreed that the chiropractors group had 2 full hours, and that they appreciate it. He stated that every member of the Board of Health is prejudiced against chiropractors - as he is. He said that it is different in California from the situation in New York, in that in California chiropractors are acting within the law. Mr. Maher said that M.D.'s have operated Boards of Health ever since they started. He charged that the "ins" are against the "outs".

Councilman Godfrey spoke directly to Mr. Maher regarding different backgrounds and different fields. He said that chiropractors don't study the same as M.D.'s and D.O.'s.

Councilman Dail declared that the Council is not bound by the Board of Health; the Council is a separate, independent body. He spoke about finding out what they do.

Mr. Maher said that the ordinance calls for blood test, and that most communicable diseases show up in blood tests. He declared that people are not required to go to M.D.'s. He said that no facts given before the Board of Health were given. He read from the filed statement, further, as filed with the individual Councilmen. He spoke about the Chiropractic Act, and the Examining Board set up by the Governor. He stated that the law sets forth under laws for chiropractors and the hours covered on each subject. He stated that the Medical Association fight is regarding their not being taught in medical school. Mr. Maher stated that it is not a question about the Board doing its job well. It is regarding a difference in treatment; diagnosis has to come first, he said. He contended that chiropractors are able to diagnose, the same as M.D.'s and O.D.'s. He quoted from exhibit "A" of the same communication referred to.

On motion of Councilman Godfrey, seconded by Councilman Burgener, a hearing was set for 3 weeks from this date - January 13, 1955.

Councilman Godfrey said that he knows that chiropractors do not perform operations.

Councilman Wincote stated that he thinks Mr. Maher's approach is wrong. He said that M.D.'s and chiropractors are not getting closer together. He said that hearing should be in 2 or 3 weeks (that had already been determined). He pointed out that the Health Director is an M.D. He spoke of there being general acceptance of chiropractors, which is different from the situation of 5 years ago.

Hearing on Francis J. Maher  
communication re Chiropractic profession  
making physical examinations (food handlers)

Mr. Maher said that the Police Relief Association has approved chiropractors. Dr. Barringer told the Council that the educational requirements (for chiropractors) have improved.

Councilman Wincote said that the condition has improved.

Dr. Barringer said that although osteopaths have become identified with the Medical Profession, there are no osteopaths in the San Diego County Hospital.

There was discussion between Councilmen Wincote, Godfrey and Dr. Barringer.

Mr. Maher spoke to Councilman Wincote regarding chiropractors and M.D.'s being not so far apart regarding education and diagnoses. He said that there is a need for recognition, through education.

Mr. Mayor said that he would appreciate hearing from members of the Council in their studying of the exhibit which he had put on their individual desks.

There was no further action, beyond the hearing which had been set earlier.

Communication from Frank R. George, 4968 Foothill Blvd., dated December 20, 1954, requesting removal of tree from in front of 1260 Grand Avenue, was presented. It refers to the tree being dangerous and no longer stable, and that he places full responsibility on the City for any damage that may arise in the future. It refers, in detail, to condition resulting from the tree.

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

Communication from W. R. Groschan, 2042 S. Sepulveda Blvd., Los Angeles 25, Calif., dated December 17, 1954, was presented. It favors a proposed zone change, for proposed Linda Vista Post Office site. It was referred to the City Manager.

Communication from James G. Fenlon, State Forest Ranger, Box 187 La Mesa, Calif., dated December 20, 1954, was presented. It requests City to execute agreement re truck trail along international boundary, for fire control purposes, from Marron Valley easterly to Tecate Peak and Barrett Junction on Highway 94, requiring 40-foot right of way.

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

In connection with the next Resolution, it was suggested, in discussion, that the word "advise" be used instead of "consult".

City Attorney DuPaul said that the Resolution follows the Act.

Councilman Dail said that if the Council adopts this Resolution regarding clearance, this is all right. He said that the Resolution is for clearing the housing, and that there is no other method.

RESOLUTION NO. 121823, recorded on Microfilm Roll No. 89, relating to transfer of Housing Project located in City of San Diego, California, known as Frontier (Cal. 4737), Frontier (Cal. 4679), Levant (Cal. 4902 N), and Presidio (Cal. 4461), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The Resolution states The City of San Diego will accept from the United States Public Housing Administration, the projects set out in the Resolution, on conditions recited therein. It says, also, that it is the desire and intent of the City to continue operation and maintenance of projects for housing purposes as long as there is a need therefor and that prior to termination or disposition of any part or the whole of the projects, the City will consult with the Commandant of the Eleventh Naval District as to the continuing need of the project for defence housing purposes.

RESOLUTION NO. 121824, recorded on Microfilm Roll No. 89, granting revocable permit to San Diego Unified School District, San Diego City Schools, Park Boulevard at El Cajon, San Diego 3 (George R. Saunders, Construction Engineer) to install and maintain underground electrical services at 47th and Hilltop Drive, adjacent to Gompers Junior High School, in accordance with Revocable Permit Application, on file in office of City Clerk and subject to condition that facilities will be removed if demanded by the City Council upon revocation of the permit, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The Resolution says that in event of any discrepancy in provisions of Revocable Permit Application, those contained in Item 13 shall control.

RESOLUTION NO. 121825, recorded on Microfilm Roll No. 89, Intention to call Special Election within territory to be known and designated as "Grantville-Rancho Mission Tract", in The County of San Diego, State of California, for purpose of submitting to electors residing therein the question whether the territory shall be annexed to and be incorporated

Communications  
121823 - 121825

within The City of San Diego, and that property therein shall, after such annexation, be subject to taxation equally with property within The City of San Diego to pay bonded indebtedness of the City outstanding at date of such annexation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121826, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to do all work in connection with remodeling of certain offices on second floor of Civic Center, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 121827, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to do all work in connection with remodeling of boat house at Santa Clara Point to provide an office for the Director of Mission Bay Park, by appropriate City Forces, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

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

Proposed Resolution, continued to this meeting from December 21, 1954, authorizing City Manager to execute manage contract, negotiated by him and the Housing Coordinator, with Willard W. Trask, an independent contractor doing business as Frontier Homes, 3350 Vultee Street, San Diego, whereby Frontier Homes will temporarily manage and operate certain public housing facilities to be acquired by the City, for a consideration of \$1000.00 per month, was on motion of Councilman Dail, seconded by Councilman Kerrigan, ordered filed.

RESOLUTION NO. 121828, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to execute, for and on behalf of The City, a lease with Foster and Kleiser Co. of portion of Lot 23 Lemon Villa for term of 5 years at annual rental of \$120.00, more particular description of property and terms and conditions to be as set forth in lease filed in office of City Clerk as Document No. 503090; real property has value of \$1,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller being leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

(Property is leased by the City for construction, operation and maintenance of signboards).

RESOLUTION NO. 121829, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to execute, for and on behalf of the City, an Agreement for Maintenance of State Highways, more particular terms and conditions to be set forth in form of agreement filed in office of City Clerk under Document No. 503091, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

In connection with the next Resolution, the Mayor referred to the City's position.

City Attorney J. F. DuPaul told the Council of filing an appearance, in compliance with ruling of the Public Utilities Commission. He stated that the situation is practically pre-judged, but that the Attorney's Office wants to follow the formula.

RESOLUTION NO. 121830, recorded on Microfilm Roll No. 89, authorizing the City Attorney and Clarence A. Winder, Public Utilities Consultant for The City of San Diego, to file an appearance as an interested party on behalf of The City of San Diego with the Public Utilities Commission in the matter of second supplemental application of the Pacific Telephone and Telegraph Company, Application No. 33935, for authority to increase rates, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121831, recorded on Microfilm Roll No. 89, approving Change Order No. 1, dated October 27, 1954, heretofore filed with City Clerk as Document No. 503022, issued in connection with contract between The City of San Diego and W. V. Hutchison, for installation of storm drain at Balboa Avenue under tracks of Atchison, Topeka & Santa Fe Railway Company, contract contained in Document No. 482973 on file in office of City Clerk, changes amounting to increase in contract price of \$600.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121832, recorded on Microfilm Roll No. 89, granting permission to Russell G. Nystrom and Richard K. Butner, 4342 Ingraham Street, San Diego 9,



to install 2 30-foot driveways, 1 24-foot driveway and 1 13-foot driveway on southerly side of Grand Avenue between points 12 feet and 42 feet, 64 feet and 94 feet, 116 feet and 140 feet and 162 feet and 175 feet west of the westerly line of Ingraham Street, adjacent to Lots 14 and 20 Block 252 Pacific Beach, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

In connection with the next Resolution, Councilman Kerrigan asked if a parchment was being prepared for presentation.

The Mayor said that it is the City Manager's Resolution, and that if such a thing were done, as Mr. Kerrigan suggested, it would be setting a precedent.

Councilman Dail said that the City can go too far.

RESOLUTION NO. 121833, recorded on Microfilm Roll No. 89, commending J. H. Shaw, Purchasing Agent, and John Seuss, Shops Superintendent for their splendid and public spirited service in effecting a saving to The City of San Diego of some \$35,000.00 to \$40,000.00, by purchase of crane and trucks.

Resolution mentions bids having been received December 6, 1954, for equipment, that Mr. Shaw and Mr. Seuss examined equipment offered by the Government for sale at Port Hueneme.

RESOLUTION NO. 121834, recorded on Microfilm Roll No. 89, authorizing John S. Rhoades, City Prosecutor, to attend Traffic Court Conference for Judges, Prosecutors, Court Officials and Attorneys, to be held at School of Law of University of California, Berkeley, California, January 24 to 28, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121835, recorded on Microfilm Roll No. 89, authorizing City Attorney to settle Case No. 15722 in Small Claims Court in amount of \$12.00 for \$11.50; authorizing and directing City Auditor & Comptroller to draw his warrant in amount of \$11.50 in favor of Mrs. F. W. Mayer in full settlement of the case, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121836, recorded on Microfilm Roll No. 89, allowing bill of San Diego Convention and Tourist Bureau, bearing date of December 20, 1954, in sum of \$764.70 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund of The City of San Diego for fiscal year 1954-1955 in said sum, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121837, recorded on Microfilm Roll No. 89, authorizing City Manager to execute agreement with Allied Farms, Inc., a corporation, and Louis L. Kelton and Elsa G. Kelton, husband and wife, and Walter Bollenbacher and Grace Ballenbacher, husband and wife, for additional paving and construction of curbs to be done on Waring Road as indicated in City Engineer's letter to City Manager, Document No. 502999, in connection with work required to be done under agreement with City for installation of improvements in subdivision known as Allied Gardens Unit No. 4, and reimbursement therefor at rate set forth in that Document with a maximum payment of \$11,000.00 for improvements made on Waring Road lying between Allied Gardens Unit No. 4 subdivision and the State Right of Way, and \$22,000.00 for improvements made on Waring Road within Allied Gardens Unit No. 4 subdivision, all in accordance with form of agreement heretofore filed in office of City Clerk as Document No. 503105, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121838, recorded on Microfilm Roll No. 89, accepting deed of Marjorie Claire Tavares, bearing date December 9, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1256; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 121839, recorded on Microfilm Roll No. 89, finding that 5500 block of Waverly Street is not now and never has been an officially improved street; directing the City to oil at City expense; and that thereafter it shall be maintained at City expense for a period of 1 year and no longer, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Later, the Resolution was read by the Mayor.

(Cont. on next page).

121833 - 121839

Councilman Burgener said that the Resolution was not right; that there was no "subject to.....to be in the Resolution".

Councilman Dail said that there were to be no conditions.

Councilman Godfrey said that if the property owners don't bring in a petition within 1 year, the street has to be destroyed. He repeated that the street would be torn up.

The Mayor asked for deletion under (2) of the Resolution the portion from "subject....."

(The Resolution was re-written, at the direction of the Council, to comply with the discussion).

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. 6362 (New Series), recorded on Microfilm Roll No. 89, appropriating \$10,000.00 out of Unappropriated Balance Fund for purpose of conducting a transportation study, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the next Ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Dail, 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. 6363 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Commercial Avenue between easterly line of 32nd Street and line parallel to and distant 300.00 feet easterly, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

There was discussion on the next ordinance ~~next ordinance~~, which was introduced, after introduction of the one which followed it. Discussion will be shown here, to keep it with the ordinance. (It had to do with position of Transportation Research Director position).

The City Manager said that the Ordinance does not meet the temporary classification, as proposed by him.

City Attorney J. F. DuPaul said that if the Council does not appropriate funds for continuance of the position it becomes temporary. He stated that ordinances do not declare positions to be temporary.

Councilman Wincote said that the City might want to discontinue it.

The introduction was reconsidered.

Councilman Wincote, addressing the City Attorney asked him not to get angry.

Mr. DuPaul replied that he was not angry.

Councilman Dail said that the Council had been told that the position would be temporary, but that it was not seen how it could be done.

Mr. DuPaul said that the Council would be setting up the job by the Ordinance, and would continue it through appropriations.

The City Manager said that he was misled, that he wants the position on a temporary basis. He stated that he had talked to Mr. Krah, the personnel director, about wanting the position on a temporary basis for a year, and in any event not to exceed 2 years.

Councilman Wincote spoke to Mr. DuPaul about the Ordinance permitting 6 months or more additional employment.

Mr. DuPaul replied that this Ordinance just sets up the position, that the Civil Service will set up the employment in the brochure. He stated that the City Manager will determine how long it is needed.

Councilman Wincote said that there is no reason to review the Civil Service action.

The City Manager repeated that he thought it would be temporary.

Councilman Kerrigan asked if the City can enter into a contract to fill the position.

The City Manager said that the job can be abolished at any time.

Councilman Kerrigan observed that it should be understood that it is to be a temporary thing.

Councilman Dail said that he only knows that this is the way that the City can do it.

6362 - 6363 N.S.

Ord introduced - reconsidered - discussion

The City Manager told the Council that if he gets the right man, he could be either induced to go elsewhere, or he might want to stay on as Assistant Traffic Engineer. He spoke of the Traffic Engineer being due for retirement, before long. He said that if the right man is obtained he can be retained; if not, the City can let him go.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance creating position of Transportation Research Director in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was introduced, on motion of Councilman Kerrigan, seconded by Councilman Wincote, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance changing name of portion of Colton Avenue to Harbor Drive, was introduced, on motion of Councilman Kerrigan, seconded by Councilman Burgener, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The City Manager told the Council that he will advise Dr. Askew regarding hearing to be held relative to Chiropractors connection with the Food Handlers' regulations.

The next item was not listed on the agenda:

Councilman Wincote brought up the matter of the Independent Newspaper article about the C.A.A. (Lindbergh Field).

The Mayor, Councilmen and the City Manager entered into a general discussion.

The City Manager said that C.A.A. wanted the City to buy the Kearny Mesa land 10 years ago. He stated that "this man" says that Kearny Mesa is no good (for the airport), and that he wants to kick the U.S. off North Island and put the airport there.

Councilman Kerrigan referred to the issue as contained a "designed story", and that the same thing was on TV.

Councilman Dail said that the TV is going to have Bate (John Bate, Port Director) for a rebuttal.

Councilman Dail said that the item can't go unnoticed.

Councilman Godfrey asked why the Independent does not send a reporter down (to the Civic Center).

There was no action.

Councilman Godfrey spoke about the new airmail plan.

The Mayor told of having called Bill Sample (whom he did not identify), and of the subject being outside Council jurisdiction. He told of need for all the facts. He said that there is so much statistical data, that the City should not go into it.

Councilman Godfrey discussed the situation directly with the Mayor.

The Mayor stated that there are many pressures, and that he does not want the Council to go into it. He said that there would be need for hearings on the facts.

Councilman Godfrey referred to a chance to improve the mail service.

He said that this isn't regarding trucks meeting the trains, and then trucking in the mail. He stated that it is said that the procedure saves 1 day on mail by rail from the east.

The Mayor said that on mail trains there is sorting all along the way. He spoke of there being many factors.

Councilman Dail read a letter, which he said he thought prompted the matter regarding the saving of time.

Councilman Godfrey said that the proposal is nation wide.

There was no action.

A majority of the members of the Council signed undertaking for street lighting with San Diego Gas & Electric Co.:

Midway Drive Lighting District No. 1;

La Jolla Lighting District No. 1;

La Jolla Shores Lighting District No. 1.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:02 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

Ords. introduced  
Discussion of C.A.A. article  
in the Independent  
Discussion re Air Mail  
Lighting contracts signed  
Adjournment

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, December 28, 1954

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

The Reverend Joseph D. Redinger, pastor of the Pioneer Community Church of Clairmont, was presented by the Mayor. Rev. Redinger gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, December 21, 1954, and of Thursday, December 23, 1954, were approved without reading, on motion of Councilman Schneider, seconded by Councilman Burgener. They were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been opened in the Council Chamber, Friday, December 24, 1954, for paving and otherwise improving Alley Block 30 Park Villas, from: Callahan Brothers, H. C. Dennis, Al E. Riley, Inc., T. B. Penick & Sons.

On motion of Councilman Schneider, seconded by the Councilman Kerrigan, the Council made a finding that the bids were opened as reported, and 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 opened in the Council Chamber, Friday, December 24, 1954, for paving and otherwise improving Banks Street, from: Griffith Company, T. B. Penick & Sons, Al E. Riley, Inc., H. C. Dennis.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Council made a finding that the bids were opened as reported, and they were referred to the City Attorney and City Manager for report and recommendation.

The Purchasing Agent reported in writing that bids had been opened in the Council Chamber, Friday, December 24, 1954, for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue, Altadena Avenue, from: Sim J. Harris Company, Al E. Riley, Inc., Griffith Company, M. H. Golden Constr. Co., Daley Corporation, R. E. Hazard Contr. Co., H. C. Dennis.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Council made a finding that the bids were opened as reported, and they were referred to the City Attorney and City Manager 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 in Garnet Street Lighting District No. 1, for 12 months and 2 days from and including January 30, 1955, the Clerk reported that 1 bid had been received. It was publicly opened and declared. The bid was as follows:

San Diego Gas & Electric Company, given Document No. 503288.

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 in Presidio Hills Lighting District No. 1, for 1 year from and including February 1, 1955, the Clerk reported that 1 bid had been received. It was publicly opened and declared. The bid was as follows:

San Diego Gas & Electric Company, given Document No. 503289.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121324 for paving and otherwise improving Alley Block 18

Invocation  
Minutes approved  
Reports on Bids  
Bids  
Hearing

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.

On motion of Councilman Wincote, 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. 121325, 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.

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. 121326, for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235, 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.

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 Resolution of Intention No. 121327 for installation of sewer mains and appurtenances in 47th Street, Aurora Street, Uvas Street, Market Street, and Public Right of Way, the Clerk reported that written protest had been received from Benjamin H. Fish. It was presented.

The City Engineer reported, upon report of the Mayor, a 6% protest, based on statement that property is already connected. He said that he does not see how the property could be connected to Market Street, as stated, but that it might be on 47th Street. He referred to property is being long lots with double frontage. The Engineer stated that district takes in only half the lot. He said that the protestant is apparently talking about connection into 47th Street. He showed a map, at which Councilmen looked. He said he thinks the property is zoned "C", and that it would be assessed on frontage for sewage. The Engineer, answering Councilman Schneider, said that there are questions on property which he pointed out on the map. He said that the City is not laying the assessment; this is just the Resolution of Intention.

Councilman Kerrigan said that the Fish property is a recognized lot, and that he can't be given a second sewer service.

Councilman Schneider said that the service was furnished not by this job, and asked if it would be just to be assessed therefor.

The City Engineer said that if the Council thinks it is just, a nominal assessment can be given, or the project abandoned.

Councilman Wincote maintained that the property should get no assessment.

Councilman Schneider moved to overrule the protest.

Councilman Wincote stated that the City should check as to how the property is served.

The City Engineer said that the City has a petition for the improvement.

Councilman Dail declared that the property does not lend itself to residences.

There was general discussion among several, not through the Chair.

The City Engineer said that if the property is in the district, it has to be assessed something.

Councilman Wincote said that the amount does not make any difference.

The City Engineer said that the project can be abandoned, but that it has already cost hundreds of dollars, which would result in the saving of one dollar.

Councilman Kerrigan seconded the motion to overrule.

RESOLUTION NO. 121840, recorded on Microfilm Roll No. 89, overruling and denying protest of Benjamin H. Fish against proposed installation of sewers in 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way, under Resolution of Intention; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121406 of Preliminary Determination for paving and otherwise improving

Hearings

121840

Proceedings ref to Atty



Alley Block 2 Swan's Addition, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 121841, recorded on Microfilm Roll No. 89, determining that proposed improvement of Alley Block 2 Swan's Addition, under Resolution No. 121406 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 No. 121407 of Preliminary Determination for paving and otherwise improving Alley Block 13 Swan's Addition, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 121842, recorded on Microfilm Roll No. 89, determining that proposed improvement of Alley Block 13 Swan's Addition 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. 121408 of Preliminary Determination for paving and otherwise improving Akron 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. 121843, recorded on Microfilm Roll No. 89, determining that proposed improvement of Akron Street is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination No. 121185 for storm drains and appurtenances in Talbot Street, Gage Drive, and Talbot Street, the City Engineer told of analyzing the protest, which he said amounts to 24.2%. He repeated, as he had in previous hearing, that there was no petition.

J. H. Bush spoke about the subdivision up Loma Valley, which just stopped in a ditch. He said that it is a subdivision of 44 lots; new subdivision is regarding storm drain of 10 or 12 lots. He said that the subdivision and the City benefit from the drain. Mr. Bush said that the new subdivision is for improvement, not for sale of lots. He said that it hinges on if this storm drain goes in. He said that the City and 2 subdivisions are interests.

Beryrand Chambeau said that lots are 13 blocks above, but would get assessed. He said that they get no benefit. He declared that there is perfect run-off down Talbot Street. He said that people should be encouraged to protest, rather than discourage protests.

Councilman Wincote spoke to Mr. Chambeau regarding people trying to get people over to have drains installed. He stated that they have a right to protest; and that there are some 19 projects. He told of having tried 5 different ways. Mr. Wincote said that the downtown area storm drain area had been initiated by the City. He referred to North Park area being paved and built up, with more rain coming from roof tops. He declared that they are responsible for the problem below.

The City Engineer showed a map at which Councilmen looked.

Mr. Bush pointed out subdivisions on a map, and that several persons are in doubt of the necessity for the drain. If there is, put a small assessment on a large area, he urged.

There was discussion between Mr. Bush and various Councilmen, not through the Chair.

The City Engineer said that at the 1st hearing (this one) notices are posted and published; at the 2nd hearing the same is done, but notices are mailed also

Councilman Wincote spoke of similar project downtown, which is apparently going to succeed.

Dan C. Anderson told of people on Hill Street having spoken their pieces. He referred to property being not properly assessable. He said that the project may be desirable; he is not opposed, but is protesting an assessment therefor. Mr. Anderson said that if there is assurance of proper opportunity to protest, he would say no further.

Hearings

121841 - 121843

Councilman Wincote spoke directly to Mr. Anderson regarding Hill Street, and asked about Trumbull Street property.

Mr. Anderson replied that a man on Trubull said that if he (Mr. Anderson) were to get up another protest, he would sign it. He spoke of having limited the protest.

RESOLUTION NO. 121844, recorded on Microfilm Roll No. 89, overruling and denying protest of Esther Chambeau, protest of J. H. Bush, protest of various property owners against Resolution of Preliminary Determination No. 121185 for storm drains and appurtenances in Talbot Street and Gage Drive; overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121845, recorded on Microfilm Roll No. 89, determining that improvement by storm drains in Talbot Street and Gage Drive, under Resolution No. 121185 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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 El Cajon Boulevard for 11 months and 25 days from and including March 5, 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. 121846, recorded on Microfilm Roll No. 89, confirming Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 2, filed in office of City Clerk November 19, 1954; adopting the report as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current for lighting ornamental street lights in University Avenue Lighting District No. 2, for 11 months and 14 days from and including March 16, 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. 121847, recorded on Microfilm Roll No. 89, confirming Engineer's Report and Assessment for University Avenue Lighting District No. 2, filed in office of City Clerk November 19, 1954; adopting the report as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2304 made to cover costs and expenses of paving and otherwise improving Landis Street and Alley Block 82 City Heights, the Clerk reported written appeals from R. L. Saxton and from J. F. Fagio, and Olive Dull. They were presented to the Council.

The City Engineer reported 6.6% appeal, based on area assessments.

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. 121848, recorded on Microfilm Roll No. 89, overruling and denying appeals of R. L. Saxon, F. J. Fagio, Olive Dull from Assessment No. 2304 made to cover costs and expenses of paving and otherwise improving Landis Street and Alley Block 82 City Heights, Street Superintendent's Assessment No. 2304, under Resolution of Intention No. 115147; 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 Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2305 made to cover costs of paving and otherwise improving of Alley Block 86 Point Loma Heights, the Clerk reported written appeal from Arthur L. & Jewell Jay. It was presented to the Council.

Asked for a report, the City Engineer told of the appeal being 4.2%; and said that no access is stated. He stated that no retaining wall is needed, as said. He said that a wall can be put in, but that it would have to be assessed.

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

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

RESOLUTION NO. 121849, recorded on Microfilm Roll No. 89, overruling and denying appeal of Arthur L. Jay from Street Superintendent's Assessment No. 2305 made to cover costs and expenses of paving and otherwise improving Alley Block 86 Point Loma Heights; 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 Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, for 17,500 ft. 5 Twisted Pairs of 16 Ga. Twisted Copper Conductors, Cable - for new Fire Station, Clairemont - recommending accepting low bid of Graybar Electric Company @ \$165.00 per M ft., terms 1/2 of 1% plus State Sales Tax - 4 bids - was presented.

RESOLUTION NO. 121850, recorded on Microfilm Roll No. 89, accepting bid of Graybar Electric Company for furnishing copper conductors, polyethylene insulated polyvinyl chloride sheathed cable; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending accepting low bid of Mission Pipe & Supply Company for copper tubing at \$5,561.86 terms 1/2% plus State Sales Tax; and low bid of Southern Equipment & Supply Company for furnishing copper fittings at \$2,095.15 plus State Sales Tax - 7 bids - was presented.

RESOLUTION NO. 121851, recorded on Microfilm Roll No. 89, accepting bid of Southern Equipment & Supply Co. for furnishing James Jones or equal Copper Fittings - as listed in the Resolution; 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.

RESOLUTION NO. 121852, recorded on Microfilm Roll No. 89, accepting bid of Mission Pipe & Supply Co. for furnishing Copper Tubing - as listed in the Resolution; 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.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending acceptance of low bid of Squires Belt Material Company at \$1,259.40 plus State Sales Tax, f.o.b. San Diego, for furnishing Fire Brick, etc., for Sewage Treatment Plant - 2 bids - was presented.

RESOLUTION NO. 121853, recorded on Microfilm Roll No. 89, accepting bid of Squires-Belt Material Company for furnishing Fire Brick and Cement; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121854, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 16 Metal Crew Truck Bodies in accordance with Document No. 503214, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121855, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Grand Avenue between point 270.08 feet westerly of Pico Street and Pacific Highway, under Document No. 503106; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, the Mayor made an explanation, as stated by Carl Reupsch, of the Harbor Department.

RESOLUTION NO. 121856, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Harbor Services Building, Shelter Island, under Document No. 503109; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121857, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Muirlands easterly sanitary outfall sewer, bearing Document No. 503107; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Purchasing Agent reports  
121850 - 121857

RESOLUTION NO. 121858, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for San Diego Public Library Revision of Catalog Room Lighting Fixtures and Installation, under Document No. 503108; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121859, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to purchase in open market Repair Parts for Caterpillar Tractor, in accordance with list attached to the Resolution, at a net total price of \$3,721.12 plus State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121860, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to sell stucco rest room building located upon Logan Elementary School grounds to the San Diego Unified School District for \$1.00, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Resolution states that The City is owner of the building, that it has become so obsolete and depreciated as to be undesirable for use or retention by the City; City Manager has recommended that it be sold to the District for \$1.00; and that the Council finds the price is fair and equitable and in the public interest.

Two communications from Planning Commission were presented in connection with Clairemont Terrace. Resolutions suspending 3 sections of the Municipal Code, and approving Tentative Map, were adopted.

After adoption, P. Q. Burton, from the Planning Department office, was heard. He said that the item had been passed so fast - actually 2 or 3 beyond this point - that he had not had a chance to make a statement. Mr. Burton referred to an original condition having been in Resolution regarding street closing prior to acceptance of final map. He stated that is not included in the letter to the Council. He said that the same condition should be in the Resolution regarding the Tentative Map (revised) regarding closing streets and alleys.

After Resolutions had been adopted, action was reconsidered, and both were continued - on motion of Councilman Schneider, seconded by Councilman Wincote - to Thursday of this week (December 30).

Communication from Planning Commission, signed by Glenn A. Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Mesa Park Units 1 & 2, was presented.

RESOLUTION NO. 121861, recorded on Microfilm Roll No. 89, suspending Sections 102.11-2 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Mesa Park Units 1 & 2, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of Tentative Map of Mesa Park Units 1 & 2, a 111-lot subdivision, located in Pueblo Lot 1215 adjacent to easterly boundary of Vista Mesa, located directly north of Kearny High School - coordinated with adjacent subdivision of Vista Mesa - subject to 10 conditions, was presented.

RESOLUTION NO. 121862, recorded on Microfilm Roll No. 89, approving Tentative Map of Mesa Park Units 1 & 2, subject to the conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, in connection with resubdivision of Lots 32 and 33 Block 12 Tres Lomas, was presented.

RESOLUTION NO. 121863, recorded on Microfilm Roll No. 89, suspending Section 102.07-2 and 102.17-c in connection with the Tentative Map for resubdivision of Lots 32 and 33 Block 12 Tres Lomas, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lots 32 and 33 Block 12 Tres Lomas into 5 lots on north side of Calle Tocon and east of Aguadulce in Paradise Hills areas, subject to 5 conditions, was presented.

RESOLUTION NO. 121864, recorded on Microfilm Roll No. 89, approving Tenta-



tive Map for Resubdivision of Lots 32 and 33 Block 12 Tres Lomas, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Director submitting Final Map of San Rafael Unit No. 3, recommending approval subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 121865, recorded on Microfilm Roll No. 89, authorizing directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Soledad Realty and Development Co., a corporation, for installation and completion of unfinished improvements and setting of monuments required for San Rafael Unit No. 3 Subdivision; directing City Engineer to present an ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121866, recorded on Microfilm Roll No. 89, adopting Map of San Rafael Unit No. 3, being portions of Acre Lots 21 and 22 Pacific Beach; accepting on behalf of the public Academy Street and unnamed easements shown for public purposes; rejecting as dedication for public street shown as "Reserved for Future Street"; authorizing City Clerk 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 and that the Council rejects the dedication of portion marked "Reserved for Future Street"; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Casa de Lopez, Inc., Room 200 U.S. National Bank Bldg., 2nd and Broadway, dated December 21, 1954, signed by C. Arnholt Smith, was presented. It is relative to the permanent maintenance of important San Diego Historical Landmarks, access to buildings, proposed moving and exchange of easements, etc.

Councilman Kerrigan asked if there is to be a conference with Supervisor Gibson on Historical Landmarks, as a result of his investigations in the Monterey area.

The letter was read to the Council by the Clerk

On motion of Councilman Kerrigan it was referred to the City Manager and to the Planning Department. It was seconded by Councilman Schneider.

Councilman Wincote moved to amend the motion, to include the City Manager to consult with Mr. Mergen and Mr. Marston. (He said that they have indicated that they had been ignored).

The City Manager stated that he will consult with them, although the motion was not seconded, for the amendment.

Communication from Mrs. Ray Field re sidewalks in front of her home at 1806 Tilden Street, Arnold Park, part of which was torn out by contractor on a 1911 Act proceeding.

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

Communication from Thomas D. Drake, Chairman, Ocean Beach Chamber of Commerce Beach Improvement Committee, dated 21 December 1954 - 4321 Voltaire Street - was presented. It relates to need for construction of a groin near foot of Saratoga Street, in connection with dredging Mission Bay channel and dumping of sand.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the City Manager and Planning; the Planning Director to answer.

RESOLUTION NO. 121867, recorded on Microfilm Roll No. 89, directing Notice of Filing Assessment No. 2314 for installation of sewer in Ollie Street, Camulos Street, Liberty Street and Venus Street under Resolution of Intention No. 118156, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121868, recorded on Microfilm Roll No. 89, accepting bid of John B. Henry, and awarding contract, for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision, North and South Alley Block 27 H. M. Higgins Addition, and Broadway, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The City Engineer reported in writing that low bid is 5.9% below estimate.

Communications  
121865 - 121868



RESOLUTION OF AWARD NO. 121869, recorded on Microfilm Roll No. 89, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Oliver Avenue and Pacific Beach Drive under Resolution of Intention No. 120580, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 24.2% below the estimate.

RESOLUTION OF AWARD NO. 121870, recorded on Microfilm Roll No. 89, accepting bid of H. H. Peterson, and awarding contract 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, under Resolution of Intention No. 120426, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 5.7% below the estimate.

RESOLUTION OF AWARD NO. 121871, recorded on Microfilm Roll No. 89, accepting bid of San Diego Gas & Electric Company, a corporation, for furnishing electric current for lighting ornamental street lights located in Sunset Cliffs Lighting District No. 1, in accordance with Engineer's Report and Assessment filed October 8, 1954, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121872, recorded on Microfilm Roll No. 89, for paving and otherwise improving Alley Block 13 La Jolla Park, et al; approving Plat No. 2647 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121873, recorded on Microfilm Roll No. 89, for paving and otherwise improving Raft Avenue and Bellevue Avenue; approving Plat No. 2656 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121874, recorded on Microfilm Roll No. 89, for paving and otherwise improving Alley Block 3 La Mesa Colony, under Resolution of Intention No. 121183, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121875, recorded on Microfilm Roll No. 89, for paving and otherwise improving Carleton Street, Plum Street and Dickens Street, under Resolution of Intention No. 121184, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121876, recorded on Microfilm Roll No. 89, for closing northwesterly 1.5 feet, measured at right angles, of portion of Midway Street lying adjacent to southeasterly line of Lot 43 Cliffside, between Calumet Avenue and Sea Rose Place, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121877, recorded on Microfilm Roll No. 89, for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Lot 7 Block 13 La Jolla Park, and La Jolla Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121878, recorded on Microfilm Roll No. 89, for paving and otherwise improving Taft Avenue and Bellevue Avenue, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121879, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on

paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, under Resolution of Intention No. 120006 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121880, recorded on Microfilm Roll No. 89, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Soto Street and Castelar, under Resolution of Intention No. 120008, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121881, recorded on Microfilm Roll No. 89, adopting recommendation of City Engineer, filed under Document No. 503033; authorizing City Engineer to amend proceedings for improvement of portion of Wawona Drive in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121882, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502281 for paving and otherwise improving Alley Block 36 Fortuna Park; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of paving, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121883, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502279 for paving and otherwise improving Alleys Blocks 49 and 49-1/2 University 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 Kerrigan, adopted.

RESOLUTION NO. 121884, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502392 for installation of ornamental street lighting system on "B" Street between First Avenue and Kettner Boulevard; 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 Kerrigan, adopted.

RESOLUTION NO. 121885, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502321 for paving and otherwise improving 52nd 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121886, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502320 for sidewalks on easterly side of 54th Street, and on southerly side of Trojan 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 portion of intersections at Trojan and 54th, and Orange Avenue at 54th Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121887, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502322 for installation of sidewalks on Gale Street and Hughes Street; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited and to be assessed to pay costs, damages and expenses, in accordance with recommendation of City Engineer under Document No. 502969, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121888, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502323 for paving and otherwise improving San Fernando 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 and damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121889, recorded on Microfilm Roll No. 89, granting petition contained in Document No. 502280 for paving and otherwise improving Shasta 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, including additional improvements and in portion of Crown Point Drive if required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121890, recorded on Microfilm Roll No. 89, granting permission to Charles M. Harsh et al, for paving and otherwise improving portion of Udall Street by private <sup>contract</sup>, under Document No. 502610, on conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution, continued from previous meeting, ~~consenting to detachment from meeting~~ of December 21, 1954, consenting to detachment from City of San Diego of territory (In Bay of San Diego), and annexation to City of National City, was on motion of Councilman Burgener, seconded by Councilman Schneider, was continued 1 week - to January 4, 1955.

RESOLUTION NO. 121891, recorded on Microfilm Roll No. 89, giving Notice of proposed annexation to The City of San Diego of certain lands to be known and designated as "Federal Boulevard Tract" - and setting hearing at 10:00 o'clock A.M., February 8, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

It directs City Clerk to cause copy of Resolution to be published in the San Diego Union, and cause written notice of proposed annexation to be mailed to each person to whom land within the territory proposed to be annexed is assessed in the last equalized county assessment roll available on date proceedings are initiated.

RESOLUTION NO. 121892, recorded on Microfilm Roll No. 89, establishing Parking Time Limit of Two Hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of Prospect Street, between Eads Avenue and Fay Avenue; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121893, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager, for and on behalf of the City, to execute lease agreement with Fred B. Mitchell Company, leasing to the City property known as 908 West Washington Street to be used for Hillcrest-Mission Hills Branch Library, under terms and conditions set forth in lease agreement filed in office of City Clerk as Document No. 503298, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121894, recorded on Microfilm Roll No. 89, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, that all taxes against strip of land 1.0 foot wide in Lot 1 Rancho Cabrillo, 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 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. 121895, recorded on Microfilm Roll No. 89, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, that all taxes against strip of land 1.0 foot wide in Lot 67 Rancho Cabrillo, 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 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. 121896, recorded on Microfilm Roll No. 89, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, that all taxes against strip of land 1.0 foot wide in Lot 61 Rancho Cabrillo, 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121897, recorded on Microfilm Roll No. 89, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, that all taxes against strip of land 1.0 foot wide in Lot 60 Rancho Cabrillo, 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121898, recorded on Microfilm Roll No. 89, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, that all taxes against Lots "A" and "B" Block 214 Horton'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 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 Schneider, adopted.

RESOLUTION NO. 121899, recorded on Microfilm Roll No. 89, granting permission to Davis M. Sapp, 1501 - 6th Avenue, San Diego, to install house sewer to serve construction at Lot 1 PresidionRidge, with fall of 1/8 inch per foot, in lieu of requirement in City Code; 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 Kerrigan, adopted.

On motion of Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6364 (New Series), recorded on Microfilm Roll No. 89, incorporating portions of Block A Wells and Lane's Tecolote Heights, and Block 11 Mission Bay Heights into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance No. 85 (New Series) adopted November 21, 1932 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next Ordinance was introduced.

ORDINANCE NO. 6365 (New Series), recorded on Microfilm Roll No. 89, establishing a Municipal Housing Revolving Fund for the purpose of Operating, Maintaining and Preserving certain Public Housing Facilities and declaring it to be an emergency ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Ordinance says that City of San Diego is committed to acquire certain public housing facilities from the United States Government; that City has certain obligations to the United States Government in connection with acquisition to continue operation as housing facilities for limited time; that City had entered into negotiations for operation of the housing and its protection and preservation which negotiations have unexpectedly terminated unsuccessfully; that City is faced with necessity of immediately providing for operation and protection of the housing or the alternative of violating its commitments to United States Government, exposing housing to deterioration, vandalism and loss and destruction by the elements, and rendering homeless present occupants; that Ordinance is therefore necessary for immediate preservation of public peace, property, health and safety, and is declared to be an emergency measure.

Ordinance providing for sick leave with full pay for Policemen, Firemen and Lifeguards who are at present members of the City Employees' Retirement System, was presented.

City Attorney J. F. DuPaul said that if the Ordinance is to be adopted, it should be as worded; that the Council could amend the Civil Service rules regarding them being under the new retirement system, for the same protection as the old system. He read

121897 - 121899  
6364 N.S. - 6365 N.S.  
Policemen, Firemen, Lifeguards retirement  
Ordinance - discussion

from Sec. 163 of the Charter. He said that Sec. 163 had to do with old pension revision. He stated that the City now pays salary for 1 year under the old system, and that compensation goes into City funds. He said that "this Ordinance" does the same thing for the "new". Mr. DuPaul said that it would be better if the men were protected the same as all City employees. He spoke of their being relegated to compensation and pension, if injured. He said that the Council should adopt the Ordinance, as of today.

Councilman Dail moved to introduce the Ordinance.

Mr. DuPaul read Section 2 of the Ordinance. He said that it would be wise, between today and Thursday to add Section regarding inclusion of Policemen and Firemen, regarding the effectiveness of other employees.

Councilman Dail moved to introduce the Ordinance. It was seconded by Councilman Wincote.

Councilman Wincote said that before the Civil Service comes in with a recommendation, he wants a Conference. He said that "if it is cut and dried, it is a mistake".

The Mayor said that the Council has a meeting with the Civil Service in January.

#### Councilman Kerrigan was excused

Mr. DuPaul said that the Charter amendment cannot be changed unless, and until, there is a vote of the employees. He said that he thinks he could word the proposed ordinance to become effective. Mr. DuPaul stated that when it is ratified (by the Legislature on Charter amendment) it can't be changed. He told the Council that he wants to add 1 paragraph.

#### Councilman Kerrigan returned

On motion of Councilman Schneider, seconded by Councilman Wincote, the proposed Ordinance was continued to Thursday - December 30, 1954 (although motion made and seconded to introduce the Ordinance had not been withdrawn).

C. M. Rodefer appeared regarding a matter not listed on the agenda.

Mr. Rodefer spoke in connection grade on his property.

The City Engineer referred to Ordinance 54.20 (Section 54.20, etc. of San Diego Municipal Code) which he said provides for method of making excavations. He said that property owner can either excavate, or file a map. He said that Mr. Rodefer has been advised of the procedure, and referred to having been shown administrative regulation.

Mr. Rodefer told the Council that he has machinery legally working on Mergo Subdivision, and that it costs \$16.00 per hour. He referred to having asked to have a "document prepared for the docket".

The Mayor stated that the docket had been closed, and referred to having been told by the Engineer that permit from the Council was not needed.

The City Engineer spoke about having asked Mr. Gabrielson about time, and he had replied about January 21, 1955, which would follow procedure set up for going through regular channels. He stated that he has to examine, and recommend through the City Manager and the Council, followed by Tentative Map. He said he thinks the Gabrielson estimate is correct.

P. Q. Burton, from the Planning Department, said that property is R-1, and that approval for excavation would be needed, or there would have to be a zone variance.

Mr. Rodefer stated that he does not accept anything regarding the last 2 verbal presentations. He said that he does not want an excavation permit. Mr. Rodefer told the Council that he had promised his engineer and attorney that he would not argue with the Council on this. He said that "Old San Diego is a subdivision of this City; probably the oldest subdivision". Mr. Rodefer said that he does not have to file a map; it has been filed for 100 years. He told the Council that he does not wish to work on any street. He said that he only wants to "pass over streets, but not to work on them". He referred to Block 537. He showed an airplane map and another map, to the Council, referring to 4 divisions (of his subdivision). He described each of them. He said that Streets and Water Department having said that there is no place, except out in the air, for a 6" water main. He spoke of a survey, and of it having been found that he (Rodefer) was right. Mr. Rodefer told the Council that he owns between 92% and 93% on 1 side of a border line. He said that objectors own only 7%. He stated that he is spending tens of thousands of dollars to help the City.

The Mayor asked what it is that Mr. Rodefer wants.

Mr. Rodefer replied that he wants to keep the machinery at work. He said that he owns Blocks 537 and 536, that he wanted to haul dirt from 1 lot to the other. He said that he was told that he could not, and that he gave up. Mr. Rodefer said that in 1948 he was given permission, and he had a sheaf of papers, including one to which he made reference about permission. He said that engineering work is done on it; that he just wants to "haul Rodefer's dirt across the street to Rodefer's hole".

Councilman Schneider spoke to Mr. Rodefer about condition of the property.

Mr. Rodefer said that he never made a false statement to the Council, knowingly.

The Mayor asked Mr. Rodefer if he is going to excavate the same as in 1948.

Mr. Rodefer replied "yes".

Ord re Firemen & Policemen - cont  
to Thurs 12/30/54

C. M. Rodefer discussion regarding  
grade on his subdivision, not  
on agenda.



The City Engineer said that he saw a plan with Mr. Gabrielson regarding excess of 4 feet.

Mr. Rodefer said that he never put a plan before Mr. Gabrielson. He said that Mr. Gabrielson was present, but that he disappeared when he (Rodefer) arrived, and that he did not appreciate it.

The Mayor said that the Council is bound by the Ordinance.

Mr. Deaper said that if there was only moving dirt, it would have no bearing, but that if it was to go onto another parcel, a permit would be needed.

Councilman Schneider asked if there is no destruction of property, why not let Mr. Rodefer excavate.

Councilman Dail said that Mr. Rodefer is talking about violating a portion of the law.

Councilman Wincote asked if it does not cover the intent to move, under 1 ownership.

Councilman Schneider spoke directly to Councilman Wincote and to Mr. Deaper.

Mr. Deaper said that Mr. Rodefer cannot move, without a permit.

Councilman Dail said that the difficulty is because Mr. Rodefer won't comply. He said that is not the City's fault; the Council is not an administrative body.

Mr. Rodefer told of having asked a question of Capt. Fogg, the City Engineer. He told of the way Capt. Fogg spoke, just before Christmas Eve. He stated that he was glad Mr. Gabrielson had been brought into the picture. Mr. Rodefer stated that Capt. Fogg "came out and told Gabrielson to keep on, and they will find a way not to give the permit".

The City Engineer said that Mr. Rodefer had been told to get in the groove, and stay there, and that he would have no trouble.

Councilman Wincote said that the Attorney has said that Mr. Rodefer can't be given the permit.

Mr. Rodefer said that he thinks he could be granted the permit, and that he wants to be as liberal as the 7%. He said that the City could shut its eyes, as it does every day. He said that if he is doing any damage, damages could be claimed. He said that he is building up the City; not tearing it down. He spoke directly to Mr. Burton regarding R-1 zone.

Mr. Burton stated that excavation of soil is not permitted in R-1 Zone.

The Mayor said that the Council is not an administrative body.

Mr. Rodefer spoke of having a problem. He said that Mrs. Andreen (Deputy City Attorney) was to prepare a Resolution so that "Rodefer poison" would not be in it. He said he wishes that the City would be frank. He asked if the City will not deny a place on the docket for Thursday. He spoke directly to Mr. Deaper regarding not losing his petition of 1948. He said that the City gave a Resolution in 1942 and again in 1947.

Councilman Wincote spoke directly to Mr. Rodefer regarding what is wanted for Thursday. He said that the Council will try to give him a hearing, although Mr. Rodefer said that the Council is impossible. He stated that if the request is concrete and final it would be all right.

There was no action.

The City Manager requested, and was granted unanimous consent to present the next item, not listed on the agenda. He explained it to the Council.

RESOLUTION NO. 121900, recorded on Microfilm Roll No. 89, authorizing City Manager to employ Quinton Engineers, Ltd., Consulting Engineers, 812 West Eighth Street, Los Angeles 17, California, as consultants in connection with development of industrial area on Kearney Mesa for fee of \$400.00 in accordance with consultants' letter on the subject, dated December 6, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted unanimous consent to present the next item, not listed on the agenda. He explained it to the Council.

RESOLUTION NO. 121901, recorded on Microfilm Roll No. 89, extending time for completion of public improvements within Clairemont Manor Unit No. 1 subdivision to June 1, 1955; and that surety bond guaranteeing completion of improvements be reduced to \$12,460.00 or a new bond in such amount be filed in lieu of original bond, the amount of the reduced or new bond being City Engineer's estimated cost of public improvements remaining to be completed, plus 10%, filed with City Clerk as Document No. 503216, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states that contract, City Clerk's Document No. 460964, provided that all public improvements within Clairemont Manor Unit No. 1 be completed on or before December 1, 1953; that subdividers have been unable to complete the public improvements within such time, and have requested extension; that subdividers have completed most of the improvements required under the agreement, and City Engineer has recommended that date for completion of remaining improvements required to be completed be extended to June 1, 1955, and that surety bond be reduced in sum of \$12,460.00 or new bond in such amount be filed in lieu of original bond.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:35 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

C. M. Rodefer cont. discussion re grading  
on his property  
121900 - 121901 under U.C.

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, December 30,  
1954

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

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, re bids received (4) for paving and otherwise improving Soto Street and Castelar Street, was presented. It recommends acceptance of lot bid of Griffith Company at \$6,951.55.

RESOLUTION NO. 121902, recorded on Microfilm Roll No. 89, accepting bid of Griffith Company for improvement of Soto Street and Castelar Street; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, re bids received (5) for 2 76" Triplex power mowers, was presented. It states that identical low bids were received from Bob Woll's Motor Mart and T. J. Sessions, that award was decided to Bob Woll's Motor Mart by lot.

RESOLUTION NO. 121903, recorded on Microfilm Roll No. 89, accepting bid of Bob Woll's Motor Mart to furnish 2 Toro 76" Power Mowers @ \$1,150.00 each, terms 2% 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 Kerrigan, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending purchase in open market of Impeller for Fairbanks-Morse sewage pump at net price of \$1,430.67 including State Sales Tax, f.o.b. San Diego, was presented.

RESOLUTION NO. 121904, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to purchase on open market 1 24" Cast Bronze Impeller with keyway for Fairbanks-Morse sewage pump at net price of \$1,430.67, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 121905, recorded on Microfilm Roll No. 89, authorizing Captain William P. Thien of the Police Department to attend Traffic Administrators' Conference in Sacramento, California, January 20-21, 1955, and incur necessary expenses in connection therewith, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121906, recorded on Microfilm Roll No. 89, authorizing Sergeant George Sacher of the Police Department to attend Traffic Law Enforcement course at Berkeley, California, January 24 through February 4, 1955, and incur necessary expenses in connection therewith, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next item had been continued from the meeting of December 28, 1954. Communication from Planning Director recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Clairemont Terrace Area (revised), was presented.

RESOLUTION NO. 121907, recorded on Microfilm Roll No. 89, suspending Sections 102.09-1, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Terrace Area (revision of Clairemont Terrace Unit No. 2), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next item had been continued from the meeting of December 28, 1954. Communication from Planning Director recommending approval of Tentative Map of Clairemont Terrace, a revision of previously filed Tentative Map named Clairemont

Terrace Unit No. 2, subject to 11 conditions, was presented.

RESOLUTION NO. 121908, recorded on Microfilm Roll No. 89, approving Tentative Map of Clairemont Terrace Area, subject to the conditions of the Resolution (including closing of streets and alleys, added as a result of the continuance from December 28, 1954), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map for 3-lot division of portion of Southwest Quarter of Pueblo Lot 104, located at southeast corner of Rosecroft Lane and Catalina Boulevard - originally approved by Resolution 115697 adopted Dec. 10, 1954 - was presented. It recommends the reapproval subject to conditions of that Resolution, and reapproval of suspension of portion of San Diego Municipal Code as contained in Resolution 115696.

RESOLUTION NO. 121909, recorded on Microfilm Roll No. 89, reapproving Tentative Map for 3-lot subdivision of parcel of land located in SW $\frac{1}{4}$  of Pueblo Lot 104 approved by Resolutions 115696 and 115797, subject to all conditions and suspension of the Municipal Code listed on those Resolutions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Director, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Subdivision Map submitted by G. N. Crabtree for 1-lot subdivision located in portion of Pueblo Lot 1119, was presented.

RESOLUTION NO. 121910, recorded on Microfilm Roll No. 89, suspending Sections 102.07-5, 102.1102, 102.17-c of San Diego Municipal Code, in connection with Tentative Subdivision Map for 1-lot subdivision located in portion of Pueblo Lot 1119, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Planning Director, recommending approval of Tentative Map for 1-lot subdivision of portion of Pueblo Lot 1119, located on southerly side of Camino del Rio westerly of Cabrillo Freeway, subject to 3 conditions, was presented.

RESOLUTION NO. 121911, recorded on Microfilm Roll No. 89, approving Tentative Map for 1-lot subdivision in portion of Pueblo Lot 1119, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map for 2-lot subdivision of portion of Pueblo Lot 1286, was presented.

RESOLUTION NO. 121912, recorded on Microfilm Roll No. 89, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map for 2-lot subdivision of portion of Pueblo Lot 1286, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of Tentative Map for 2-lot subdivision of portion of Pueblo Lot 1286, adjacent to subdivision of La Jolla Vista Units 2 and 3, fronting on Lowry Place, Lowry Terrace and Avenida Alamar, subject to 9 conditions, was presented. Report says that property was originally included in Tentative Map of La Jolla Vista but was not included in the final map.

RESOLUTION NO. 121913, recorded on Microfilm Roll No. 89, approving Tentative Map for 2-lot subdivision of portion of Pueblo Lot 1286 located adjacent to subdivision of La Jolla Vista Units 2 and 3, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending Suspension of Sections of the Municipal Code, was presented, in connection with Tentative Map of Western Hills Unit No. 1, subdivision of Lots 131, 132, 133 Morena, and portions of Mission Bay Heights.

RESOLUTION NO. 121914, recorded on Microfilm Roll No. 89, suspending Sections 102.09-1 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Western Hills Unit No. 1, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of Tentative Map of Western Hills Unit No. 1, 140-lot subdivision of

Lots 131, 132 and 133 Morena, and portions of Mission Bay Heights - tentative map was formerly approved by Resolution 101465 on March 6, 1954, under name of Clairemont Heights Unit No. 2 - located immediately adjacent and easterly of Clairemont Heights Unit No. 1 on prolongation of Milton Street in easterly portion of Bay Park Village area, was presented.

RESOLUTION NO. 121915, recorded on Microfilm Roll No. 89, approving Tentative Map of Western Hills Unit No. 1, subject to the conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, was presented. It recommends approval of petition to vacate and abandon Parcel 1 in Document No. 501042: "On behalf of Maxson Corporation, Bonwood Corporation, Fineview Corporation, the reversionary.....basis of request is subject easement does not connect with established streets, and plans for access road for which easement was intended to provide have been changed by the City.

There was no Resolution accompanying the Resolution. Attorney's Office advices that it will come for the agenda of January 4, 1955.

Communication from Thomas D. Drake, Colonel, USA., ~~dated~~ 4321 Voltaire Street, San Diego 7, dated 23 December 1954, was presented. It mentions to work load on the City Council, and recommends that the Council pass a Resolution to place upon the ballot for the spring election an ordinance fixing Councilman's annual salary at \$5,000.00 and Mayor's salary at \$7,500.00. It adds that he is not a candidate for either the Council or the Mayoralty.

RESOLUTION NO. 121916, recorded on Microfilm Roll No. 89, referring the communication from Thomas D. Drake to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Linda Vista Improvement Association, by Mrs. V. Robinson, secretary, dated December 27, 1954, being copy addressed to Linda Vista Development Co., Attn: Mr. Carlstrom, was presented and read. It refers to rezoning portions of Pueblo Lots 1202 and 1203 from R1 to C and CP Zones, and states that information would be appreciated on intensions and plans for a better shopping and business area in Linda Vista before general membership meeting, January 7, 1955.

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

Councilman Dail entered during the reading.

Communication from Margaret Romer, (no address given), owner of Lots 21 to 25 inclusive Block 207 Pacific Beach Subdivision, dated December 27, 1954, was presented and read. It states that the Council had voted to widen Garnet Avenue from Pendleton to Morrell Streets, but work has not begun, but she has heard of plan to begin at once the paving of Balboa from Pendleton to Lamont. Asks that if the rumor is correct if there is farness in scheduling Balboa paving ahead; taxes have increased, and parking privileges are still curtained. It asks for a check on the situation.

E. W. Blom, Acting City Manager, told the Council that there is no work on Balboa.

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

Communication from Bob Peterson, Pres., Oscar's, Inc., 1105 12th Avenue, San Diego 2, dated December 24, 1954, was presented. The lengthy letter states need for a convention hall in the downtown San Diego area, seating approximately 1,000 delegates.

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

Communication from Mrs. Ruth Pollay, Dulzura, Calif., dated Dec. 20, 1954, was presented. It opposes underground parking near the Plaza, and suggests that there be a vote on the subject. It was ordered filed.

RESOLUTION NO. 121917, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager, Assistant City Manager and Assistant to the City Manager, and any one of them to execute any and all documents necessary to effectuate transfer of Project Cal 4679 Frontier, Project, Cal 4737 Frontier, Project Cal 4461 Presidio and Project Cal 4902N Levant, and accept them on behalf of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121918, recorded on Microfilm Roll No. 89, stating that as part of consideration for acquisition by The City of San Diego of Project No. Cal-4902N, Levant, an easement for purposes of ingress and egress is granted to the Public Housing Administration, its representatives and agents and its selected contractors, and to the purchaser of Project No. Cal-4997N, Whitney and its contractors, along and across Project No. Cal-4902N, Levant, via what is now known as Levant and Whitney Streets, or such substitute ways as may be later provided, to continue as to Public Housing Administration so long as it retains title to Project No. Cal-4997N, Whitney, and for one year thereafter, and as to purchaser of Project No. Cal-4997N, Whitney, until one year after its acquisition thereof, or until the buildings thereon have been removed, whichever is sooner, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution says that the Administration is relinquishing to the City Project Cal-4902N, Levant, and temporarily retaining Project No. Cal-4997N, Whitney; that access across Cal-4902N will be necessary to effectuate removal of buildings from Cal 4997N, Whitney.

RESOLUTION NO. 121919, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager, for and on behalf of The City of San Diego, to execute agreement with Richard Pomeroy, Pasadena, California, for professional services as consultant, to conduct survey and inspection of City's sewer extending along Pacific Highway and Harbor Drive between Witherby Street and City treatment plant, and complete inspection, from the inside, of length of interceptor from Witherby pump station to sewage treatment plant; services to begin on or before January 10, 1955, and be completed by March 1, 1955; to be paid \$2,286.00 upon submission of invoice to the City upon completion of the professional services, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121920, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager, for and on behalf of the City, to execute lease with Dairy Mart Farms, Inc., of portion of Barrett Reservoir Watershed in Township 17 South, Range 2 West, for term of 10 years at rental of \$800.00 annually; description of property and terms and conditions to be as set forth in lease filed in office of City Clerk under Document No. 503325; property has value of \$20,000. as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121921, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager, for and on behalf of the City, to execute amendment to lease agreement between The City of San Diego and San Diego Symphony Orchestra Association, filed in office of City Clerk as Document No. 489098; under terms and conditions more particularly set forth under Document No. 503326, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121922, recorded on Microfilm Roll No. 89, approving request of Daley Corporation, dated December 20, 1954, contained in Change Order No. 24, for extension of 15 days to and including December 25, 1954, heretofore filed with City Clerk as Document No. 503327, in which to complete contract for improvement of Section "B" Unit 1 Wabash Boulevard, contract contained in Document No. 470651, on file in office of City Clerk; extending completion time to December 25, 1954.

When comment was made by Councilman Schneider that extension was being given to time already passed, Deputy City Attorney Douglas D. Deaper, said that it was for the legal purposes of covering the contract.

RESOLUTION NO. 121923, recorded on Microfilm Roll No. 89, granting request of Al E. Riley, dated December 13, 1954, contained in Change Order No. 2, for extension of 30 days to and including December 29, 1954, heretofore filed with City Clerk as Document No. 503328, in which to complete contract for construction of Pacific Beach Recreation Center, contract contained in Document No. 492416 on file in office of City Clerk; extending time of completion to December 29, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121924, recorded on Microfilm Roll No. 89, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 22 locations set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 121925, recorded on Microfilm Roll No. 89, recorded on Microfilm Roll No. 89, 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 4 and 5 Block 1 Marilou Park; Lots 8, 9, 10, 11 Block 1 Marilou Park; Lots 21, 22, 23, 24, 25 Block 1 Marilou Park; Pueblo Lot 1347, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121926, recorded on Microfilm Roll No. 89, vacating easement for right of way for construction, operation, and maintenance of sewer and appurtenances in northerly 4 feet of Lot F Block 122 Horton's Addition; directing that from and after date of the Resolution title to land previously subject to easement shall revert to owners of the land free from rights of the public; authorizing and directing City Clerk to cause certified copy of Resolution, attested by him under seal, to be recorded in office of County Recorder of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121927, recorded on Microfilm Roll No. 89, 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 San Diego Unified School District, all its right, title and interest in and to easement and right of way for construction, operation and maintenance of a cathodic protection anode heretofore conveyed to The City of San Diego by The San Diego Unified School District within portion of Northwest quarter of Lot 39 Horton's Purchase of Ex-Mission Lands of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that The City is desirous of acquiring easement and right of way for cathodic protection anode, that San Diego Unified School District of San Diego County has conveyed an easement and right of way; agreement has been reached by The City and the District whereby anode has been relocated for better operation of school grounds; value of easement granted to City is equivalent to value of easement to be quitclaimed by City to the owners, and City Manager has recommended the exchange.

RESOLUTION NO. 121928, recorded on Microfilm Roll No. 89, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Land Title Insurance Company, trustee, bearing date December 10, 1954, wherein the parties subordinate all their right, title and interest in and to portion of Lot 17 C. M. Doty'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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121929, recorded on Microfilm Roll No. 89, accepting Deed of Anna M. Windle, bearing date December 13, 1954, conveying portion Lot 8 Block 86 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121930, recorded on Microfilm Roll No. 89, accepting Deed of Hulen E. Dunn and Lenna E. Dunn, bearing date November 8, 1954, conveying easement and right of way for street purposes in portion of Lot 18 La Mesa Colony; setting aside and dedicating it to the public use as and for public street and naming same 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121931, recorded on Microfilm Roll No. 89, accepting Deed of Burr Stalnaker, bearing date December 10, 1954, conveying easement and right of way for street purposes in portion of Lot 18 La Mesa Colony; setting aside and dedicating it 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121932, recorded on Microfilm Roll No. 89, accepting Deed of Burr Stalnaker and Ella Stalnaker, bearing date December 10, 1954, conveying ease-

ment and right of way for street purposes in portion of Lot 18 La Mesa Colony; setting aside and dedicating land for public use 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121933, recorded on Microfilm Roll No. 89, accepting deed of Kessling Modern Structures Inc., bearing date December 14, 1954, conveying easement and right of way for street purposes in portion of Lot 1256; setting aside and dedicating land to public use as and for public street and naming it El Paso Real; 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 Schneider, adopted.

RESOLUTION NO. 121934, recorded on Microfilm Roll No. 89, accepting deed of Harold E. Quinn and Harriet K. Quinn, bearing date December 23, 1954, conveying easement and right of way for street purposes in portion of Lots 4 and 5 Gardena Home Tract; setting aside and dedicating land to public use as and for public street and naming it Gardena 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121935, recorded on Microfilm Roll No. 89, accepting deed of Harold E. Quinn and Harriet K. Quinn, bearing date December 23, 1954, conveying easement and right of way for street purposes in portion of Lot 5 Gardena Home Tract; setting aside and dedicating land to public use as and for public street and naming it Gardena 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121936, recorded on Microfilm Roll No. 89, accepting deed of John W. Allen, bearing date December 15, 1954, conveying portion of Lot 256; setting aside and dedicating land to public use as and for public street and naming it Morena Boulevard; 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 Schneider, adopted.

RESOLUTION NO. 121937, recorded on Microfilm Roll No. 89, accepting deed of Henry Vanden Broker and Ruth C. Vanden Broker, bearing date December 20, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block C Oak Park; setting aside and dedicating land to public use as and for public street and naming it Oak Crest 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121938, recorded on Microfilm Roll No. 89, accepting deed of San Diego Unified School District of San Diego County, bearing date December 21, 1954, conveying easement and right of way for 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121939, recorded on Microfilm Roll No. 89, accepting deed of Harry Epsten and Eleanor Epsten, bearing date December 23, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 25 and 26 Block 23 Fairmount Addition to City 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121940, recorded on Microfilm Roll No. 89, accepting deed of Dollie Lea Fenton, bearing date December 27, 1954, conveying easement and right of way

for storm drain purposes in portion of Lots 147 and 146 Block 2 Resubdivision of Blocks 1 to 12 Fairmount Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121941, recorded on Microfilm Roll No. 89, accepting deed of Rex E. Sweitzer and Gladys I. Sweitzer, bearing date December 23, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 27 and 28 Block 23 Fairmount Addition to City 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121942, recorded on Microfilm Roll No. 89, accepting deed of James J. Washington, Sr. and Gwendolyn E. Washington, bearing date December 21, 1954, conveying easement and right of way for storm drain purposes in portion of Lot G Block 7 Centrol 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121943, recorded on Microfilm Roll No. 89, accepting deed of Mission Investment Corporation, bearing date December 15, 1954, conveying easement and right of way for water main purposes in Lot 20 Waterville Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121944, recorded on Microfilm Roll No. 89, accepting deed of Charles J. Rimbach and Jessie C. Rimbach, John E. Adkins and Mamie M. Adkins, bearing date December 23, 1954, conveying easement and right of way for water main purposes in portion of Acre Lot 25 Sorrento Lands and Townsite; 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 Schneider, adopted.

RESOLUTION NO. 121945, recorded on Microfilm Roll No. 89, accepting deed of San Diego Unified School District of San Diego County, bearing date December 16, 1954, conveying easement and right of way for water main purposes in portion of Templeton Street (closed between Blocks 4 and 5 Chesterton Extension); 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 Schneider, adopted.

In connection with the next item, which had been introduced December 23, 1954, the Mayor asked if the position has the recommendation of the Civil Service.

Acting City Manager E. W. Blom replied "yes".

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

ORDINANCE NO. 6366 (New Series), recorded on Microfilm Roll No. 89, creating and establishing in the Classified Service the position of Transportation Research Director; establishing schedule of compensation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--- Councilman Godfrey.

In connection with the next item, which had been introduced December 23, 1954, motion reading of the ordinance 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 final passage a written or printed copy.

ORDINANCE NO. 6367 (New Series), recorded on Microfilm Roll No. 89, changing name of portion of Colton Avenue to Harbor Drive, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen

121941 - 121945

6366 N.S.

Reading dispensed with on  
Ords.

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

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 ordinance 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 a written or printed copy prior to day of final passage.

ORDINANCE NO. 6368 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Alley Block 80 Pacific Beach, between westerly line of Bayard Street and easterly line of Mission Boulevard, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

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 ordinance 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 a written or printed copy prior to day of final passage.

ORDINANCE NO. 6369 (New Series), recorded on Microfilm Roll No. 89, establishing grade of La Dorna Street, between northerly line of Montezuma Road and northerly line of Lot 29 La Mesa Colony, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

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 ordinance 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 a written or printed copy prior to day of final passage.

ORDINANCE NO. 6370 (New Series), recorded on Microfilm Roll No. 89, establishing grade of 33rd Street, between line parallel to and distant 800.00 feet northerly of north line of Ocean View Boulevard and north line of Webster Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

The next ordinance, continued from the meeting of Tuesday, was on motion of Councilman Burgener, seconded by Councilman Wincote, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

It provides for Sick Leave with Full Pay for Policemen, Firemen and Life-guards Who are at Present Members of the City Employees' Retirement System.

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

RESOLUTION NO. 121946, recorded on Microfilm Roll No. 89, authorizing the City Auditor and Comptroller to release and expend moneys as have been heretofore appropriated for acquisition of Public Housing Administration lands mentioned in Resolution No. 120385, review having been made, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 121947, recorded on Microfilm Roll No. 89, appointing Lt. Comdr. Raymond Deitzer, U.S.N. Ret. to Board of Zoning Adjustment to succeed, and for unexpired term of office of Ray Jones, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

121946 - 121947  
6368 N.S. - 6370 N.S.  
Ord. introduced

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, 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. 6371 (New Series), recorded on Microfilm Roll No. 89, appropriating \$7,600.00 out of Capital Outlay Fund for providing funds for payment of City's assessment for improvement of portions of Castelar and Soto Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Acting City Manager E. W. Blom stated that while the Council was in Conference (this morning) a representative of Engineer Eugene Freeland came in in connection with approval of a map in the Lake Murray area. He said that he did not want to request unanimous consent to bring up approval of the map on account of complaints.

Councilman Kerrigan said that he had received complaint regarding subdivision which is adjacent to the City of La Mesa - a portion in San Diego, a portion in La Mesa. He told about statements being made regarding schools in the area. He said that subdividers are trying to cut down through an easement, and that they are putting in sewers without permit. Mr. Kerrigan said that the property is in the area of the Lake Murray annexation. He stated that portion has to be sewerred through La Mesa, but that no arrangements have been made therefor. He told the Council that the School Board has said that there is no money available for secondary and high school, although advertising says that they are available.

Mr. Blom said that there is nothing before the Council, and that there is no Resolution.

Councilman Kerrigan said that easement has already been cut.  
There was no action.

O. K. Cope, Assistant to the City Manager, told of having called C. M. Rodefer's office, but there was no answer. He reported, further, that he had telephoned to Mr. Rodefer's home, and had been advised that Mr. Rodefer left at 6 A.M., but did not leave any itinerary. (The call had to do with Mr. Rodefer's verbal presentation on December 28, 1954, regarding placing "Rodefer's dirt in Rodefer's hole" - Rodefer Hills Subdivision - which Mr. Rodefer stated he would bring before the Council today).

There being no further business to come before the Council at this time, the meeting was declared adjourned by the Mayor at 10:21 o'clock A.M. He stated that members of the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

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

6371 N.S.  
U.C. Acting City Mgr.  
re subdiv. near Lake  
Murray



## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, January 4, 1955

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler  
Absent---Councilmen None. (Councilman Godfrey had entered during the invocation, and waited until it was concluded before taking his seat).  
Clerk----Fred W. Sick

The Meeting was called to order at 10:12 o'clock A.M. by the Mayor.

The Reverend Francis Rigney, of the University of San Diego was presented by the Mayor. Father Rigney gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, December 28, 1954, and of Thursday, December 30, 1954, were approved without reading, after which they were signed by the Mayor. Motion and second on the approval was by Councilmen Burgener and Kerrigan.

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 Crown Point Lighting District No. 1, for 11 months and 16 days from and including February 17, the Clerk reported that 1 bid had been received. The bid was from San Diego Gas & Electric Co., accompanied by certified check in sum of \$56.39 written by San Diego Trust and Savings Bank in sum of \$56.39, given Document No. 503529.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 in Talmadge Park Lighting District No. 1, for 1 year from and including March 1, 1955, the Clerk reported that 1 bid had been received. The bid was from San Diego Gas & Electric Co., accompanied by certified check in the sum of \$53.04 written by San Diego Trust and Savings Bank in sum of \$53.04, given Document No. 503530.

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

At the request of the Mayor, the next item, listed near the end of the agenda, was taken up out of order.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance incorporating portions of Pueblo Lots 1202 and 1203 into RC and CP Zones as defined by Sections 101.0409 and 101.0410 respectively of The San Diego Municipal Code, and repealing Ordinance No. 13457, insofar as they conflict, was introduced, by the following vote: Councilmen Burgener, Wincote, Schneider, Kerrigan. Nays--Councilmen Dail, Godfrey, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121400 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 protest, and no written protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, proceedings were referred to the City Attorney for preparation and presentation of Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121401 for paving and otherwise improving Alley Block A Sunset Crest, the Clerk reported no protests. No protests were entered verbally, or filed.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, proceedings were referred to the City Attorney.

Convene

Invocation

Minutes approved

Hearings

Ord re rezoning P/Ls 1202 & 1203 - out of order - introduced

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121502 for paving and otherwise improving 40th Street, the Clerk reported that written protest had been received from Valentin De La Cruz. It was presented to the Council.

The City Engineer reported a 1-lot protest out of 61 involved; about a 1.6% 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. 121948, recorded on Microfilm Roll No. 89, overruling and denying protest of Valentin De La Cruz, against paving and otherwise improving 40th Street, under Resolution of Intention No. 121402, overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for preparation and presentation of Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121403 for grading and sidewalking of Tipton Street, Rincon Street and Ewing Street, the Clerk reported that no written protests had been received.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for preparation and presentation of Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2306 made to cover cost and expenses of paving and otherwise improving Arbor Drive, under Resolution of Intention No. 116399, the Clerk reported that no written appeals had been received.

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

RESOLUTION NO. 121949, recorded on Microfilm Roll No. 89, confirming and approving Street Superintendent's Assessment No. 2306 made to cover cost and expenses of paving and otherwise improving Arbor Drive; 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 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. 2307 made to cover cost and expenses of paving and otherwise improving improving Camino del Collado, under Resolution of Intention No. 116895, the Clerk reported that written appeals had been received from Theodore P. Pendleton and from J. R. Soper. They were presented to the Council.

Asked for a report, the City Engineer told the Council that there was a 22.6% appeal; one regarding area assessment, the other just for information.

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

RESOLUTION NO. 121950, recorded on Microfilm Roll No. 89, overruling and denying appeal of Theodore P. Pendleton and appeal of J. R. Soper, from Street Superintendent's assessment No. 2307 made to cover costs and expenses of paving and otherwise improving Camino del Collado under Resolution of Intention No. 116895; 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 to file 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. 2308 made to cover cost and expenses of paving and otherwise improving Alley Block 67 Park Villas, Public Right of Way and Villa Terrace, under Resolution of Intention No. 116398, the Clerk reported that no written appeals had been received.

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

RESOLUTION NO. 121951, recorded on Microfilm Roll No. 89, confirming and approving Assessment No. 2308 made to cover costs and expenses of paving and otherwise improving Alley Block 67 Park Villas, Public Right of Way and Villa Terrace; authorizing and directing Street Superintendent to issue same in manner and form provided by law, directing Street Superintendent to 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. 2309 made to cover expenses of installation of ornamental lighting system in Broadway, under Resolution of Intention, the Clerk reported a written appeal from The Atchison, Topeka and Santa Fe Railway Company. The appeal was presented to the Council.

The City Engineer reported, verbally, that it has to do with a split of assessment.

RESOLUTION NO. 121952, recorded on Microfilm Roll No. 89, directing the Street Superintendent to modify and correct Assessment No. 2309 made to cover expenses of installing ornamental lighting system in Broadway, under Resolution of Intention No. 117254; continuing hearing until the hour of 10:00 o'clock A.M., Tuesday, January 11, 1955, 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. 2310 made to cover costs and expenses of paving and otherwise improving Alley Block 2 Chester Park Addition, under Resolution of Intention No. 113133, the Clerk reported that written appeal had been received from Magdalena L. Rodefer, 4135 Menlo Avenue, San Diego 5. The appeal was presented to the Council.

No one appeared to make verbal protest, and no additional appeals were presented.

An unidentified woman asked "how long?"

Willard Olson from the City Engineer's office spoke to the woman regarding payment time.

The City Engineer said that the written appeal was 4.3%.

RESOLUTION NO. 121953, recorded on Microfilm Roll No. 89, overruling and denying appeal of Magdalena L. Rodefer from Street Superintendent's Assessment No. 2310 made to cover costs and expenses of work of paving and otherwise improving Alley Block 2 Chester Park Addition under Resolution of Intention No. 113133; 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 Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing and installing stainless steel sinks at Photo Laboratory, Police Station, and 1 stainless steel top table at Police Station - 4 bids - was presented. It recommends acceptance of low bid of Roche Brothers.

RESOLUTION NO. 121954, recorded on Microfilm Roll No. 89, accepting bid of Roche Brothers for furnishing and installing sinks at Photolaboratory, Police Station, and table in kitchen of jail, Police Station - in the sum of \$1319.23 - 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 Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for Small Water Main Replacements, Group 17 - 4 bids - was presented. It recommends acceptance of low bid of Royal Pipeline Construction Company.

RESOLUTION NO. 121955, recorded on Microfilm Roll No. 89, accepting bid of Royal Pipeline Construction Company, Inc., for installation of small water main replacements, Group 17 - in the sum of \$91,338.40 - awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, on 1 bid received for proposed sale of 100 Used Piles for Harbor Department, recommending rejection, was presented. It states that the single bid was for \$7.50 per pile, whereas the Harbor Department placed an estimated value of \$30.00 per pile.

RESOLUTION NO. 121956, recorded on Microfilm Roll No. 89, rejecting bid received for sale of 100 Used Piles belonging to Harbor Department, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121957, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Camino de la Costa and La Canada at Electric Avenue and Via del Norte, in La Jolla Hermosa Units A and 2; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121958, recorded on Microfilm Roll No. 89, approving plans

Hearing  
Purchasing reports  
121952 - 121957

and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of park roads known as Pepper Drive and Tulip Street, in Azalea Park (including grading, paving, and construction of curb and sidewalk) bearing Document No. 503330; authorizing and directing Purchasing Agent to advertise for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121959, recorded on Microfilm Roll No. 89, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain from 3rd Avenue and "K" Street southwesterly across Navy Field, to U.S. Bulkhead Line, bearing Document No. 503332; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Jack Van Cleave, recommending suspension of portion of San Diego Municipal Code in connection with College Ranch Units 2 & 3, was presented.

RESOLUTION NO. 121960, recorded on Microfilm Roll No. 89, 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 College Ranch Units 2 & 3, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of Tentative Map for subdivision of portions of Lots 68, 69, 70 Rancho Mission of San Diego, located east of College Ranch Unit No. 1; within triangular area east of Lake Murray Boulevard north of Lake Murray Manor, bounded on the east by unincorporated county - subject to 12 conditions, was presented.

RESOLUTION NO. 121961, recorded on Microfilm Roll No. 89, approving Tentative Map of College Ranch Units No. 2 and 3, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from William E. Montero, National Service Officer, Disabled American Veterans, National Service Office, VA Regional Office, 325 B Street, San Diego 1, 1954, was presented. It makes a detailed statement relative to parking privileges for physically handicapped persons.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the communication was ordered filed - together with the large file accompanying the letter. (The Montero letter requested return of the file).

Communication from C. M. Rodefer, Box 1249 San Diego 12, dated December 30, 1954, relating to his development of Rodefer Hills, 4 divisions, and asking for permission to be heard today, was presented to the Council.

Mr. Rodefer appeared at the microphone, and told the Council that he was willing to step aside, and wait for the rest of the program to be completed, before being heard.

The Mayor spoke to Mr. Rodefer, and told him that the Council can't grant the permit for excavation sought by Mr. Rodefer. He said that it has to go through the administrative departments. He asked if there is anything new that Mr. Rodefer has to present. He stated that the Council has a long conference docket for consideration after this meeting.

Mr. Rodefer told the Council that he does not want a Resolution; he wanted to read a statement - which he did. During the reading Mr. Rodefer was stopped by the Council at intervals, with questions. Mr. Rodefer stated that the item was just on time, in that he was going to ask for continuance until today. He stated that he would make his presentation short, if he must, but asked the Council to hear him first. Mr. Rodefer stated that he needs help. He expressed appreciation for receiving letter and maps, but does not appreciate that the City Engineer says it means nothing. He stated that it is time to complete Rodefer Hills, or quit the job. He assured the Council that he is in a position to do either. He showed lighting fixtures which he had on display in the Council Chamber (which he manufactures), and stated that he can go to his "first love" (glass manufacture). He stated that Mr. Marston had told him how the City abused him in the development of Presidio Hills. He exhibited a map for 84 lots, and told of expenditures on the project. He stated that he acquired no funds from the subdivision, yet. Mr. Rodefer said that the Attorney had said that the excavation ordinance had been repealed, that it is now in the Code - but that it is the same. He declared the interpretation to be surprising, and disgusting. He read the attorney's quote, as well as what it is he wants. He declared that the attorney's interpretation was to stop, over a paper street. Mr. Rodefer stated that his own attorney said that is not competent; he knows of testimony not being competent. He told of having been here hours and hours regarding the Code, during all the debate. He told the Council that there is an ugly scar which he wants to beautify. He told of the background of the ordinance providing for regulation in connection with excavation. He related Miss

Communications  
121959 - 121961  
C. M. Rodefer's verbal  
presentation re Rodefer  
Hills



Nichols' activity regarding the ordinance and the excavation across from the Nichols' property, which led to the legislation. He said that "notes have probably been burned up, since that was prior to 1945". He told the Council that lots in Middletown were 25' x 100'. Then, Mr. Rodefer spoke about machinery in use on his property covering almost an entire lot. He said that this situation of his is different from the Nichols' protest. He read from the Ordinance.

Councilman Dail spoke directly to Mr. Rodefer regarding "parcels".

Mr. Rodefer replied that it includes land for excavation. He showed a map.

Councilman Dail stated that if it is 1 parcel, dirt may be removed, and moved.

Douglas D. Deaper, Deputy City Attorney, asked if it is a completed subdivision.

Glenn A. Rick, City Planning Director, told Mr. Deaper that he could not follow Mr. Rodefer's speaking.

Councilman Dail said that he was making reference to what may be done. He asked if the property is 1 parcel, or a separate parcel on account of the subdivision map. He declared that Mr. Rodefer may, or may not, be right.

Councilman Schneider stated that if it is under 1 ownership, it is a parcel.

Mr. Rick stated that where a subdivision is filed and a tentative map is approved, it is not required that there be a Resolution regarding moving (dirt) around. He stated that he can't answer the question simply.

Mr. Deaper spoke from the Code regarding work under Tentative Maps. He said that he was not sure of the status of the Tentative Map.

Councilman Kerrigan spoke to Mr. Rodefer, directly, regarding map in 1948.

Mr. Rodefer referred to it being a final map.

Mr. Rick said that when there is a final map, a permit is required to cross the City street. He said that Mr. Rodefer has moved a lot of dirt, and that question had been raised only where there was a protest.

Councilman Schneider spoke directly to Mr. Rodefer, and asked if the subdivision had been modified from 1948.

Mr. Rodefer replied: little; and through the Planning.

Councilman Schneider asked if there is only a Tentative Map, now.

Mr. Rick asked Mr. Rodefer if there is a Tentative or Final Map.

Mr. Rodefer replied that he does not know. He said that he is working on a final map, signed by Mr. Haelsig; extends to Trias Street. Mr. Rodefer said that he is talking about moving 2 or 3 feet. He said that he did not file a map.

Councilman Schneider spoke directly to Mr. Rodefer.

Mr. Rodefer said that 2 or 3 loads would finish Mergho Division. He said that Tentative Map on Western Ho has been filed. He pointed it out on the marked map on the Council table.

Councilman Kerrigan said that the City has an ordinance regarding subdivision maps.

There was discussion by several individuals, not through the chair, regarding subdivisions and the moving of dirt.

Councilman Kerrigan asked what the Council can do. He then said that it can amend the ordinance or have a new ordinance, regarding moving dirt. He asked if it is a Tentative map.

Mr. Rodefer said that 1947 docket (map), on the table qualifies. He said that he and his attorneys believe they can go back to the map of Old San Diego. He said that the lots have not been changed.

Mr. Deaper said that if they go on the old subdivision, it would be moving from 1 parcel to the other.

Councilman Burgener said that the argument is regarding the definition of a parcel.

The Mayor pointed out to Mr. Rodefer that the Council has to rely on the City Attorney.

Mr. Rodefer told the Council that he wants to finish reading the document. He said that the City Engineer has been watching what is being done in Mergho, but that he made no protest or tried to stop the work. He declared it to be an outrage, in that he has done nothing illegal. Mr. Rodefer stated that he refuses to permit heckling by City employees, and that subdivision has been hard to do. He said that it should not be done like the Navy (referring to Captain Fogg, USN ret., City Engineer). He stated that other subdividers have profited by Rodefer's activities. He said that there are people in the room willing to pay double the price paid. He declared that City people learn the word "know", instead of "no". He said that they should say "yes" once in a while. He stated that January and February rains make improvements necessary. He added that if he lets the machinery go, it would take 8 weeks to get it back.

Councilman Dail was excused

Mr. Rodefer said that the obstruction is by only a few neighbors; 1 protestant is equal to 50 advocates; that is wrong. He stated that the subdivider is only 1; many departments and independent oppose. He said that the City Treasurer keeps the money he (Rodefer) deposits. Mr. Rodefer said that the City now wants an easement to correct mistakes. He said that pipe was laid on the wrong lot. He said that there are too many departments involved. He spoke of Mr. Bell & Mr. Beermann (City Water Department personnel) trying to arrest him when he took 1 quart of water from the City main. That is



wrong, according to Mr. Rodefer, who referred again to big deposit with City Treasurer. He stated that it is on the way to being a beautiful subdivision - 30% better than Presidio Map. He stated that somebody tabled his petition. He said that it is not honorable, regarding change. Mr. Rodefer said that he was threatened with being taken before the Grand Jury, in connection with trying to bribe the City. He declared that there is prejudice and animosity. He said that the City takes projects, and spoils them. Mr. Rodefer told the Council that he wants City to help; not hinder him. He spoke about John Thornton (of the City Attorney's office) having said that he thinks the Council is playing with him. He said that the Council can choose its weapons. Mr. Rodefer declared that it is not possible to make a dollar of profit in Rodefer Hills; he is trying to "leave a pretty spot". He stated to the Council that he holds the 2 top jobs and salaries in his "first love" (the glass factory). He spoke of having spent \$8,005.00 to move dirt, without protest. He said that it is the same as he wants to do here. He spoke of a sewer incident where he wants to give a \$30,000. sewer; but that he was told he would have to put up \$18.50 for drawing of a map. He said that the Mission Hills sewer is going through his main. He said that Capt. Fogg, City Engineer, had stated that he (Rodefer) has no City credit.

City Engineer Fogg arose, and denied Mr. Rodefer's statement regarding reference to him.

Mr. Rodefer declared that the old timers get attention. He spoke about a grade change, and a sewer to be put in by the owner. He said that Hortensia Street is involved; old timers did it; the City put in the sewer, because he (the old timer) could not afford to. He told the Council that he wants to be left alone; he wants to do rough grading, no work in the dedicated street. He said that he is going to use Linwood Street.

Councilman Wincote spoke to Mr. Rodefer about the maps, and asked if they are the same.

Mr. Rodefer replied "no; but they are 98% the same".

Councilman Wincote spoke about the "green" area on the map, which he said does not show the property.

Mr. Rodefer said that it does.

Councilman Wincote and Mr. Rodefer pointed out the area on the map. There was discussion over another map. Councilman Burgener and Mr. Rick joined the discussion, over the map.

Capt. Fogg said that Tentative Map has been submitted. He passed it around, with the comment that the Planning Department has not approved it, and that it has not come to the Council.

Mr. Rick said that it would be on the Planning Commission docket a week from tomorrow.

The Mayor told Mr. Rodefer that he can get an answer a week from Thursday. He said that he can't concede to Mr. Rodefer's request.

Mr. Schneider asked Mr. Rodefer if it is right why he does not grade the property.

Mr. Rodefer replied that he was threatened.

Councilman Schneider stated that Mr. Rodefer chose to take "this approach", instead of the routine procedure.

Discussion followed between Councilman Schneider and Mr. Rodefer.

Mr. Rodefer said that Mr. Gabrielson (of the City Engineer's office) had stated that Rodefer won't get anywhere with the Council. He said that Mr. Gabrielson backwatered, and that he had said that it would have to go to the Council.

Councilman Godfrey said that Rodefer is constantly making allegations. He asked what it is Mr. Rodefer wants the City to do, and what he does not want it to do.

The City Engineer told the Council that there are things which have to be done, and he wants only the proper procedure.

Councilman Godfrey said that Mr. Rodefer does not want to do the same as the others.

Capt. Fogg said that Mr. Gabrielson should have been here.

Councilman Godfrey pointed out that there are certain logical things required from everybody. He declared that the Council, and the City, are trying to help Mr. Rodefer.

A call had been put in for Mr. Gabrielson, who appeared.

The Mayor spoke to Mr. Gabrielson regarding not to come to the Council for a permit to do the excavation.

Mr. Gabrielson related there having been many conversations on the subject. He said that Mr. Rodefer would have to do everything in a legal manner, but that Mr. Rodefer wanted to shortcut the procedure.

Mr. Rodefer spoke directly to Mr. Gabrielson regarding what had been said, and then regarding resolution through Mrs. Andreen (Deputy City Attorney).

Councilman Godfrey asked why not just help the subdivider.

Mr. Rodefer said that he wanted permission to withdraw. He did.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the C. M. Rodefer communication - Document No. 503470 - was ordered filed.

RESOLUTION NO. 121962, recorded on Microfilm Roll No. 89, directing notice of filing Assessment No. 2315 made to cover costs and expenses of work done upon install-

C. M. Rodefer's verbal  
presentation re Rodefer  
Hills  
121962

ation of sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, under Resolution of Intention No. 118862, and of time and place of hearing thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121963, recorded on Microfilm Roll No. 89, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for paving Alley Block 30 Park Villas, under Resolution of Intention No. 120578, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 11.3% below the estimate.

RESOLUTION OF AWARD NO. 121964, recorded on Microfilm Roll No. 89, accepting bid of H. C. Dennis, and awarding contract for paving and otherwise improving Banks Street, under Resolution of Intention No. 120579, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 16.2% below the estimate.

RESOLUTION OF AWARD NO. 121965, recorded on Microfilm Roll No. 89, accepting bid of H. C. Dennis, and awarding contract for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, under Resolution of Intention No. 120784, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 19.8% below the estimate.

RESOLUTION OF AWARD NO. 121966, recorded on Microfilm Roll No. 89, accepting bid of San Diego Gas & Electric Company 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 121967, recorded on Microfilm Roll No. 89, accepting bid of San Diego Gas & Electric Company 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121968, recorded on Microfilm Roll No. 89, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Wawona Drive under Document No. 592960; approving Plat No. 2661 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121969, recorded on Microfilm Roll No. 89, for paving Alley Block 18 La Mesa Colony, under Resolution of Intention No. 121324, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121970, recorded on Microfilm Roll No. 89, for paving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission Beach, under Resolution of Intention No. 121326, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121971, recorded on Microfilm Roll No. 89, for paving and otherwise improving Alley Block 255 Pacific Beach, under Resolution of Intention No. 121325, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121972, recorded on Microfilm Roll No. 89, for sewers in 47th Street, Aurora Street, Uvas Street, Market Street, and Public Right of Way, under Resolution of Intention No. 121327, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 121973, recorded on Microfilm Roll No. 89, for furnishing electric current for lighting ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for 11 months and 25 days from and including March 5, 1955, in accordance with Engineer's Report and Assessment filed November 19, 1954 in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 121974, recorded on Microfilm Roll No. 89, for furnishing electric current for lighting ornamental street lights located in University Lighting District No. 2, for 11 months and 14 days from and including March 16, 1955, in accordance with Engineer's Report and Assessment filed November 19, 1954 in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121975, recorded on Microfilm Roll No. 89, for furnishing electric current for lighting ornamental street lights located in Collwood Lighting District Number One, for 1 year from and including June 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 121976, recorded on Microfilm Roll No. 89, for closing portion of Brookes Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 121977, recorded on Microfilm Roll No. 89, for paving and otherwise improving Wawona Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121978, recorded on Microfilm Roll No. 89, appointing time and place for hearing protests, and directing Notice of hearing, for furnishing electric current for lighting ornamental street lights located in Kensington Manor Lighting District No. 1, for 1 year from and including May 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121979, recorded on Microfilm Roll No. 89, appointing time and place for hearing protests, and directing Notice of hearing, for furnishing electric current of street lamps on mast arms, and maintenance of appliances for period of 11 months and 16 days from and including May 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121980, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 2 Swan's Addition, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121981, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 13 Swan's Addition, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121982, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving Akron Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121983, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Ottilie Place, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 121984, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for grading and sidewalking Pacific Beach Drive, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121985, recorded on Microfilm Roll No. 89, ascertaining and declaring wage scale for storm drains in Talbot Street and Gage Drive, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121986, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 44th Street and Olive Street, under Resolution of Intention No. 115631, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121987, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Haines Street, under Resolution of Intention No. 116401, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 121988, recorded on Microfilm Roll No. 89, approving diagram of property affected or benefited by work of improvement to be done on installation of sewer main and water main in Maple Street, Laurel Street, 44th Street, et al., under Resolution of Intention No. 117468, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution, which had been continued from other meetings, consenting to detachment from City of San Diego of certain territory in Bay of San Diego, and annexation to City of National City, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued 1 week - to January 11, 1955.

RESOLUTION NO. 121989, recorded on Microfilm Roll No. 89, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of A Street, between 16th and 17th Streets; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121900, recorded on Microfilm Roll No. 89, declaring following streets to be Through Highways:

San Jacinto Drive between south line of Churchward Street and north line of Olvera Avenue;

La Jolla Shores Drive between north line of Torrey Pines Road and west line of Torrey Pines Road at Miramar Road;

Albemarle Street between center line of Rachael Street (City boundary) and west line of Calle Serena;

Calle Serena between north line of Albemarle Street and south line of Alleghany Street;

Rachael Avenue (easterly side within City limits) between north line of Albemarle Street and south line of Alleghany Street, except at its intersection with Potomac Street;

Cleveland Avenue between north line of Washington Street and south line of Madison Avenue;

Orange Avenue between east line of 32nd Street and west line of Euclid Avenue, except at its intersections with 35th Street, 40th Street, Fairmount Avenue and Chamoune Avenue;

Fort Stockton Drive between east line of Arista Drive and north line of Lewis Street;

Lewis Street between north line of Fort Stockton Drive and west line of Hawk Street;

Meade Avenue between west line of Park Boulevard and west line of Maryland Street, except at its intersection with Cleveland Avenue;

declaring following intersections of streets to be "Intersection Stops":

Palomar Street and Electric Avenue affecting Electric Avenue traffic;  
 Harbison Avenue and Amherst Street, affecting Amherst Street traffic;  
 Home Avenue and Gateway Drive, affecting Gateway Drive traffic;  
 La Jolla Shores Drive - Miramar Road - Torrey Pines Road, affecting southbound Torrey Pines Road traffic;  
 Lincoln Avenue and Cleveland Avenue, affecting Cleveland Avenue traffic;  
 58th Street and Meade Avenue, affecting Meade Avenue traffic;  
 Madison Avenue and Cleveland Avenue, affecting Cleveland Avenue traffic;  
 Fort Stockton Drive and Arista Drive, affecting southbound traffic on Arista Drive;  
 Lewis Street and Fort Stockton Drive, affecting westbound traffic on Fort Stockton Drive;  
 Albermarle Street and Calle Serena, affecting northbound traffic on Calle Serena;

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

RESOLUTION NO. 121991, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego, a cooperative agreement with United States of America, Forest Service, for erosion control in Cleveland National Forest vicinity Black Canyon Recreational Area service road and Sutherland-San Vicente pipeline right of way access road; description of property and terms and conditions to be as set forth in form of cooperative easements filed in office of City Clerk as Document No. 503584, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121992, recorded on Microfilm Roll No. 89, authorizing City Manager to accept public work and improvement on behalf of The City of San Diego in La Jolla Vista Unit No. 3 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states that City Engineer has certified that public work and improvement required to be done (Plans and Specifications, City Clerk's Document No. 473709) has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 121993, recorded on Microfilm Roll No. 89, approving request of Royal Pipeline Construction Co., dated December 20, 1954, contained in Change Order No. 1, for extension of 30 days, to and including January 29, 1955, filed with City Clerk as Document No. 503505, in which to complete contract for improvement of small water main replacements, Group No. 12, contract contained in Document No. 491666; extending completion of contract time to January 29, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121994, recorded on Microfilm Roll No. 89, granting permission to Andy A. Carcano to make requested sewer connection between house garage and guest house utilizing sewer line presently existing, in order that system may be one practical unit; to serve property located at 5310 Coban Street; subject to approval of Chief Plumbing Inspector, Acting Director of Building Inspection Department and City Manager, upon conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121995, recorded on Microfilm Roll No. 89, granting permission to Standard Oil Company of California, Bank of America Building, San Diego 1, to install a 28-foot driveway on north side of University Avenue between points 2 feet and 30 feet east of east line of Richmond Street; also relocate first driveway north of University Avenue on east side of Richmond Street, between points 6 feet and 38 feet north of north line of University Avenue, adjacent to south 100 feet of Lots 10 to 13 Block 189 University Heights, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121996, recorded on Microfilm Roll No. 89, revoking revocable permit heretofore given to Star & Crescent Boat Company, a corporation, permittee, to install and operate pipelines for transmission of oil along and across California



Street and Hawthorn Street, by Resolution No. 116432 adopted January 26, 1954; directing City Clerk to transmit certified copy of the Resolution to the Star & Crescent Boat Company, San Diego, California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121997, recorded on Microfilm Roll No. 89, granting revocable permit to Tidewater Associated Oil Company, a corporation, to install, operate and maintain a pipeline for transmission of oil under, along and across California Street and Hawthorn Street, extending from its plant at Hawthorn and California Streets to the easterly line of the tidelands, connecting with the pipeline extending over and across said tidelands subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121998, recorded on Microfilm Roll No. 89, granting revocable permit to LeRoy Reed and Virginia M. Reed, 2418 Polk, San Diego, to install and maintain temporary water line in Laretta Street and Hueneme Street, to serve property described as Lot 7 Block 5 Silver Terrace, in accordance with Revocable Permit Application and Removal Agreement on file in office of City Clerk, and subject to all covenants and conditions therein contained, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 121999, recorded on Microfilm Roll No. 89, authorizing the City Attorney, on behalf of The City of San Diego, to file a 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. 193429, now pending in Superior Court of the State of California, in and for the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Resolution says that Maxson, a corporation, Bonwood Corporation and Fineview Corporation, have instituted action in Superior Court of State of California, in and for County of San Diego, against The City of San Diego No. 193429, seeking to quiet title to property described as 80 foot easement reserved for future street on Map of Allied Gardens Unit No. 2, being bounded by east line of Lot 132 on the west; on the north by north line of the street; on south by boundary line of the street; and on east by most easterly line of the tract, and alleging in action that City has no interest in the property; that the Council is advised by the City Manager that City has no interest in and to said real property, and that it will be in interest of the City and its inhabitants to save the City unnecessary expense and costs in defending litigation if the City herein exercises its statutory right and files disclaimer in the proceeding.

RESOLUTION NO. 122000, recorded on Microfilm Roll No. 89, approving claim of Pacific Telephone & Telegraph Company on file in Office of City Clerk as Document Nos. 491074 and 499101, in amount of \$258.61; directing City Auditor and Comptroller to draw his warrant in favor of Pacific Telephone & Telegraph Company and Gray, Cary, Ames & Frye, their attorneys, in amount of \$258.61 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122001, recorded on Microfilm Roll No. 89, approving claim of Lee H. Willardson, on file in Office of City Clerk under Document No. 501839 in amount of \$12.21; authorizing and directing City Auditor and Comptroller to draw his warrant in favor of Lee H. Willardson in said amount in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122002, recorded on Microfilm Roll No. 89, approving claim of Daley Corporation, on file in office of City Clerk under Document No. 493704 in amount of \$2,598.68, for \$1500.00; directing City Auditor and Comptroller to draw his warrant in favor of Daley Corporation and Procopio, Price, Corey & Schwartz, their attorneys, in amount of \$1500.00 in full settlement of the claim, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122003, recorded on Microfilm Roll No. 89, denying claim of Ann Delaney, on file in Office of City Clerk, under Document No. 501781, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122004, recorded on Microfilm Roll No. 89, denying claim of Rowe H. Feagin, on file in office of City Clerk under Document No. 502161, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122005, recorded on Microfilm Roll No. 89, denying claim of Howard R. Finkle, on file in office of City Clerk under Document No. 501547, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122006, recorded on Microfilm Roll No. 89, denying claim of Herschel Hise, on file in office of City Clerk under Document No. 502577, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122007, recorded on Microfilm Roll No. 89, denying claim of Edward D. James, on file in office of City Clerk under Document No. 502316, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122008, recorded on Microfilm Roll No. 89, denying claim of David T. Marlow and Clara B. Marlow, on file in Office of City Clerk under Document No. 501838, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122009, recorded on Microfilm Roll No. 89, denying claim of Martha F. Peppler, on file in office of City Clerk under Document No. 501579, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122010, recorded on Microfilm Roll No. 89, denying claim of Thomas L. Phillips, on file in office of City Clerk under Document No. 502165, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122011, recorded on Microfilm Roll No. 89, denying claim of Mrs. Aubey Shulkind, on file in office of City Clerk under Document No. 501701, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122012, recorded on Microfilm Roll No. 89, denying claim of Eva M. Wilkinson, on file in office of City Clerk under Document No. 501580, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

On motion of Councilman Burgener, seconded by Councilman Godfrey, 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.

ORDINANCE NO. 6372 (New Series), recorded on Microfilm Roll No. 89, establishing grade of Alley Block 4 Carmel Heights, between southerly line of Palm Street and northerly line of Nutmeg Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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 ordinance in full was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of passage a written or printed copy.

ORDINANCE NO. 6373 (New Series), recorded on Microfilm Roll No. 89,

122004 - 122012  
6372 N.S. - 6373 N.S.

establishing grade of East Tecolote Road between line parallel to and distant 764.73 feet northwesterly from northeasterly prolongation of northwesterly line of Wellington Street and line parallel to and distant 700.00 feet northwesterly from said parallel line, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Ordinance incorporating portions of Pueblo Lots 1202 and 1203 into RC and CP Zones, was taken up at the beginning of the meeting (page 70 of these minutes) instead of at this point, where it was listed on the agenda.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of Final Map of Clifford Point, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 122013, recorded on Microfilm Roll No. 89, authorizing and directing City Manager, for and on behalf of The City of San Diego, <sup>to execute</sup> a contract with Clifford O. Boren Contracting Co. Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clifford Point Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122014, recorded on Microfilm Roll No. 89, adopting Map of Clifford Point Subdivision, a portion of south 25 acres of southwest quarter of Section 33 Township 16 South Range 2 West San Bernardino Meridian; accepting Belle Isle Drive, portion of Euclid Avenue, together with any and all abutter's rights of access in and to Euclid Avenue adjacent to Lots 1, 2, 3, 4, 5 shown on the map and unnamed easements for public purposes; declaring them to be public street, portion of public street, unnamed easements and access rights and dedicated to public use; authorizing and directing Clerk to endorse upon the map, as and for act of the Council, that street, portion of street and unnamed easements as dedicated on the map together with any and all abutters' rights of access in and to Euclid Avenue, adjacent to Lots 1, 2, 3, 4, 5 shown on map, together with 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, California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Mayor requested, and was given unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 122015, recorded on Microfilm Roll No. 89, authorizing Councilman George Kerrigan to attend the League of California Cities Committee on Retirement meeting in Sacramento, California on Friday, January 7, 1955, and incur all necessary expenses in connection therewith, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

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

RESOLUTION NO. 122016, recorded on Microfilm Roll No. 89, directing that unused portion of prepaid rent for housing units formerly under control of Public Housing Administration and recently acquired by The City of San Diego may be refunded to the Payors thereof in accordance with practice heretofore prevailing under Public Housing Administration or as modified by City Manager, and that such refunds may be paid out of the Municipal Housing Revolving Fund upon approval of City Manager or a City officer designated by him for such purpose, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Mayor announced that he had asked the City Attorney to draw a Resolution for hearing on the Shattuck Plan (parking under Horton Plaza, with Convention Hall to the south).

Douglas D. Deaper, Deputy City Attorney, said that the Resolution is being prepared.

At 11:27 o'clock A.M., the Council took a recess until 12:00 o'clock Noon.

Upon reconvening, at 12:16 o'clock Noon, the roll call showed the following:  
Councilmen Wincote, Schneider, Kerrigan, Mayor Butler - present  
Absent-----Burgener, Dail, Godfrey

RESOLUTION NO. 122017, recorded on Microfilm Roll No. 89, setting hearing January 18, 1955, at 2 o'clock P.M. as date for public hearing to be held by City Council in Council Chambers, Room 358 Civic Center Building, 1600 Pacific Highway, on the question of amending the Master Plan of The City of San Diego by adding thereto a public Building Plan: Area bounded by Broadway, 3rd Avenue, 4th Avenue and E Street, to be designated for site for construction and operation of a public facility consisting of underground parking space and a municipal convention auditorium; directing City Clerk to publish notice of time and place of hearing at least once in a newspaper of general circulation at least 10 days prior to public hearing date, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The Mayor requested, and was granted, unanimous consent to present the next Resolution. He read it to the Council.

RESOLUTION NO. 122018, recorded on Microfilm Roll No. 89, urging the Congress of the United States of America to support and approve measures as may be introduced during current session:

(a) Validate payments of local taxes heretofore paid under protest by local defense manufacturers on inventories of materials held for use in defense contracts, and clarify obligations of defense manufacturers with respect to local taxation;

(b) Define and more clearly specify existing statutes that local taxes shall be paid or payments in lieu of local taxes shall be made by operators of Wherry Housing Project;

(c) Establish program for making payments in lieu of taxes by United States of America to state and/or local governmental agencies adversely affected by federal acquisition, ownership or use of defense production facilities and other property and installations required for national as distinguished from local purposes, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council, the 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

#### REGULAR MEETING

Chamber of The Council of The City of San Diego,  
California, Thursday, January 6,  
1954

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-  
ornia, Thursday, January  
6, 1955

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Clairemont Villas Unit No. 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 122019, recorded on Microfilm Roll No. 89, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Columbia Construction Company, a California corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Villas Unit No. 2 subdivision, and providing that subdivider may make payment for offsite sewer and water assessment district charges at the time building permits are issued; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122020, recorded on Microfilm Roll No. 89, adopting Map of Clairemont Villas Unit No. 2 Subdivision, subdivision of portion of Pueblo Lot 1243; accepting on behalf of the public streets and unnamed easements shown on the map: Aberdeen Street, Appleton Street, Baxter Street, Brillo Street, Firestone Street, Frink Avenue and Lehrer Drive and unnamed easements shown for public purposes; declaring them to be public streets and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that streets and unnamed easements are accepted on behalf of the public as stated; directing City 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 Burgener, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of College View Estates Unit No. 4, was presented.

RESOLUTION NO. 122021, recorded on Microfilm Roll No. 89, suspending Sections 102.09-1, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of College View Estates Unit No. 4, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of Tentative Map of College View Estates Unit No. 4, a 49-lot subdivision of portion of Lot 67 Rancho Mission, located adjacent to College View Estates Unit No. 1, north of Montezuma Road and westerly of State College stadium in lands recently annexed to The City, was presented. It reports that access to the subdivision is provided by extension of Manhasset Drive and Saxon Street, now existing in Unit No. 1 of College View Estates. Approval is subject to 11 conditions.

RESOLUTION NO. 122022, recorded on Microfilm Roll No. 89, approving Tentative Map of College View Estates Unit No. 4, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending acceptance of 4-foot public utility easement on and adjacent to east line of Lot 94 Block 68 Linda Vista Unit No. 3 - exchange - existing easement being adjacent to and easterly of proposed dedication with existing easement on Lot 93.

RESOLUTION NO. 122023, recorded on Microfilm Roll No. 89, adopting recommendation of City Planning Department, filed in office of City Clerk January

Communications  
122019 - 122023



5, 1955, under Document No. 503675, to accept 4-foot public utility easement on and adjacent to east line of Lot 94 Block 68 Linda Vista Unit No. 3, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Director reporting that term of office of 2 members of Board of Architectural Review will expire January 5, 1955, was presented. It states that Paul Kelley and Roscoe Hazard, Jr., have indicated that they will carry on a short while until their successors can be appointed, but neither feels he can spare the time necessary to serve on the Board. It reports that original appointment was for 1 year, but next term will be 3 years.

RESOLUTION NO. 122024, recorded on Microfilm Roll No. 89, referring to Council Conference communication from City Planning Director, re term of office of 2 members of Board of Architectural Review, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Planning Director reporting that 2 memberships of Board of Zoning Adjustment will expire January 19, was presented. It stated that Milton Lancaster and Henry Landt were appointed for terms of 1 year, that end of completion of this 1 year term, they or their successors are eligible for reappointment to 3 year term. It reports that Mr. Landt has indicated willingness to serve the City again, but Mr. Lancaster has not advised whether he would accept or not.

RESOLUTION NO. 122025, recorded on Microfilm Roll No. 89, referring to Council Conference communication from City Planning Director, re term of office of 2 members of Board of Zoning Adjustment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from J. William Brown, O.D., 3729 Tenth Avenue, San Diego, dated September 30, 1954, advocating preserving and improving Horton Plaza, in memory of its "founder", Father Horton, was presented.

RESOLUTION NO. 122026, recorded on Microfilm Roll No. 89, referring to Council Conference communication from J. William Brown, O.D., re Horton Plaza, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Frank Christenson, 4614 - 32nd Street, San Diego 16, dated Dec. 30, 1954, making suggestions for location of Convention Hall, was presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was referred to the hearing file.

In connection with the next item, Acting City Manager E. W. Blom said that it was just a copy of a letter from the City Engineer to the Purchasing Agent, approved by R. L. Beuthel for use of Gas Tax Funds. The copy refers to traffic signs to be installed on Wabash Freeway, etc.

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

#### Councilman Dail entered

Copy of communication from Linda Vista Development Co., signed by Charles C. Harvey, General Manager, addressed to Linda Vista Improvement Association, c/o Mrs. V. Robinson, Secretary, 7406 Hyatt Street, was presented. It was dated December 29, 1954.

The communication was read by the Clerk.

The Mayor said that Ordinance (for rezoning) is to be up for adoption next week.

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

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122024 - 122026

Copy of communication from Linda Vista Improvement Association, signed by Mrs. V. Robinson, secretary, dated January 3, 1955, was presented. It was addressed to Mr. C. W. Carlstrom, Linda Vista Development Co., Linda Vista Plaza, relative to the Linda Vista Business Center. The communication was read to the Council.

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

Councilman Godfrey entered

Communication from Robert J. McPherson, 2644 Teresita Street, San Diego 4, Calif., dated January 3, 1955, was presented. It states that it is a fitting time to suggest that the City Council consider the matter of having the City of San Diego take over the San Diego Transit System, and goes into the various phases of the local transportation system.

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

Communication from R. L. (Pop) Parsons, 2660 E Street, "Your independent candidate for Mayor", was presented. Dated Dec. 31, 1954, it mentions attaching a copy of his platform, but it was not attached. The communication suggests some other way of acquiring the desired 10th Street Dock without more bonds, as proposed by the Harbor Commission.

Mr. Parsons told the Council L.A. built a dock - the largest in the world - Matson Line paid for it. He told of need for a road to bring goods into San Diego for the Matson line.

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

Communication from R. J. Prince, Ted's Studio of Beauty, 3739 India Street, San Diego 1, was presented. It protests the manner of advertising on city buses, and declares it to be a disgrace. Communication says that the impression made on new comers and tourists is very bad, and it says it would be appreciated if the Council could do something about the situation.

RESOLUTION NO. 122027, recorded on Microfilm Roll No. 89, referring communication from R. J. Prince re advertizing on San Diego Transit buses to Council Conference, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Gwenneth L. Berry, 8590 Dallas, La Mesa, Calif., and others, dated December 30, 1954, objecting to excavation in subdivision known as Lake Park Homes, near La Mesa City line, was presented.

Charles W. Christenson, representing the engineers on the project, said that he wanted to know more.

The Acting City Manager stated that the people wrote to the Councils of La Mesa and San Diego. He made a verbal report regarding easement, sewer, high tension line. He said that in excavating for site grading, the developers have excavated into the easement, and left banks of 8 or 9 feet. Mr. Blom told the Council that they have also encroached into lots of the houses. He said that they have recourse to the courts. He spoke also of the road (Flume Road) on the map when owners bought. Mr. Blom identified the road as adjoining the easement in San Diego. He said that they are objecting to being denied use of road. Mr. Blom told the Council that the subdivider is working on closing, and a new easement. He referred to having fenced in yards, and a few having been using the road.

Mr. Christensen told the Council that there is an easement; not a dedicated street. He spoke of working out with the Gas Co. the matter of alley to the pole line. He said that the people he represents are neutral. He stated that if there is a dedication there would be double frontage lots. Mr. Christensen spoke of being in process of closing the road. He said that there is a tacit understanding with the Planning Commission that road is to be closed. He said that all knew there was a 33 foot strip which has to be closed.

Councilman Kerrigan contended that if it is dedicated it belongs to the public.

Mr. Blom stated that it is common to approve maps where it is tentative, that streets are closed through the courts.

Councilman Kerrigan spoke directly to Mr. Blom regarding the custom to work on streets before closing.

Mr. Blom said that it is seldom where there is a case like this. He stated that there should be agreement between the cities of San Diego and La Mesa.

Councilman Dail said that there is a similar case in his district, on Delta Street, in connection with National City. He said that work was done without jurisdiction.

Mr. Blom said that Councilman Kerrigan has a similar situation.

Mr. Christenson asked for reference back to the Planning Department.

Councilman Kerrigan said that it is his understanding that grading is done; 7 feet in San Diego, 7 feet in La Mesa.

Mr. Christenson agreed.

Councilman Kerrigan spoke about there being an 8-foot bank.

Mr. Blom stated that he wants to reply regarding it being a matter between the people and the subdivider; as well as reference of the Flume Road matter to the Planning Commission for consultation with the Planning Commission of La Mesa.

Councilman Kerrigan referred to liability against San Diego, and order by the City of La Mesa.

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

Communication from Evelyn Shaw, 8211 Paseo del Ocaso, La Jolla, dated January 4, 1954, was presented. It thanks the Council for attention given to her recent complaint re dogs running in the neighborhood. It attaches copy of letter written to the Evening Tribune.

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

Communication from Mayme N. Barnes, 4163 Boundary Street, re paving going to pieces before 6 months from installation, in 4100 block on Boundary Street, was presented. The Clerk reported to the Council that it was discovered the writer was making reference to a proceeding which is to be before the Council on the 11th of this month.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the communication was referred to the hearing on the 11th.

Communication from San Diego County Water Authority, 235 Broadway, San Diego 1, dated January 4, 1955, signed by Richard S. Holmgren, General Manager and Chief Engineer, was presented. It was a copy attached to one addressed to The City of San Diego relative to Resolution No. 121561 electing to serve water consumers within areas known as La Mesa Colony 2, Blethen Tract, La Mesa Colony 4, Rolando Tract, Butterfield Tract, La Mesa Colony 5, etc.

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

R RESOLUTION NO. 122028, recorded on Microfilm Roll No. 89, authorizing and directing Purchasing Agent to advertise for sale and sell automotive equipment, listed in the Resolution, belonging to Equipment Division, Department of Public Works, no longer desirable for use or retention by The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122029, recorded on Microfilm Roll No. 89, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of following locations:

Monte Vista Avenue at Marine Street;

First and Lewis;

Noyes at Chalcedony;

Noyes at Missouri;

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

RESOLUTION NO. 122030, recorded on Microfilm Roll No. 89, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead

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street light at each of the following locations:

Cowley Way, north of Iroquois Avenue, at Iroquois Avenue, mid block south of Neil Street, south of Calle Neil, at Calle Neil, north of Waco Street and at Waco Street;

Waco Street, at Knapp Street, and north of Knapp,

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

RESOLUTION NO. 122031, recorded on Microfilm Roll No. 89, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations:

Augustana Place at 2nd pole W/O Atlanta;

Baylor Street at Alcorn Place;

Adelphia Place at northerly end;

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

RESOLUTION NO. 122032, recorded on Microfilm Roll No. 89, authorizing City Manager to employ Griffith Company to do all work in connection with improvement of Grand Avenue, at not to exceed \$998.50, 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 has entered into contract with Griffith Company for paving and otherwise improving of Grand Avenue under a 1911 Street Improvement Act proceeding. It says that Drawings 2310-D and 2312-D show work to be done by The City of San Diego, that Griffith Company has offered to do work for \$998.50 and City Manager has recommended that offer be accepted and work be done by the contractor.

RESOLUTION NO. 122033, recorded on Microfilm Roll No. 89, authorizing City Manager to employ T. B. Penick & Sons to replace 51 lineal feet of curb, in connection with improvement of 29th Street, at not to exceed \$127.50, 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 has entered into contract with T. B. Penick & Sons for paving and otherwise improving 29th Street under a 1911 Street Improvement Act proceeding. It says that it is necessary that the work in addition to work provided for in the proceedings be done, and that T. B. Penick & Sons has offered to do the work at and for sum of \$127.50 and City Manager has recommended that offer be accepted and work be done by the contractor.

RESOLUTION NO. 122034, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 1 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 motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122035, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisor of County of San Diego, State of California, requesting that all taxes against portions of Lots 30 and 31 Block 3 McLaren's H Street 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122036, recorded on Microfilm Roll No. 89, directing Property Supervisor to file petition with Board of Supervisor of County of San Diego, State of California, requesting that all taxes against portion of Lot 1 Block 86 E. W. Morse's Subdivision of Pueblo Lot 1150, together with all penalties and

other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122037, recorded on Microfilm Roll No. 89, granting revocable permit to Anthony J. Conti, 7204 Mohawk Street, to install and maintain retainer cement wall to enclose front and west side of owner's property (7204 Mohawk Street) - Lot 24 Block 16 La Mesa Colony Map 346 - in accordance with Revocable Permit Application and Removal Agreement on file in office of City Clerk, subject to all covenants and conditions therein contained, was on motion Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122038, recorded on Microfilm Roll No. 89, granting revocable permit to Dr. Clyde R. Kennedy, 4494 Hortensia Street to install and maintain water line in Arista Street to serve property described as Lot 2 Block 501, and Lot 1 Block 500 Old San Diego, in accordance with the Revocable Permit Application and Removal Agreement on file in office of City Clerk, subject to all covenants and conditions therein contained, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122039, recorded on Microfilm Roll No. 89, allowing claim of Israel Abramovitz, 5034 Auburn Drive, San Diego 5, for refund of \$3.50 Building Permit fee, paid December 7, 1954, as evidenced by Building Inspection Department Receipt No. 36674; authorizing and directing City Auditor and Comptroller to issue warrant in sum of \$3.50, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122040, recorded on Microfilm Roll No. 89, accepting subordination agreement, executed by Abram Wood and Myrtle E. Wood, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date December 30, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lots 27 and 28 Block 23 Fairmount Addition to City Heights, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122041, recorded on Microfilm Roll No. 89, accepting quitclaim deed of The Pacific Telephone and Telegraph Company, a corporation, bearing date December 13, 1954, quitclaiming to owners of Lot 74 City Gardens Tract, any interest Grantor may have by virtue of that certain dedicated general public utility easement shown on Map 1422; 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122042, recorded on Microfilm Roll No. 89, accepting deed of Helen Homesley, bearing date December 30, 1954, conveying easement and right of way for street purposes in portion of Lot 29 La Mesa Colony; setting aside and dedicating land to use as public street and naming it Catoclin 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 Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122043, recorded on Microfilm Roll No. 89, accepting deed of O. D. Arnold and Sons, bearing date December 27, 1954, conveying easement and right of way for street purposes in portion of North 1/2 of Southwest 1/4 of S.E. 1/4 of N.E. 1/4 of Section 33 Township 16 South, R2W San Bernardino Meridian, being



portion of Rancho Mission; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122044, recorded on Microfilm Roll No. 89, accepting deed of San Diego Unified School District of San Diego County, bearing date December 16, 1954, conveying easement and right of way for Cathodic Protection Anode purposes in portion Lot 39 Horton's Purchase Ex-Mission Lands of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122045, recorded on Microfilm Roll No. 89, accepting deed of Howard A. Hemphill and Jessie F. Hemphill, bearing date December 22, 1954, conveying easement and right of way for sewer purposes in portion of Lot 53 Horton's Purchase; 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. 122046, recorded on Microfilm Roll No. 89, accepting deed of Jerry Puerile and Mary Puerile, bearing date December 22, 1954, conveying easement and right of way for sewer purposes in portion of Lot 53 Horton's Purchase; 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. 122047, recorded on Microfilm Roll No. 89, accepting deed of Harry J. Vance and Irene A. Vance, bearing date December 22, 1954, conveying easement and right of way for sewer purposes in portion of Lot 53 Horton's Purchase; 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. 122048, recorded on Microfilm Roll No. 89, accepting deed of Western Mutual Corporation, bearing date December 27, 1954, conveying easement and right of way for sewer purposes in portion of Lot 53 Horton's Purchase; 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. 122048, recorded on Microfilm Roll No. 89, accepting deed of B. Nobles, bearing date January 3, 1955, conveying easement and right of way for storm drain purposes in portion of Lots 25 and 26 City Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

ORDINANCE NO. 6374, (New Series), recorded on Microfilm Roll No. 89, providing for Sick Leave with full pay for Policemen, Firemen and Lifeguards Who are at present members of The City Employees' Retirement System, 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 Burgener, Ordinance incorporating portions of Pueblo Lots 1236 and 1237 into CP and C Zones, as defined by Sections 101.0410 and 101.0411 of San Diego Municipal Code, was ~~on motion of Councilman Kerrigan, seconded by Councilman Burgener,~~ introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance incorporating Lots 14, 15 and 16 Block 190 University Heights into C Zone as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance No. 12988, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Councilman Dail handed in a letter from Pacific Flower Exposition - San Diego, Inc., Balboa Park, signed by Mrs. Allan D. Zukor, general chairman, dated January 5, 1955, was presented. It asks, in connection with Flower Show to be held March, 1955 in Electric Building, Balboa Park, for elimination of percentage of 15% over the sum of \$1600. The communication goes into detail re similar events held elsewhere; the attraction of this event, the cost, and disposition of proceeds.

RESOLUTION NO. 122050, recorded on Microfilm Roll No. 89, referring communication from Pacific Flower Exposition-San Diego, by Mrs. Allan D. Zukor, general chairman, to Council Conference, to be held not later than Tuesday, January 11, 1955, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

After adoption of the Resolution, Councilman Dail handed the Clerk a note stating that Conference shall be held Tuesday, at 8:15 A.M.

Glenn A. Rick, Planning Director, requested, and was granted unanimous consent to present an item not listed on the agenda. He spoke about request for a subdivision in Pueblo Lot 183 with no sidewalk, on Point Loma. No papers in connection with the verbal presentation were filed. Mr. Rick told the Council that W. W. Hollis came down from San Francisco on the subject.

Councilman Wincote moved to allow continuance with the subdivision, without installation of sidewalk. Councilman Burgener seconded the motion.

Mr. Rick stated that the Planning Commission had said "no" to the request.

Councilman Kerrigan referred to Council Resolution and policy about sidewalks.

Councilman Wincote told the Council that he is familiar with the area, and sees no reason for sidewalks there.

Councilman Dail said that if somebody else comes along, this situation would be used as a precedent. He referred to a long policy.

Councilman Wincote pointed to a map on the Council table, and stated that there is no sidewalk in the area.

Councilman Dail said that policy or not, the request is based on rural atmosphere where property is situated.

Councilman Kerrigan asked if sidewalks are necessary.

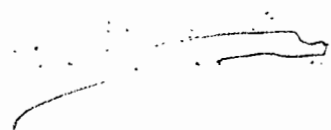
There was discussion by several over the character of the property.

Mr. Hollis told the Council that it is to be developed, and that when sidewalks are installed in the area, they will be here. He made reference to Resolution No. 121819. Mr. Hollis told of the place having been for sale 2 years, but that it is impossible to sell because it is too big.

Councilman Kerrigan talked directly to Mr. Hollis regarding possibility of protest on a future sidewalk proposal under 1911 Act proceeding. He said that there is no way to compel the sidewalk installation, after property is subdivided, under a present agreement. He spoke of fights in areas where sidewalks had been left out. Mr. Kerrigan contended that the basic argument is regarding the corner lot. He re-iterated that the City can't force installation, after property is subdivided.

Mr. Hollis pointed out to the Council that Albion Street had been improved under a 1911 Act proceeding, with no sidewalks. He stated that if he has to put in sidewalks it would mean that existing wall would be on City property.

Ords. introduced  
U.C. Pacific Flower Exposition-San Diego under U.C.  
Subdiv in P/L 183 under  
U.C. - no sidewalks  
122050



He stated that it had been put in, under permit, in 1951. He referred to having been "here" under a zone variance request (for the wall).

Mr. Rick said that it was not on public property.

Mr. Hollis spoke of there being less than 36 inches to the wall.

Councilmen Burgener, Kerrigan, and Mr. Rick showed a map to Mr.

Hollis.

Mr. Rick said that Mr. Hollis was talking about the wall on private property in 1951, at a time there was no intention to subdivide. The situation now has to do with Jennings Street widening.

The Mayor said that the wall would not have to be removed.

E. W. Blom, Assistant City Manager, said that the owner would have to move the obstruction, in way of the sidewalk. He said that obstruction can be a bank or a tree, as well.

Councilman Kerrigan said that if the owner subdivides, he would have to dedicate the street, then sidewalk would be in the area. He said that the owner has given nothing - until a subdivision is in.

Mr. Hollis said that he gave the street.

Councilman Schneider asked why 5 feet would be needed.

Mr. Rick referred to being as the pointed out on a map.

Councilman Wincote said that it a 50 foot street.

Councilman Burgener stated that he wants to look at the property.

Councilman Wincote spoke about owners in the area wanting to be left alone, in that they want to avoid heavy traffic.

Mr. Rick stated that a 60 foot street is needed.

Mr. Hollis stated that the corner is rounded off; the curb is in.

Mr. Rick read requirements of the Resolution, for the subdivision.

Councilman Wincote stated that the area has to be seen, before it is realized what the situation is.

Discussion was entered into between Councilmen Godfrey and Wincote over the suggestion, as the result of an earlier comment made by Councilman Wincote on a similar proposal to look at an area.

Mr. Rick said that Silvergate is on the Major Street plan, with portion eliminated. He said that dedication on Silvergate would be required. He referred to there being a lot of activity on Silvergate.

Mr. Hollis said that sidewalk was omitted on Albion.

Councilman Kerrigan said that activity of subdividing would continue, and that there will be no sidewalks.

Mr. Rick said that the property was up on hearing for zoning, and was left in R-1. He said that a buyer would not be committed to putting in the sidewalks.

Councilman Kerrigan said that sidewalks are required in subdivisions.

Mr. Hollis said that he would make a 3-lot subdivision, if necessary.

Councilman Burgener asked if it would then be eligible for no-sidewalks.

Mr. Rick asked to have the item sent back to the Planning Department.

Councilman Godfrey said that Mr. Hollis might discuss details with Mr. Rick, and have it continued 1 week. He stated that no purpose would be served to continue it, unless the Council looks at the property.

RESOLUTION NO. 122051, recorded on Microfilm Roll No. 89, continuing the verbal presentation of the Planning Director and W. W. Hollis regarding permission to leave sidewalks out of a proposed subdivision in portion of Pueblo Lot 183 1 week and referring the subject to Mr. Rick and Mr. Hollis for discussion, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Members of the Council signed Undertaking for Street Lights with San Diego Gas & Electric Co. in Seventh Avenue Lighting District No. 1, and in Eighth Avenue Lighting District No. 1.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:04 o'clock A.M. He announced that the Council would go into Conference immediately.

ATTEST:-

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*John D. Buttle*  
Mayor of The City of San Diego, California

Subdivision in P/L 183 under  
U.C. = no sidewalks  
Lighting Undertakings signed  
Adjournment

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, January 11, 1955

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

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

Rev. Clarence Bowman, First Church of the Brethren, was presented by the Mayor. All present were requested to arise for the invocation given by Rev. Bowman.

A birthday cake was presented to Councilman Charles C. Dail. At the request of the Mayor, "Happy Birthday, Charlie" was sung to him.

Service Awards were given to City employees - as listed on the agenda - for their long-time service with the City. Prior to their presentation, the Mayor also gave pins to Councilman Charles B. Wincote - 10 years; City Manager O. W. Campbell - 5 years.

Then he presented awards to Evelwyn Gordon, Supervising Librarian, San Diego Public Library - 30 years, and a scroll; Harley O. Carroll, construction and maintenance foreman II, Division of Streets, Public Works Department - 25 years; Harry V. Newcomb, Assistant Civil Engineer, City Engineer's Office - 25 years.

Councilman Kerrigan was excused out

Minutes of January 4 & 6 were approved with reading, and were signed by Mayor

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in Talmadge Park Lighting District No. 2, for 1 year from and including March 1, 1955, the Clerk reported that 1 bid had been received. On motion of Councilman Schneider, seconded by Councilman Wincote, it was publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by check written by San Diego Trust and Savings Bank in sum of \$31.62, given Document No. 503966.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in Talmadge Park Lighting District No. 3, for 1 year from and including March 1, 1955, the Clerk reported that 1 bid had been received. On motion of Councilman Burgener, seconded by Councilman Wincote, it was publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by check written by San Diego Trust and Savings Bank in sum of \$83.64, given Document No. 503965.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for on Resolution No. 121530 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

Invocation  
Councilman Dail's birthday  
Service Awards - incl. Councilman  
Wincote, City Manager Campbell  
Bids



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 Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121531 for paving and otherwise improving 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.

On motion of Councilman Wincote, seconded by Councilman Schneider, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121532 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.

On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121533 for paving and otherwise improving Winnett, Tooley, Fulmar, Republic, Oriole Streets, Swan and Paradise Streets, the Clerk reported that written protests had been received from Deland Saville and Lois Saville, and from Marilyn Fenwick-Thompson and Harlow West-Thompson. They were presented to the Council.

The City Engineer reported a 1.9% protest.

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. 122052, recorded on Microfilm Roll No. 90, overruling and denying protest of Deland Saville and Lois M. Saville (the Thompson protest had actually arrived after the hearing had been held); overruling and denying all other protests against paving and otherwise improving Winnett, Tooley, Fulmar, Republic, Oriole, Swan and Paradise Streets, under Resolution of Intention No. 121533, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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 Resolution No. 121650 of Preliminary Determination for paving and otherwise improving Boston 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. 122053, recorded on Microfilm Roll No. 90, determining that paving and otherwise improving of Boston Avenue, under Resolution No. 121650 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 paving and otherwise improving C Street, Pickwick Street, E Street, 33rd Street, under Resolution No. 121651 of Preliminary Determination, the Clerk reported that no written protests had been received.

The City Engineer reported that the new freeway will cut through portion of the property. He said that it would be better to abandon the project.

Hearings  
122052 - 122053

Councilmen Wincote and Schneider asked why the hearing should not be continued, instead of abandoning the project.

Councilman Kerrigan returned to the meeting

The City Engineer told the Council that he does not know how the paving would be affected by the freeway.

Councilman Schneider said that people affected should know why the project is abandoned.

Councilman Dail referred to the same thing having been done before.

The City Engineer said that the project includes several streets. He said that the only part affected would be between Broadway and E Street. He said that this is the first hearing, and told the Council that he could "just chop out a portion".

Councilman Godfrey wondered about the right procedure.

The City Engineer said that the Council can continue the hearing, and that notices can be sent to the affected property owners.

Councilman Dail pointed out that the proposal has to do with getting out of the mud and the dust.

Councilman Wincote stated that this is done as a result of petition for the improvement, before the Council.

The City Engineer said that not too much is affected by the freeway, and that a portion of the grade may be changed. He told the Council that he does not know what the State plans.

Councilman Dail told of the property owners wanting the improvement a long time. He said that if the project is abandoned it would be another 3 months before being re-instituted.

Douglas D. Deaper, Deputy City Attorney stated that there would be some change.

The City Engineer stated that the freeway may be 3 years away.

Councilman Dail stated that people on F Street, between 28th and 30th think the project should not have been abandoned.

Councilman Schneider observed that the Council should have the complete story. He asked that property owners indicate what is wanted.

Councilman Godfrey said that this is a unique situation. He said he felt that the City should stipulate regarding oiling, on account of the freeway.

Councilman Dail pointed out that between 28th and 30th Streets there is heavy traffic.

The Mayor said that the Council can adopt "this".

RESOLUTION NO. 122054, recorded on Microfilm Roll No. 90, determining that proposed improvement of C Street, Pickwick Street, E Street and 33rd Street, under Resolution No. 121651 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

Res. No. 122055 The proceedings were referred to the City Manager and City Engineer for an explanation to the affected property owners.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121652 of Preliminary Determination for paving and otherwise improving Commercial 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.

The City Engineer told the Council that proceedings should be referred back to him regarding a "stub street".

RESOLUTION NO. 122056, recorded on Microfilm Roll No. 90, continuing hearing on Resolution No. 121652 until January 18, 1954; referring the proceedings back to the City Engineer relative to a "stub street", 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 for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 4, for period of 1 year from and including

April 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 written protests were presented.

RESOLUTION NO. 122057, recorded on Microfilm Roll No. 90, confirming Engineer's Report and Assessment for Talmadge Park Lighting District No. 4; adopting the report as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Godfrey was excused.

The hour of 10:00 o'clock A.M. having arrived, the time set for on Assessment No. 2311 made to cover costs and expenses of paving and otherwise improving Boundary Street, under Resolution of Intention No. 116400, the Clerk reported that written appeals had been received from Mrs. Mayme N. Barnes and from Delia A. Severin. They were presented to the Council.

The City Engineer reported 3.6% protest, and that there is only normal minor cracking.

No verbal protests or appeals were made.

RESOLUTION NO. 122058, recorded on Microfilm Roll No. 90, overruling and denying appeals of Mrs. Mayme N. Barnes and Delia A. Severin from Assessment No. 2311 made to cover costs and expenses of paving and otherwise improving Boundary Street under Resolution of Intention No. 116400; 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 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. 2312, made to cover cost and expenses of paving and otherwise improving Commercial Street, under Resolution of Intention No. 117357, 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 or appeals were filed.

RESOLUTION NO. 122059, recorded on Microfilm Roll No. 90, confirming and approving Assessment No. 2312 made to cover cost and expenses of paving and otherwise improving Commercial Street under Resolution of Intention No. 117357; approving the 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 office of Street Superintendent the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Godfrey returned

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Assessment No. 2309 made to cover cost and expenses of installing ornamental lighting system in Broadway, under Resolution of Intention No. 117254, the appeal and the Street Superintendent's recommendation for correction and modification of the assessment, was presented.

Douglas D. Deaper, Deputy City Attorney, stated that the Council should "sustain the appeal for the split".

RESOLUTION NO. 122060, recorded on Microfilm Roll No. 90, sustaining appeal of The Atchison, Topeka and Santa Fe Railroad Company from Street Superintendent's Assessment No. 2309 made to cover expenses of installing ornamental lighting system in Broadway, between Pacific Highway and 8th Avenue, under Resolution of Intention No. 117254; modifying and correcting the Street Superintendent's (confirming and approving it); 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 Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution to call special election within territory known as "Grantville-Rancho Mission Tract", relative to annexation to the City of San Diego, 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, Ordinance calling and providing for and giving notice of Special Election to be held in territory known as "Grantville-Rancho Mission Tract", in the County of San Diego, State of California, on Tuesday, February 15, 1955, for the purpose of submitting to electors residing therein the question whether the territory in said Tract shall be annexed to, incorporated in and made part of the City, etc., was introduced.

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

ORDINANCE NO. 6375 (New Series), recorded on Microfilm Roll No. 90, calling and providing for and giving notice of special election to be held in territory known as "Grantville-Rancho Mission Tract" in the County of San Diego, State of California, Tuesday, February 15, 1955, for purpose of submitting to electors residing therein the question whether the territory in said Grantville-Rancho Mission Tract shall be annexed to, incorporated in and made a part of The City of San Diego, and that property therein shall, after such annexation, be subject to taxation equally with the property within The City of San Diego to pay bonded indebtedness of said City outstanding at the date of such annexation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The next item was taken up out of order, to accommodate a number of interested individuals who were present, at the request of Councilman Dail.

It was the proposed Ordinance incorporating portions of Pueblo Lots 1202 and 1203 (roughly described as the Linda Vista area; northerly of Chesterton; between Linda Vista Road and Cabrillo Freeway).

Councilman Dail moved to dispense with reading of the Ordinance and adopt it; Councilman Burgener seconded the motion.

The Mayor announced that the proposed rezoning had been considered by the Council, after a hearing of over 4 hours. He stated that the hearing was held, and closed; hearing was re-opened; closed again. He said that the only thing before the Council is adoption of the Ordinance. He pointed out that there is no time limit placed on request for another petition for the rezoning.

Councilman Wincote stated that it requires 5 affirmative votes on the ordinance, in order to overrule the Planning Commission's action of denial recommendation.

Councilman Schneider pointed out that the situation is defined in the Charter.

The Mayor stated that hearing had been held twice.

Councilman Godfrey said that he had talked with a great many people in the district. He spoke of there being 2 problems. He said that this rezoning will evidently not take place - not on this. He told of consideration regarding commercial area, and that patterns have been changed. Mr. Godfrey said that "this" is not right. He agreed that there is need for some commercial area, but not 12, 15 or 17 acres. He said that is not necessarily attached to this.

The Clerk spoke of a new letter.

A man who appeared to be leader for the proponents of the rezoning spoke. He gave the name of Noel Darling, as the Clerk understood it (a check with the Planning Director, and in the City Directory was of no held). He asked if 17 acres is too large a site. He pointed out that the area is growing in all directions - particularly north and east. He told the Council that what is in Linda Vista is not adequate. He asked that if what is proposed is too much, what is wanted.

Several unidentified women spoke from the audience at once. None came to the microphone, or gave her name.

Councilman Godfrey spoke to the people in the audience about the Linda Vista people. He declared that there is plenty of commercial area in the Linda Vista area, and that people of Linda Vista had been "stirred up". He spoke of the City's need for consideration of the commercial area location, as well as size.

The Mayor said that many in the audience are from Magnolia Downs and other surrounding areas.

Councilman Godfrey declared that this is not proper zoning.

Discussion continued between Councilman Godfrey and several unidentified individuals from the audience.

Councilman Dail referred to the subdivision areas which have been laid out.

6375 N.S.

Hearing - unscheduled - re rezoning in  
P/Ls 1203 & 1202 (Linda Vista area)



Glenn A. Rick, City Planning Director, spoke for distinguishing between a C Zone and a shopping center.

The Mayor left the meeting.

Vice Mayor Charles B. Wincote took the Chair.

Mr. Rick showed a map to the audience.

Mr. Rick, Councilman Godfrey, and Mr. Darling continued with a discussion between themselves.

The Vice Mayor spoke to property owners in the audience. He said that what they want is not before the Council. He stated that "this" is a losing proposition; property owners can bring in another proposal. He repeated that "this" is lost. The Vice Mayor said that Councilman Schneider wants to clarify the situation, and spoke of it being known of the rules under which the City works. He said that it might be the same, or another area, on another hearing.

Councilman Dail said that although the property is not in his district, a committee called on him on Sunday. He stated that those people are not here. He related a suggestion made regarding Councilman Godfrey working with them, for another petition. He expressed a willingness to assist.

Mr. Darling asked why Councilman Dail objects.

Councilman Dail told of having explained, and of having been to meetings in the community. He stated that there is no point in continuing explanations. He said that vote was on convenience, necessity and magnitude. He pointed out that the population in Linda Vista has dropped, and that maps have been filed for subdivisions. He said that there is no final map. He told of need for study by the Planning Commission. Mr. Dail said that convenience and necessity are now the point. He told of the item having been put on the Conference agenda, having been considered in regular session, and that the vote on the Ordinance was final. He spoke of "immense amount of pressure". He told of people having gone out and stirred up discontent. Mr. Dail said that he does not want to change his vote.

The Mayor returned to the meeting, but did not take the Chair.

The Vice Mayor, who remained in the Chair, stated that the Council can re-open the hearing. He said that it can go on the docket for Thursday. He said that the issue should be determined, if there is a hearing.

The Mayor took the Chair.

Councilmen Burgener and Schneider asked to have the letter read.

The letter referred to was signed by Mrs. Wm. A. Simpson, Mrs. Buttner, dated 1/10/54 - "The Representatives of Vista Park, Magnolia Downs, Kearny Mesa & Miramar". It says that homeowners of the previously-listed areas demand to be heard in the controversy on rezoning of land on Kearny Mesa, Jan. 11.

Councilman Godfrey said that he is on their side, too, but that he voted against the Ordinance. He stated that there has been so much information that it is pitiful. He declared that it will not be 17 acres (if the rezoning takes place). He said that hearings have been held and closed, that if the Ordinance is voted down it does not mean that the area will not have a commercial zone. He said that the action does not shut the door. Mr. Godfrey stated that the area near the school is not properly located for the zone proposed. He stated that the residents have a good point regarding serving the need. He re-iterated that it does not close the door if the proposal is voted down. He stated that the Council can set the wheels in motion.

The Mayor referred to the request for hearing (the letter referred to, signed by Mrs. Simpson and Mrs. Buttner). He spoke of it being evidently on a parcel covered by Council hearing which has been had and closed. He stated that the Council may direct the Planning Commission to look at the area. The Mayor said that he does not want to re-open the hearing. He stated that the case should be determined, and the Council decide the issue by motion regarding new facilities.

Councilman Burgener asked what purpose would be served by a further hearing. He said that things have been brought out.

Mr. Darling addressed the audience, saying that owners can petition for a further hearing, and re-submit a request for the zoning.

Several unidentified individuals, who did not arise or give their names, continued to talk.

The Mayor stated that Councilman Godfrey proposes a revaluation by the Council and the Planning Commission, with broader consideration.

Mrs. Betty McDaniel told the Council that she understands that there is supposed to be notice given.

Mr. Rick replied that notice was published only for the Planning Commission's hearing - not the Council's.

Councilman Burgener said that it was published, and the Planning Department has a record of where notices were posted.

Hearing - unscheduled - re rezoning in P/Ls 1203 & 1202 (Linda Vista area)



Mrs. McDaniel came to the microphone and asked what would be a better zone.

The question was not answered.

The roll was called on the motion to dispense with the reading of the Ordinance and to adopt it, resulting in the following: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan. Nays--Councilmen Dail, Godfrey, Mayor Butler. Absent--None.

(The motion did not carry; the ordinance was not adopted, inasmuch as it would take 5 affirmative votes, inasmuch as the Planning Commission's vote was 4 to 1 to deny the rezoning).

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The Mayor interrupted the previous hearing, momentarily, to recognize visitors - a large group of students from Woodrow Wilson Junior High School, accompanied by Miss Greenwood, Teacher.

As he introduced them, there was applause from the audience.

The Mayor announced that his absence had been to welcome the group to his office.

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Councilman Godfrey moved to instruct the Planning Commission to begin a study in Vista Park, near the school, and inclusion in C and RC Zones.

The motion was not seconded.

Councilman Godfrey moved to instruct the Planning Commission to "begin a study". Motion was seconded by Councilman Schneider.

Douglas D. Deaper, Deputy City Attorney stated that it is not clear whether property owners are asking for a review, or for rezoning. He said that there is the matter of \$50.00 involved in the rezoning petition.

Councilman Godfrey said that it is not specific regarding the property involved. He said that the Planning Department can determine the needs.

Councilmen Wincote and Godfrey entered into a discussion.

Councilman Godfrey referred to meeting with the people affected.

Councilman Schneider spoke for need to make a study, but not necessarily "this" piece of property. He said that the human element does not enter into the picture. He stated that affected individuals want to be notified.

Councilman Dail spoke of the need for a shopping center. He said that the only question is "this" area, as well as the magnitude of the proposed rezoning.

Councilman Burgener spoke to members of the audience regarding procedure, and no speeches. He said that it would be necessary for the Council to hear both sides, rather than any 1 side present.

Frank Frye, Jr., attorney, said that the Planning Commission has already made a study and given approval.

The Mayor said that the Council is aware of that.

Councilman Dail said that is a misleading statement; a complete study has not been made.

Councilman Godfrey said that the item could go on to next Friday, that the Planning Department in making a study was regarding this specific thing. He spoke of Mr. Frye as being attorney representing Safeway, and that there are people trying to sell real estate. He said that both are fair. He stated that study was of "this 1 thing". Mr. Godfrey said that he thinks the people will get needed facilities, and that they will be well located.

Councilman Godfrey moved to amend his motion: that "upon receipt of the report on the situation, the people who live in the area be invited in for future discussion, and that they be notified - in a month or two".

The roll was called, resulting in

RESOLUTION NO. 122061, recorded on Microfilm Roll No. 90, instructing the Planning Commission to begin a study in the Vista Park area for establishment of C and RC Zone, and that upon receipt of report on the situation the people who live in the area be invited in for future discussion to which they be invited - in a month or two - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on 5 bids received for furnishing approximately 300 tons of Sodium Silicate for period of 6 months beginning January 15, 1955, was presented. It recommends acceptance of low bid of McKesson & Robbins, Inc., at \$1.265 cwt., terms net 30 days, plus State Sales Tax.

RESOLUTION NO. 122062, recorded on Microfilm Roll No. 90, accepting

Hearing - unscheduled - re rezoning in  
P/Ls 1203 & 1202 (Linda Vista area)  
Discussion cont. re rezoning in the area  
122061 - 122062

bid of McKesson & Robbins, Inc., for furnishing approximately 300 tons of Sodium Silicate for 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on 7 bids received for furnishing 8 items of Gate Valves and Tapping Valves (242 Valves), recommending acceptance of bid of Industries Supply Company of San Diego, low bidder meeting specifications, at total price of \$20,853.00, terms 2% 30 days, plus State Sales Tax, was presented.

RESOLUTION NO. 122063, recorded on Microfilm Roll No. 90, accepting bid of Industries Supply Company of San Diego furnishing Valves; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Bulk Quick Lime for period of 6 months beginning January 1, 1955, recommending award to Arrowhead Lime & Chemical Co. Sales Division United States Lime Products Corporation, at the prices including options set out in the report, was presented.

RESOLUTION NO. 122064, recorded on Microfilm Roll No. 90, accepting bid of Arrowhead Lime & Chemical Co., Sales Division, United States Lime Products Corporation for furnishing Bulk Quick Lime for 6 months, January 1, 1955 through June 30, 1955 at \$17.05 per ton, f.o.b. Sloan and/or Henderson, Nevada, plus transportation charges of \$10.40 per ton, less \$0.25 per ton for payment by 10th prox., plus State Sales tax based on f.o.b. Sloan and/or Henderson price; contract including option to extend contract for 6 months; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122065, recorded on Microfilm Roll No. 90, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Bon Air Street, La Jolla Boulevard, Nautilus Street, Westbourne Street and public rights-of-way in Blocks A and G Starkey's Prospect Park, under Document No. 503765; 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. 122066, recorded on Microfilm Roll No. 90, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sanitary sewer in Ingrham Street at Felspar Street, Pacific Beach, under Document No. 503766; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, recommending denying petition to close 10-foot path adjacent to Lots 1 and 29 Block P and Lots 17 and 18 Block Q Fairmount Park; was presented. Communication states that path was dedicated in Fairmount Park at request of Planning Commission to give a "short-cut" pedestrian way between Parrott Street and Rowan Street in an excessively long (1800 foot) block.

RESOLUTION NO. 122067, recorded on Microfilm Roll No. 90, denying petition requesting closing path in Fairmount Park, as recommended by Street Superintendent under Document No. 503879, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Arthur C. Eddy, County Assessor, dated January 4, 1955, responding to a request for information regarding assessment problems on tide-

Communications  
122063 - 122067

land properties, in connection with tideland leases, etc., was presented. In addition to the various items in the communication, the writer says that it is felt important that there be closer cooperation between the Assessor's Office, the City Council and the Harbor Department.

Councilman Schneider said that he wanted the letter read.

RESOLUTION NO. 122068, recorded on Microfilm Roll No. 90, referring to Council Conference communication from Arthur Eddy, County Assessor, regarding assessment problems on the tidelands, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Bird Rock Elementary Parent Teacher Association, La Jolla, dated January 5, 1955, signed by Nancy Beman Ward (Mrs. Martin Ward) - no address, was presented.

It speaks of the hazardous condition existing on the shoreline, adjacent to Pueblo Lot 1783, in Pacific Riveria Section.

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

Communication from G. C. Weldin, Captain, U.S. Navy (Retired), Box 54 Rancho Santa Fe, California, being mimeographed document addressed to Public Utilities Commission, State of California, in protest against further P.T.&T. rate increases - with copies shown addressed to many individuals and groups, was presented.

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

Communication from property owners in 5500 block on Waverly Avenue, conditionally accepting City offer to grade, oil and maintain the street for 1 year, was presented.

Douglas D. Deaper, Deputy City Attorney, told the Council that the item came to Councilman Burgener several weeks ago. He said that it is returned to the Clerk, and needs only to be filed.

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

Communication from Cecil F. Holley; Crittenden, Holley & Gibbs, attorneys at law, Suite 602 Scripps Building, San Diego 1, dated December 30, 1954, was presented. It requests reconsideration of Resolutions 121820 and 121821, in connection with Tentative Map for Resubdivision of Lots 11 and 12 Block 148 Roseville, submitted by Lyle W. Butler.

Douglas D. Deaper, Deputy City Attorney, pointed out to the Council that there is no provision regarding Tentative Maps for notification to owners of adjoining property. He stated that the Council can listen to Mr. Holley, or refer the item to Conference or to the Planning Commission. He stated that the Tentative Map Resolution could be amended.

Glenn A. Rick stated that Mr. Holley did appear, and that he was present at hearing on the hearing date.

Mr. Holley said that the Commission adopted its own map - not Mr. Butler's.

Mr. Rick said that map called for change, that the Commission proposed setbacks on 2 streets.

Mr. Holley said that there was a 15 foot setback on Russell.

Mr. Rick stated that the City requires 15 foot setback on streets, where it is the front.

Several individuals looked over a map spread on the Council table.

Mr. Holley told the Council that the house (Butler) would be 2-1/2 feet further out.

Mr. Rick told the Council that the owner has to keep 7 feet back now, whereas nothing was required before.

Mr. Holley said that Mr. Butler requested a 0 setback on Russell, but that he opposed it. He said that Lundy (Victor Lundy, member of the Planning Commission) made a compromise matter. He stated that where there is a change in setbacks affected people in the neighborhood should be heard. Mr. Holley told the Council of cutting off his view on Russell Street. He stated that the compromise

Communications

Verbal presentation of Cecil F. Holley

re Resub por Elk 148 Roseville

122068 -



was not his or Mr. Butler's.

Councilman Schneider said that the compromise was acceptable to Mr. Butler.

Cornelius Butler (who is apparently interested, also) said "yes".

Councilman Schneider, spoke directly to Mr. Holley regarding the location and view.

Mr. Holley said that it does affect the view; his house is built at an angle, and was built in 1941.

A conference was held over a map by several, including C. Butler who pointed out desires.

Mr. Butler stated that he is planning on building 3 houses; 1 for his son, Lyle. He said that he would have to let a man go over the property his property.

Mr. Holley said that the Butler building would not restrict the view, completely. He told of the development in the area. He said that it would be changing the policy regarding cutting off views. Mr. Holley said that there are expressive setbacks, and that he now wants to change on account of the map. He made objections to Resolution 121821.

Councilman Schneider spoke to Mr. Holley regarding the change.

Mr. Holley, in turn, spoke to Councilman Schneider. He said that nobody asked for the 2-1/2 feet, that the Planning Director had recommended denial. He stated that Mr. Lundy recommended the compromise.

Councilman Schneider said that effort had been made to find a middle ground.

Mr. Butler spoke to Mr. Holley, and said that it was not Mr. Lundy; it was Mr. Hope.

Mr. Holley told the Council that he had been refused a living room extension, which he called an arbitrary ruling. He stated that the purchaser (Butler) knew what the setbacks were when he bought. He said that all houses are on Russell.

Lyle Butler, 835 Silvergate, told the Council that he wanted to be heard. He stated that he had originally asked for 0 setback. He said that if the property were left, as is, he would have 0 setback. Mr. Butler said that the house would be better housing, however, if he follows the new plan. He said that the better house (his) across from the Holley property more than enhances the value, regarding the 0 setback. He told about property owners being allowed to plant shrubs, which they do, in the streets in Loma Portal. He stated that the only view assured would be the one down the street - not across the Butler property. He declared that if the issue is re-heard, he would request 0 setback.

Councilman Godfrey spoke about having leeway in use, which would have been less desirable than the proposal. He said that it is agreed that this is the most effective compromise. Mr. Godfrey said that neither would be entirely happy.

Mr. Holley stated that Councilman Godfrey missed the point.

Councilman Godfrey replied "no".

Mr. Holley said "yes".

Councilman Godfrey declared that is a matter of opinion.

Mr. Holley said that there was a 30 minute hearing (evidently by the Planning Commission)

Councilman Schneider pointed out that there is a difference between the Planning Commission and the Planning staff, in the Linda Vista zoning matter. He said that he thinks the Planning Commission had the area in mind when it made the decision.

Mr. Holley told the Council that he had been told that there is no right of appeal.

Councilman Dail said that there was not a variance involved in the resubdivision of the lot and the setback change.

Mr. Holley declared that it is not fair.

The Mayor agreed that it is a good point, but that the Council cannot come up with a better suggestion.

Mr. Holley spoke of leaving variances alone.

Councilman Wincote spoke directly to Mr. Holley regarding existing conditions.

Mr. Holley stated that it would be reducing the salability if there is a 0 setback.

Councilman Wincote spoke directly to Mr. Holley regarding obstruction.

Mr. Holley, in turn, spoke to Councilman Wincote.

Councilman Wincote showed Mr. Holley a map.

Mr. Holley said that the map is not correct. He said that he did not build his house; it is 7 feet from Russell, 15 feet from Willow.

RESOLUTION NO. 122069, recorded on Microfilm Roll No. 89, referring the matter of resubdivision of Lots 11 and 12 Block 148 Roseville by Lyle Butler, with setback variances, in connection with Tentative Map, in connection with verbal protest presented by Cecil Holley - to Council Conference - was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



RESOLUTION NO. 122070, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2317 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122071, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2319 and of time and place of hearing thereof, for paving and otherwise improving Alley Block I Montecello, under Resolution of Intention No. 118154, was on motion of Councilman Godfrey, seconded by Councilman Godfrey,--seconded-by-Councilman Wincote, adopted.

RESOLUTION NO. 122072, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2318 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 56 Ocean Beach, under Resolution of Intention No. 118554, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122073, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2316 and of time and place of hearing thereof, for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, under Resolution of Intention No. 118394, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 122074, recorded on Microfilm Roll No. 90, accepting bid of San Diego Gas & Electric Company, and awarding contract, 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, in accordance with Engineer's Report and Assessment filed October 22, 1954 in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 122075, recorded on Microfilm Roll No. 90, accepting bid of San Diego Gas & Electric Company, and awarding contract, 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, in accordance with Engineer's Report and Assessment filed October 22, 1954 in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122076, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 19 North Shore Highlands, under Document No. 503306; approving Plat No. 2670 showing exterior boundaries of district to be included in assessment for work and improvement; and 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 Kerrigan, adopted.

RESOLUTION NO. 122077, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Linwood Street, under Document No. 503304; approving Plat No. 2666 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 Kerrigan, adopted.

RESOLUTION NO. 122078, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 70th Street, under Document No. 503302; approving Plat No. 2624

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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122079, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 14 City Heights, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted. The order is on Resolution of Intention No. 121400.

RESOLUTION ORDERING WORK NO. 122080, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block A Sunset Crest, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted. The order is on Resolution of Intention No. 121401.

RESOLUTION ORDERING WORK NO. 122081, recorded on Microfilm Roll No. 90, for paving and otherwise improving 40th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. The order is on Resolution of Intention No. 121402.

RESOLUTION ORDERING WORK NO. 122082, recorded on Microfilm Roll No. 90, for grading and otherwise improving Tipton Street, Rincon Street and Ewing Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. The order is on Resolution of Intention No. 121403.

RESOLUTION ORDERING WORK NO. 122083, recorded on Microfilm Roll No. 90, for closing portion Alley adjacent to westerly line Block A of Wells and Lane's Tecolote Heights, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 122084, recorded on Microfilm Roll No. 90, for closing portion of Glendora Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122085, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 2 Swan's Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122086, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 13 Swan's Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122087, recorded on Microfilm Roll No. 90, for paving and otherwise improving Akron Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122088, recorded on Microfilm Roll No. 90, for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Ottilie Place, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122089, recorded on Microfilm Roll

No. 90, for grading and sidewalking of Pacific Beach Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122090, recorded on Microfilm Roll 90, for storm drains in Talbot Street and Gage Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122091, recorded on Microfilm Roll No. 90; for paving and otherwise improving Alley Block 19 North Shore Highlands, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122092, recorded on Microfilm Roll No. 90, for paving and otherwise improving Linwood Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122093, recorded on Microfilm Roll No. 90, for paving and otherwise improving 70th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122094, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, under Resolution of Intention No. 118155, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122095, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 176 University Heights, under Resolution of Intention No. 116283, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122096, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving 54th Street, under Resolution of Intention No. 115896, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122097, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on installing sanitary sewer main, water main and appurtenances in Roanoke Street, Rachael Avenue and Morningside Street, under Resolution of Intention No. 115633, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122098, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 29th Street, under Resolution of Intention No. 119897,

to be assessed to pay expenses thereof, directing Clerk of the City of San Diego 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122099, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, Alley Block 76 Ocean Beach, and Bacon Street, under Resolution No. 119651, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122100, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122101, recorded on Microfilm Roll No. 90, adopting recommendation of City Engineer, under Document No. 503361; authorizing City Engineer to amend proceedings for improvement of Alley Block 253 University Heights in accordance with the recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122102, recorded on Microfilm Roll No. 90, granting petition contained in Document No. 501566 for paving and otherwise improving La Jolla Mesa Drive, directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including additional improvements if needed, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, signed by Port Director, dated 4 January 1955 transmitting form of lease between Harbor Commission and Friedkin Aeronautics, Inc., was presented. Lease covers premises in former Camp Consair area on Harbor Drive side at Lindbergh Field, for 5 years, rental established at \$100 per month for first year of lease and \$200 for remaining 4 years. Communication says premises are to be used as business office of Friedkin Aeronautics, Inc. and Pacific Southwest Airlines who have agreed to expend approximately \$7,000 in remodeling and improving building located on demises premises, that lease conforms with established policies.

RESOLUTION NO. 122103, recorded on Microfilm Roll No. 90, ratifying, confirming and approving lease with Friedkin Aeronautics, Inc., a California corporation, for 5 years, upon terms and conditions contained in form of lease, copy of which is on file in Office of City Clerk under Document No. 504045, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

There was listed on the agenda Resolution, having been continued from several previous meetings, consenting to detachment from the City of San Diego of territory in Bay of San Diego, and annexation of territory to City of National City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan continued 1 week - to January 18, 1955.

RESOLUTION NO. 122104, recorded on Microfilm Roll No. 90, expressing on behalf of The City of San Diego, its officers, employees and inhabitants, appreciation and commendation of heroic conduct upon part of Chief and members of Fire Department in their brave effort, at great risk of injury to themselves, in

bringing under control fire at corner of 7th Street and University Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution expresses regret at the destructive fire on January 4, 1955, mentions the efficient and brave fight to bring it under control at a cost of 34 casualties to members, 4 being severely injured with 2 hospitalized. It directs the City Clerk to forward certified copy of the Resolution to Fire Chief George Courser.

RESOLUTION NO. 122105, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to do all work in connection with reconstruction of Street Division's cement section by City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 122106, recorded on Microfilm Roll No. 89, authorizing and empowering City Manager to enter into contract with San Diego Gas & Electric Company for furnishing electric current to recently acquired public housing facilities, at same rate heretofore established in Schedule L-9 for United States Government and its agencies, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122107, recorded on Microfilm Roll No. 89, designating Councilman Clair W. Burgener as member of County Board of Health, representing The City of San Diego, pursuant to section 53 of the Charter of County of San Diego, to serve for term beginning February 1, 1955 and ending January 31, 1959, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122108, recorded on Microfilm Roll No. 89, reappointing Milton W. Lancaster and Henry L. Landt to the Board of Zoning Adjustment for terms beginning January 1, 1955 and ending December 31, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122109, recorded on Microfilm Roll No. 89, authorizing City Manager O. W. Campbell to attend Street and Highway Conference, conducted by University of California, in Berkeley, Feb. 2, 1955, for conducting panel on "Transportation Planning for Cities"; authorizing incurring necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122110, recorded on Microfilm Roll No. 90, authorizing E. W. Blom, Assistant City Manager, to attend annual meeting of City Manager's Department of League of California Cities, to be held in Santa Rosa, February 23 to February 25, 1955; authorizing incurring necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 122111, recorded on Microfilm Roll No. 90, authorizing T. V. Huff, of Water Department, to make weekly trip to South Gate, California, during months of January, February, March, April, 1955, for purpose of inspecting pipe and fittings being manufactured for use of Water Department; authorizing incurring necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122112, recorded on Microfilm Roll No. 90, authorizing City Attorney to settle \$2,854.80 claim of Duncan Hines Division of Nebraska Consolidated Mills Company, on file in Office of City Clerk under Document No. 491798, for



\$1,427.40; directing City Auditor and Comptroller to draw warrant in favor of Duncan Hines Division of Nebraska Consolidated Mills in sum of \$1,427.40 in full settlement of the claim; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122113, recorded on Microfilm Roll No. 90, authorizing City Attorney to settle \$47.44 claim of H. O. Hesson on file in Office of City Clerk under Document No. 502738, for \$35.44; directing City Auditor and Comptroller to draw warrant in favor of H. O. Hesson in sum of \$35.44 in full settlement of the claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122114, recorded on Microfilm Roll No. 90, denying claim of Ainer Benjamin Petersen, Sr., et al, on file in Office of City Clerk under Document No. 502772, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122115, recorded on Microfilm Roll No. 90, 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 O. D. Arnold & Sons, a partnership, all its right, title and interest in and to easement for purpose of right of way for public sewer in portion of easement lying within O. D. Arnold's Hazelwood Heights Unit # Map No. 3155 (described in the Resolution; authorizing and directing City Clerk to deliver said quitclaim deed to Property Supervisor with instructions that same be delivered to Grantee when he shall have received deed to easement required by The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122116, recorded on Microfilm Roll No. 90, 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 Isabel Bedford Hardie all its right, title and interest in and to Lot 15 Block 419 Duncan's Addition; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to Isabel Bedford Hardie, the grantee, when Property Supervisor shall have received \$47.80 from the grantee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that Isabel Bedford Hardie secured interested in the property through foreclosure of street lien, that the City and Isabel Bedford Hardie are owners in common of the property; that The City has no present or prospective public use, and Isabel Bedford Hardie has requested that the City convey its interest to her for said sum. The City Manager has recommended conveyance to accomplish justice and equity and avoid expensive litigation.

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

ORDINANCE NO. 6376 (New Series), recorded on Microfilm Roll No. 90, appropriating \$4,100.00 from Unappropriated Balance Fund, and transferring same to Planning Department Fund, was on motion of Councilman Burgener, 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.

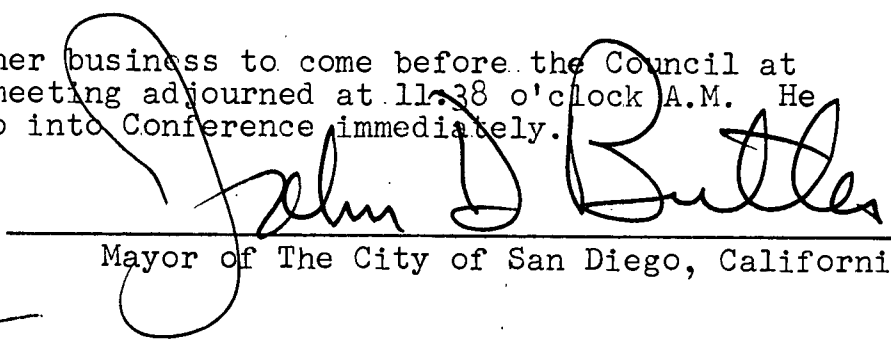
The Mayor requested, and was given unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 122117, recorded on Microfilm Roll No. 90, ratifying and approving expenses incurred by John D. Butler, Mayor, on trip to Sacramento for attending sales tax meeting held January 7, 1955; also authorizing the Mayor to attend meeting of Board of Directors of League of California Cities in Berkeley, January 13, 14, 15, 1955, and authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

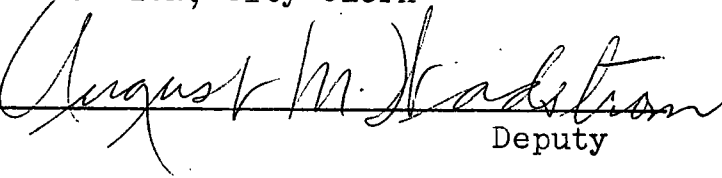
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:38 o'clock A.M. He announced that the Council would go into Conference immediately.

ATTEST:

FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy

Adjournment

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, January  
13, 1955

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey  
Absent---Councilman Dail, Mayor Butler (absent on City business)  
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor Charles B. Wincote called the meeting to order at 10:04 o'clock A.M.

The Vice Mayor welcomed a group of students from San Diego State College. He commented that the group was accompanied by Dr. Leiffer.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Pueblo Lots 1236 and 1237 into CP and C Zones, the Clerk reported that no written protests had been received.

Councilman Schneider asked where the property is located.

Glenn A. Rick, City Planning Director, identified the area as portion of Clairemont big business area - about 40 acres.

The Vice Mayor asked if anyone was present to protest.

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

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

ORDINANCE NO. 6377 (New Series), recorded on Microfilm Roll No. 90, incorporating portions of Pueblo Lots 1236 and 1237 of the City of San Diego, California, into CP and C Zones, defined by Sections 101.0410 and 101.0411 respectively of The San Diego Municipal Code, and repealing Ordinance No. 13456 insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Absent--Councilman Dail, Mayor Butler. Nays--Councilmen None.

Councilman Dail entered the meeting

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating Lots 14, 15, 16 Block 190 University Heights into C Zone and repealing Ordinance 12988 insofar as it conflicts, the Clerk reported that written protest had been received from I Hardy and Mrs. W. S. Smith. It was presented.

Mr. Hardy asked for a postponement, unless the Council wants to hear the opposition at this time. He stated that "somebody got wise, and pulled out the wrecked cars". He declared the parking of wrecked cars to be in violation of the zoning.

Glenn A. Rick, City Planning Director, stated that wrecked cars have been stored on the adjoining property, until removed in connection with insurance. He said that Mr. Hardy does not want an expansion of the existing situation. Mr. Rick said that Mr. Hardy wants the item tabled in connection with amendment to C Zone regarding non-conforming use, which would not permit storing of wrecked cars.

Councilman Kerrigan said that if such an ordinance were adopted, it would be the same all over the city - not just on the property in question.

Mr. Hardy spoke about item 7 of an ordinance, and asked if the storing is permitted.

Councilman Kerrigan replied "yes; if they are repaired".

Mr. Rick spoke of preparation of the ordinance - for the future. He said that if the Council wants to make it retroactive regarding the C Zone, it can do so.

Councilman Dail was excused

Councilman Schneider spoke to Mr. Rick about autos being placed under shelter.

Mr. Rick answered that inside would be better than under.

Mr. Hardy told the Council that he wants ordinance to be retro-active.

Councilman Dail returned

Mr. Hardy said that he lives "across a 30-foot street". He said that he had been assured there would be no wrecked cars.

Councilman Godfrey addressed Mr. Rick regarding storing of cars as a permitted use in C Zone. He said that the people involved don't "store" the cars; they just "hold" them until repairs are made. He stated that whether the cars are stored or held, the area still looks like a wrecking yard. He spoke for consideration of a new ordinance on the subject, and that the Council would have to continue permitting garages in C Zone. He stated that the California Garage does a pick-up business, and that ordinance on the subject would affect all.

Councilman Schneider, speaking to Mr. Hardy, wondered if there would be any comfort if a solid fence were erected to shield the cars.

Mr. Hardy said that there is a great deal of conjecture. He spoke of the union hall, and unloading of cars from trailers and loading, to and from Los Angeles. He said that there is no alley; it is a 30 foot street. He said that 5 car trucks are placed on trailers.

Councilman Dail spoke directly to Mr. Hardy regarding storage of the cars, on account of insurance involved. He stated that the proposed ordinance should be referred to Conference. He said that there is an enforcement problem involved; there is not too much difficulty with the Zone Ordinance. He stated that if cars are left on the lot for a long time it should be classed as a wrecking yard.

Councilman Godfrey referred to request for postponement. He stated that Mr. Rick has said that the Ordinance has been prepared. He advocated continuing this hearing 4 weeks, during which time the Council can consider the Ordinance.

Councilman Godfrey moved to refer the ordinance to Council Conference, and continue this hearing for 4 weeks.

The motion was not seconded.

Mr. Hillman, who did not give his first name or initials, and who did not identify his interest in the hearing, spoke. He said that there are 2 arguments: the storing of automobiles, and the changing of the zone to C. He said that he did not object to C Zone across the street, and there was no objection to tow service. He said that 1 lot is C, the other 3 are R-4. He said that the 3 lots should be changed to C. He pointed out that there is C Zone on much of the property.

The Vice Mayor spoke to Mr. Hillman about it being essential to place wrecked cars on a lot (until the insurance is adjusted).

Mr. Hillman said that it is not essential, but he has "an opportunity to lease".

Vice Mayor Wincote said that the proposed ordinance would affect dozens and dozens of lots. He asked if the request would be withdrawn.

Mr. Hillman's answer was "no".

The Vice Mayor told of interpretation on the cars as being "usable".

Mr. Hillman spoke of holding cars a week or 10 days, or a disposition of them.

There was discussion over a map spread on the Council table, by several individuals.

Councilman Burgener spoke to Mr. Rick about the zoning in the area.

Mr. Rick said that is shown on the map - which he exhibited to the Council. He said that he is inclined to go along with C.

Councilman Burgener said that one objection is regarding entrance from the alley.

Mr. Hardy told the Council that he does not like wrecked cars.

Councilman Schneider held a discussion with Mr. Hardy.

Mr. McNulty, who did not give his first name or initials but who identified himself as Manager of Bob's Towing Service, was heard. He said that in the lot there is a capacity of 60 autos. He stated that they are mostly late model wrecked cars; no old wrecked cars. He said that cars are "driveable", left by service man across the street. Mr. McNulty said that there are only a few wrecked cars, and that they try to keep the wrecked cars deep in the lot away from the street. He said that the wrecked ones do not show from the street. Mr. McNulty stated that the Traffic Department did not want the wrecked cars brought in on Blaine Street, in connection with the noise. He stated that the average

wrecked cars stand 2 weeks; sometimes longer, sometimes less.

Several Councilmen spoke to Mr. Hillman, who answered them, not through the chair. There was considerable discussion back and forth.

Mr. Hillman then stated that the property should go into C Zone.

Councilman Kerrigan said that if the property is rezoned, the owner could enter into a lease now. He asked if anything would be lost if the hearing is continued 4 weeks.

Mr. Hillman said that nothing would be lost; it depends on the decision.

Then there was discussion between Councilman Kerrigan and Mr. Hillman.

The Vice Mayor pointed out that the proposed ordinance is regarding "usable" and "serviceable" cars.

The Vice Mayor stated that the Council has to continue the hearing.

Councilman Godfrey said that continuance is not intended to prejudice either side. He spoke of there being need to study this and future cases. He said that operations can be carried on in a less offensive way.

Douglas D. Deaper, Deputy City Attorney, said that assuming the Council is going to adopt an amendment prior to "this", it would accomplish the purpose. He said that the item could be continued 2 weeks.

Councilman Burgener stated that such would prejudice the Hillman case.

The Vice Mayor spoke to Councilman Burgener regarding the "usable" condition of the cars.

Councilman Schneider concurred with Councilman Burgener regarding the Hillman rights. He said that hearing is on his (Hillman's) case. He said that the property in question is surrounded by C Zone; the Ordinance should not infringe on this case.

Councilman Dail spoke to Mr. Hillman about prejudicing the case. He said that a continuance is a disadvantage.

Councilman Godfrey spoke of right to the hearing, and a vote. He said that there is a way to work out the situation regarding not injuring the residential property. Mr. Godfrey said that there is a manner in which it can be worked out. He said that there have been other complaints.

Councilman Burgener declared that it would be an unfair situation; if the Ordinance were retroactive, neither property could be used to store wrecked cars.

Councilman Dail said that the cars are usable, unless they are junk.

Councilman Godfrey moved to continue the hearing 2 weeks. Motion was seconded by Councilman Kerrigan.

The Vice Mayor said, before the roll was called, that the operators might make arrangement regarding the neighborhood.

The roll was called on the motion, resulting in continuance of the hearing to January 27, 1955, by the following vote: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen Burgener, Schneider. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing - which had been continued from meeting-to-meeting re members of the Chiropractic profession being permitted to make physical examinations - in connection with the Food Handlers' Ordinance, Francis J. Maher, 617 Bank of America Building, appeared.

#### Councilman Dail was excused.

Mr. Maher reviewed the situation, for the benefit of State College students who were present. He stated that objection had been made at the time the ordinance was adopted. He referred to having gone to the Board of Health for a hearing, and having started a new petition for this action. Mr. Maher read regarding a ruling (which he did not file with the Clerk). He asked for reading of a motion of Dr. Fairchild. He stated that he had presented to each member of the Board and the Mayor the qualifications of chiropractors. He spoke of answering 3 points made by the Board of Health. He stated that he had not seen a report to be signed by an M.D. for food handlers. He read from the Ordinance regarding requirements, then further tests (3 reports). He stated that he is interested in the physical reports by physician and osteopath. He declared that chiropractors are qualified by education to do the work required under the Ordinance. He spoke of having report from the Chiropractic Board regarding similarity to M.D.'s. Mr. Maher said that education compared. and that the diagnosis fields (which he named) are taught. He stated that it is to say that the State Board is not doing its job, if their requirements are not as they should be. He stated that no one says that the job is not being done - all is covered except surgery and materia medica. Mr. Maher stated that chiropractors do not want to give



chemical diagnoses. He read the last paragraph from an unidentified letter addressed to him.

Councilman Dail returned

Councilman Burgener spoke to Mr. Maher regarding the number of hours required for chiropractic training.

Mr. Maher said that they are similar to an M.D.'s. He said that the chiropractors have 4,000 hours, also, with special subjects specified for study. He said that he has a transcript of the number of hours studied by Dr. McGuire, which he passed around to the Councilmen, but did not file with the clerk. He stated that the only thing involved is regarding chiropractors determining dangerous illnesses. He contended that chiropractors are as well educated as M.D.'s on the point. He said that the Attorney General has said that chiropractors can take blood for dianosis. Mr. Maher stated that the State laboratory is open to chiropractors, the same as to others in the healing art. He said that many times persons are sent to local laboratories. He stated that similarity of study is strong. He invited the Council's attendance at the Los Angeles College of Chiropractic, where he can make an appointment for their visit.

Councilman Dail spoke to Mr. Maher regarding the average hours in a day for study.

Dr. Barringer, answering Councilman Dail's question as 7 hours per day. He identified his address as 319 Spruce Street.

Mr. Maher said that the study is very similar, but that chiropractors don't want to be M.D.'s; they want to be chiropractors. He said that he wants to show the Councilmen.

Vice Mayor Wincote, speaking to Mr. Maher, said he feels that the presentation is premature; it might be wanted in 3 or 4 years, when chiropractors are "closer". He stated that the Medical Board is closer regarding osteopaths, now.

Mr. Maher told of a recent article in the Reader's Digest regarding stress causing difficulty. He spoke of the many systems of healing, and that 50 years from now, the chiropractors' system may be used by M.D.'s. He referred to experience between M.D.'s and chiropractors, regarding dianosis. He said that there is no difference.

Councilman Burgener addressed the audience, regarding instructors, and said he is to be on the Board of Health for 4 years (vice Councilman Godfrey).

Mr. Maher said that when a right is given by law it should not be taken away, except by law. He spoke of rights of chiropractors, and stated that the Board of Health did not say chiropractors do not have right, and not the experience. He declared that the local government should not take away their rights. He spoke of having been put on the stand to say they were qualified. Mr. Maher said that it is implicit in law, and that he does not want to enter into argument with Councilman Godfrey.

Councilman Godfrey spoke to Mr. Maher, and said that he wants it read. He asked, "to what extent?"

Someone from audience, not identified, said "to the fullest extent".

Mr. Maher said the law says.....

The Vice Mayor interrupted, by saying that should be skipped.

Councilman Dail asked if it is under the State law.

Councilman Godfrey asked if there are limitations.

Mr. Maher said that he does not know of any. He said that he wants to go through his presentation, as he goes along (instead of being stopped with questions).

Councilman Burgener read from a document, not filed with the clerk, regarding what chiropractors might do.

Mr. Maher read from Section 7 of "the act" regarding the rights of chiropractors. He stated that the practice of chiropractic includes diagnosis. Mr. Maher said that many errors are often made regarding neck adjustment, thinking that is the only thing chiropractors do. He said that is the wrong conception. He outlined the diagnosis, and told of chiropractors doing various things to treat their patients. Mr. Maher declared that the ordinance involves rights of the public to choose patients' own doctors. He said that there is no one in the room who would not recognize the difference between M.D.'s and chiropractors. He stated that M.D.'s oppose chiropractors. He said that physicians are fortunate to have patients come from chiropractors. He stated that chiropractors are family physicians in many cases. He told of chiropractors delivering children, dealing with pregnancy, aside from "adjustments". He passed around a publication entitled "The California Doctor". Then, he said that they are not involved in treatment; only diagnosis. He declared that chiropractors' rights should not be taken away.

Dr. Sarkala was introduced by Mr. Maher. Dr. Sarkala told the Council that he had to go back to school for higher training, before being permitted to practice in California.

Councilman Kerrigan spoke to Mr. Maher regarding differences in chiro-

practors.

Mr. Maher agreed that there are differences - specially in California. He said that there are different branches, but all are required to have the same education. He declared that they were not blanketed in; some needed further education, further examination.

Vice Mayor Wincote, observing that the hearing was becoming lengthy, spoke for need to stipulate on time.

Councilman Kerrigan declared that this is a matter of great importance, and the hearing should not be limited to the clock. He said that it might be continued.

The Vice Mayor said that it has been the Council's practice to have a limit on the time. He asked how long the hearing would take.

Councilman Dail said that the Council will have to make the determination regarding the time. He said that rebuttal will be wanted by Dr. Askew (County Health Officer). He said that the Council should get out of this hearing by 11:30.

Mr. Maher repeated that he thinks the Council might go to Los Angeles.

Councilman Dail said that the Council is fully familiar with the situation. He said that members have had enough indoctrination on the subject. He stated that he knows what the answers are going to be. Mr. Dail declared that this hearing is for the purpose of building up a court case.

Vice Mayor Wincote said that he does not want those being heard to go away with the feeling that they are being cut off.

Mr. Maher said that he wants to make a rebuttal regarding Dr. Askew's remarks.

The Vice Mayor announced that the hearing would be continued until 11:35 o'clock A.M.

Wm. A. Sarkala, chiropractor, was heard, again. He told of having taken the State Board examination in 1946. He said that he had 4200 hours, and was qualified to take the examination in California. He stated that he took an examination in Michigan, but did not practice there; California and Michigan had no reciprocity. Dr. Sarkala stated that chiropractors do believe in surgery, but not indiscriminate. He said that is a silent point in the school. He declared that diagnosis has no limitation. He said that chiropractors will do anything, and that they would be within the law. He stated that they have been discriminated against regarding no authority in connection with food handlers.

Dr. James J. Christy read something which he did not identify, or file.

#### Councilman Schneider was excused

#### Councilman Dail returned

Mr. Maher said that Dr. Christy had read was written in 1931, and there has been much progress since then.

Dr. Barringer told the Council of having had 4 or 5 cases of people who are in some type of business where food handling certificates are needed. He said that he has been their family doctor, and that it seems peculiar to them in connection with "this" situation, where they cannot get the certificate from him. He spoke of having had to send them to an M.D. Dr. Barringer said that the M.D. then goes over them with a fine tooth comb, and attempts to find something wrong. He declared it to be an "untenable position".

Councilman Dail spoke to Dr. Barringer, and asked what he does if someone comes in for an examination.

Dr. Barringer related what he can do.

Councilman Dail asked if blood has to be sent to the laboratory.

Dr. Barringer said that chiropractors can draw blood, and that in most cases they are sent to a laboratory. He stated that blood and chest examinations are sent to the County laboratory; they can't go to a private laboratory regarding the blood.

Dr. McGuire was called by Mr. Maher.

Robert McGuire, 4020 - 45th Street was heard. He said that he has practiced in San Diego 4 years. He spoke regarding a publication he had, but did not file, and said that education of "both" have been raised to 4,000 hours. He said that he has 4,400 hours in California. He continued with a comparison of the 2 from the publication he had. He stated that all the basic services are taught, as in the medical schools.

Mr. Maher said that 10% of the population of San Diego are patients of chiropractors. He stated that the ordinance says, in effect, that chiropractors can't diagnose communicable disease. He spoke of California health credit to the several doctors. He declared the situation to be ridiculous. He said that he hopes the Board of Health "redoes" the Ordinance to make it fit the situation, and give chiropractors the right to diagnose. He said that it should be strong ground

Hearing

regarding chiropractors having failed, if the Council takes away their rights.

J. B. Askew, M.D., County Health Officer, told the Council that the presentation had been made to the County Board of Health on 2 occasions, except for a few new ideas read by Dr. Christy. He stated that the ordinance adopted in 1937 has the exact wording of the present ordinance, and that it is now proposed to change the ordinance of 1937. Dr. Askew stated that the State law requires the reporting of communicable diseases, but that they are not reported by the "profession he talks about". Then, he said that few have been reported by them (the chiropractors). He read from a Board of Health report, not filed with the clerk. Dr. Askew stated that the basic ordinance was adopted by the County at the urging of the City. He said that the Council then adopted a comparable City Ordinance (County Ordinance No. 1387, he reported). Dr. Askew continued to read from the report, and added that he had nothing further to say.

Councilman Schneider spoke to Dr. Askew regarding reports on communicable diseases.

Dr. Askew told Councilman Schneider that in his opinion the chiropractors are not qualified to make the reports.

Councilman Schneider asked about the difference.

Dr. Askew said that it is not reported how many years go into the making up of the 4,000 hours of study. He stated that individuals heard had been talking about only the Los Angeles Chiropractic school. He said that he does not believe they are capable of "doing these things".

Councilman Schneider spoke to Dr. Askew about the time element not entering into it.

Dr. Askew spoke of a difference in qualifications.

Councilman Schneider asked if the education is approximately the same.

Dr. Askew said that there are differences of what is assumed. He said that if they (chiropractors) met the standards of the medical requirements, the State would recognize them as M.D.'s.

Dr. Askew said that the subject goes further than diagnosis.

Councilman Schneider said that it is not a question of treatment (regarding food handlers' examinations).

Councilman Dail asked Dr. Askew what is done.

Dr. Askew related what diseases attempt is being made to find under the food handlers' ordinance. He contended that the chiropractors are not qualified. He said that they are not physicians and surgeons.

Councilman Dail asked if they are not permitted to practice diagnostics.

Dr. Askew spoke of rather broad powers, and he things that perhaps under the law chiropractors are permitted to make examinations.

Councilman Kerrigan was excused

Councilman Godfrey said that they are permitted to function in certain fields; some states permit; some refuse.

Councilman Schneider questioned Dr. Askew's statement regarding being in school from 8 A.M. to 5 P.M. (for M.D.'s). He said that his daughter is an M.D., and his son is studying.

Dr. Askew said that when they are ~~not~~ in school they are in clinics.

Councilman Godfrey asked if there is 4 years of supervised study.

Dr. Askew said "yes" - and then there is the entrance.

Mr. Maher said that time is the same on education, and that chiropractors must meet the same requirements and take examination of the State Board.

Councilman Godfrey pointed out that the Council has 52 items on today's agenda, and item 3 is still being discussed.

The Vice Mayor said that Mr. Maher's group wants a rebuttal.

Councilman Burgener said that the issue is on the ordinance now in effect. He referred to his start on the Board of Health, and of his great interest in this subject.

Mr. Maher said this could be continued.

Dr. Barringer asked if there is enough information for the Council to vote.

Councilman Schneider spoke to Dr. Askew regarding the permitted examinations, and said that if the chiropractors are as well qualified, he would want to "do it".

Councilman Dail said that the Council is not going to be able to reconcile the situation today. He said that Councilman Burgener has to have more time on the issue. He said that there could be no result today.

Councilman Godfrey said that the food handlers' ordinance was adopted to conform to the County ordinance. He said that it is a question if the City would want to deviate. He said that the group has been before the County, and that is an item.

Mr. Maher stated that the County Board of Health will give no answer. He said that the City is not governed by the County.

Vice Mayor Wincote stated that the Council can arrive at its own decision, and make recommendation to the County Board.

Councilman Godfrey asked if it would be fair to continue the hearing 4 weeks.

Councilman Burgener replied that would cover it.

Mr. Maher spoke of having been before the Board of Health with Dr. Simpson of the Board of Chiropractors. He said that the group can bring him and another to a further hearing.

On motion of Councilman Schneider, seconded by Councilman Burgener, hearing was continued 4 weeks - to February 10, 1955.

Petition of Western Salt Company for Annexation of its land to The City of San Diego, was presented.

Mr. Mansell, who identified himself as the Mayor of Chula Vista (just elected), told the Council that he had with him the City Administrator, and that they want to be heard on the issue.

Vice Mayor Wincote stated that they will be notified when the item is discussed in Conference. He asked the clerk to give notification, to which the clerk replied that he would not be able to, inasmuch as the City Clerk's office is not represented in the Council Conferences.

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

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids received for 8 tons of Caulking Lead, from 9 bidders, was presented. It recommends acceptance of low bid of Crane Co. in the sum of \$2569.60 plus tax.

RESOLUTION NO. 122118, recorded on Microfilm Roll No. 90, accepting bid of Crane Co. for furnishing 8 tons of caulking lead for \$2569.60 plus sales tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids received for installation of traffic signals and safety lighting systems on "F" Street between 12th Avenue and Kettner Boulevard, from 2 bidders, was presented. It recommends acceptance of low bid of Ets-Hokin & Galvan in the sum of \$50,354.10.

RESOLUTION NO. 122119, recorded on Microfilm Roll No. 90, accepting bid of Ets-Hokin & Galvan for installation of Traffic Signals and Safety Lighting systems on "F" Street between 12th Avenue and Kettner Boulevard; 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 Burgener, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids received for construction of Storm Drain in Lots 15, 16, 31, 32 Kensington Villa Annex, Lots 152 and 153 Talmadge Park, and in Vista Street, Van Dyke Avenue and Burnham Place, from 4 bidders, was presented. It recommends award to Pace Construction Co., low bidder, in sum of \$5450.00.

RESOLUTION NO. 122120, recorded on Microfilm Roll No. 90, accepting bid of Pace Construction Company for construction of storm drain in portions of Kensington Villa Annex and Talmadge Park, and in Vista Street, Van Dyke Avenue and Burnham; 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 Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of College View Estates Unit No. 4, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 122121, recorded on Microfilm Roll No. 90, authorizing

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Reports from Purchasing  
Communication from Planning  
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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 Unit No. 4 Subdivision; directing City Engineer to present an ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122122, recorded on Microfilm Roll No. 90, adopting Map of College View Estates Unit No. 4, subdivision of portion of Lot 67 Rancho Mission of San Diego, a subdivision of portion of Lot 67 Rancho Mission of San Diego, accepting on behalf of the public Manhasset Drive, Saxson Street, Walsh Way Penny Place and unnamed easements shown for public purposes; streets and unnamed easements declared to be dedicated to public use, and rejecting dedication of public street land shown as "Reserved for Future Street"; authorizing and empowering City Clerk to endorse upon the map, as and for act of the Council, that streets and easements are accepted on behalf of the public as stated; and that Council rejects dedication of land shown as "Reserved for Future Street"; 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 Planning Director, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Harvey Subdivision, was presented.

RESOLUTION NO. 122123, recorded on Microfilm Roll No. 90, suspending Sections 102.09 1 & 2, 102.07-5, 102.12-6, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Harvey Subdivision, 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 Harvey Subdivision, a 60-lot subdivision in Pueblo Lot 1202 easterly of Cabrillo Freeway located immediately north of Sharp Memorial Hospital, subject to 11 conditions, was presented.

RESOLUTION NO. 122124, recorded on Microfilm Roll No. 90, approving Tentative Map of Harvey Subdivision, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122125, recorded on Microfilm Roll No. 90, granting permission to William J. and Minerva B. Burke to install sewers in 69th Street between Duchess Street and Suffolk Drive, under Document No. 503296, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Work is to be done by private contract.

RESOLUTION NO. 122126, recorded on Microfilm Roll No. 90, granting permission to Harry J. Vance to install sewer 290 feet westerly of Euclid Avenue, 300 feet southerly of Churchward Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Work is to be done by private contract.

RESOLUTION NO. 122127, recorded on Microfilm Roll No. 90, granting Union Oil Co. permission to pave and otherwise improve Euclid Avenue and Imperial Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Work is to be done by private contract.

RESOLUTION NO. 122128, recorded on Microfilm Roll No. 90, granting Edwin W. Schlehuber permission to install sewers in Spruce Street at Ibis Street to serve Lots 1 and 12 Block 122 and Lots 1 and 12 Block 123 Middletown, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Work is to be done by private contract.

Communication from Associated Plumbing Contractors of San Diego, 3554

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University Avenue, San Diego 4, dated January 5, 1955, signed by Shelton W. Cass, Sanitation Committee chairman, was presented. It protests practices of the City Water Department against changing location of water main from alley to street necessitating change-over of water services from meter to house, which is being done by the Water Department. The letter goes into specific objections to the practice on the basis that it is improper and economically unsound, that it should be done by private industry on competitive bid basis.

RESOLUTION NO. 122129, recorded on Microfilm Roll No. 90, referring Council Conference communication from Associated Plumbing Contractors of San Diego re practices of the City Water Department, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Automobile Club of Southern California, dated January 10, 1955, signed by G. P. Parmelee, Manager, Sign Posting Department, submitting a new price list on Traffic Signs, was presented.

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

Communication from Leo J. Demers, dated January 5, 1955, requesting the Council to direct the City Attorney to prepare ordinance, and Council to adopt it re petition submitted in 1952 for rezoning of property on Euclid Avenue (Petition does not so state, but it covers a portion of Lot 16 Rancho Ex Mission). It speaks of having offered to dedicate 4-foot wide strip to widen Euclid Avenue, that what is desired has been accomplished, that there was delay in securing subordination because part of property was under lease to an oil company, and all has been satisfactorily accomplished.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to Planning.

Communication from Imperial Beach Business Assn. Inc., signed by J. F. MacCausland, secretary, opposing annexation to City of San Diego, was presented.

RESOLUTION NO. 122130, recorded on Microfilm Roll No. 90, referring to Council Conference communication from Imperial Beach Business Association, Inc., by J. W. MacCausland, Secretary, expressing opposition to possible annexation of Imperial Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Copy of application of San Diego & Arizona Eastern Railway Company, for order authorizing construction of side track across First Avenue, Third Avenue, Fourth Avenue, "K" Street and "L" Street; to relocate Main Track across Union Street, Front Street and "J" Street; to relocate industry spur tracks across Union Street and across intersection of Union Street with Island Avenue and to relocate west lead to Interchange track across Front Street and "J" Street - all in the City of San Diego - was presented.

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

Communication from San Diego Locker Club & Naval Tailer, 1116 Front Street, signed by Claude C. Hudnall, Lt. U.S.N. (ret.), dated January 10 55, being copy of letter addressed to Editor, San Diego Union, was presented. It tells of need for not costly piers but a few inexpensive warehouses.

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

Communication from W. N. Armstrong, manager, San Diego Harbor Association, 548 Spreckels Bldg., San Diego 1, dated January 10, 1955, was presented. It favors development of San Diego Harbor to fullest extent.

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

## Southern

Communication from California Exposition and the San Diego County Fair, dated January 11, 1955 - Del Mar, California - signed by Paul T. Mannen, Secretary-Manager, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was referred to the City Manager. It invites participation in the Fair by the City.

Communication from W. W. Hollis, Box 844 Los Gatos, Calif., dated Dec. 27, 1954, re subdivision of portion of Pueblo Lot 183 - upon which he had been heard previously relative to elimination of sidewalks, and continued to this date - was presented.

RESOLUTION NO. 122131, recorded on Microfilm Roll No. 90, deleting, in connection with Tentative Map for subdivision of portion of Pueblo 183, condition No. 1 of Resolution 121819 approving the subdivision map, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122132, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Fineview Corporation, a corporation, Maxson Corporation, a corporation, and Bonwood Corporation, a corporation, called subdividers, subdividers of Allied Gardens Unit No. 2, providing for installation of mains and appurtenances larger than necessary for subdivision to be made at request of the City, and for reimbursement by City to subdividers of the sum of \$1263.63 for differences in cost of mains and appurtenances larger than necessary but required by the City, upon execution and delivery to the City of a Quitclaim Deed conveying to The City of San Diego all of the right, title and interest of the subdividers in and to water distribution system, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122133, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Lee & Leschorn, Inc., a corporation, 332 Center Street, Chula Vista, California, called subdividers, subdividers of Huntington Park Unit No. 3 providing for installation of mains and appurtenances larger than necessary for subdivision to be made at request of the City, and for reimbursement by the City to the subdividers of \$1019.60 for difference in cost of installation of mains and appurtenances larger than necessary but required by the City, upon execution and delivery to the City of Quitclaim Deed conveying all right, title and interest of subdividers in and to water distribution system, was on motion Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122134, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager to enter into agreement for 1 year with H. H. Uhlig, Professor of Metallurgy in Massachusetts Institute of Technology, Boston, Massachusetts, for professional services as Corrosion Consultant, for making studies and reports in connection with cast iron pipe replacement program of Water Department; to be paid \$150.00 per day for each day spent by him as Consultant, together with living and traveling expenses, transportation to be by air, on such occasions as he may be required to travel from Boston, in course of his services; total days spent under agreement not to exceed 30 during 1 year, and total cost not to exceed \$6,000.00, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122135, recorded on Microfilm Roll No. 90, granting permission to Fourth Church of Christ, Scientist, 1270 Silverado Street, La Jolla (Fred A. Heilbron & Sons, Plumbing Contractors) to install private sewer line to serve the Church, at maximum grade on property of 1/8" per foot, due to street mains depth; petitioner has relaid existing private sewer line and raised floors of church in order to obtain greatest maximum grade; subject to approval of Chief Plumbing Inspector, Acting Director of Building Inspector and City Manager, upon conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 122136, recorded on Microfilm Roll No. 90, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles, 54, to install 2 35-foot driveways on westerly side of College Avenue between points 0 and 35 feet and points 96 and 131 feet north of end of radius return at northwesterly corner of College Avenue and Montezuma Road; to install 40-foot driveway on northerly side of Montezuma Road between points 8 feet east and 32 feet west of Montezuma Road between points 8 feet east and 32 feet west of end of radius return; and install 35-foot driveway on easterly side of Montezuma Place between points 17 and 52 feet north of end of radius return at northeasterly corner of Montezuma Road and Montezuma Place, adjacent to portion of Lots 2 to 5 inclusive Block 2 College Park Unit No. 1, on conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122137, recorded on Microfilm Roll No. 90, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles 54, to install 2 35-foot driveways on northerly side of Grand Avenue between points 10 feet and 45 feet, and points 90 feet and 125 feet west of westerly line of Ingraham Street, adjacent to Lots 17 to 21 Block 235 Pacific Beach, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122138, recorded on Microfilm Roll No. 90, granting permission to Arthur Price, owner, to install a house sewer at 3740 Tenth Avenue, with grade of less than 1/4" per foot grade; City sewer in Tenth Avenue is too high to make required connection and maintain required grade; subject to approval of Chief Plumbing Inspector, Acting Director of Building Inspection and City Manager, upon conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122139, recorded on Microfilm Roll No. 90, stating that on December 21, 1954, Jack Coleman applied for refund of \$72.00 on basis that applicant received no consideration of payment of fee; that Acting Director of Building Inspection Department has made finding that cost to The City of servicing the permit was \$36.00; directing City Auditor and Comptroller to issue warrant to Jack Coleman in amount of \$36.00, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122140, recorded on Microfilm Roll No. 90, denying claim of Erwin Baumgartner on file in office of City Clerk under Document No. 502291, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122141, recorded on Microfilm Roll No. 90, accepting Assignment of Beneficial Interest in Trust No. 1418, executed by Elizabeth Townsend and C. W. O'Ecluse, bearing date December 31, 1954, assigning all beneficial interest in and to trust and property therein described, evidenced by Escrow Instructions in Southern Title Guaranty Company Escrow No. 59215-6, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122142, recorded on Microfilm Roll No. 90, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 23, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lot 35 La Mesa Colony, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122143, recorded on Microfilm Roll No. 90, accepting

subordination agreement, executed by The First National Trust & Savings Bank of San Diego, beneficiaries, and The First National Trust & Savings Bank of San Diego, trustee, bearing date December 20, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 20 La Mesa Colony, to right of way and easement for street purposes heretofore conveyed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122144, recorded on Microfilm Roll No. 90, accepting subordination agreement, executed by Alfred V. Spivey and Betty Corinne Spivey, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date November 16, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lot 20 La Mesa Colony, to right of way and easement for street purposes heretofore conveyed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122145, recorded on Microfilm Roll No. 90, accepting deed of James Donald Keller and Rita H. Keller, bearing date December 9, 1954, conveying Lot 2 Block 96 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. 122146, recorded on Microfilm Roll No. 90, accepting deed of Raymond Wayman and Mary Elizabeth Wayman, bearing date June 29, 1948, conveying Lot 17 Block 19 and Lots 7 and 8 Block 56 Sellar's Addition; authorizing and directing City Clerk to file certified copy of the Resolution (deed has already been filed) for record with County Recorder of County of San Diego and with Registrar of Land Titles, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122147, recorded on Microfilm Roll No. 90, accepting deed of Security Title Insurance Company, bearing date January 4, 1955, conveying portion of East 1/2 of NE 1/4 Section 7, T13S, R2W, S.B.M. ; 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 Burgener, adopted.

RESOLUTION NO. 122148, recorded on Microfilm Roll No. 90, accepting quitclaim deed executed on 21st day of December, 1954, by Bonwood Corporation, Fineview Corporation and Maxson Corporation, 2223 El Cajon Boulevard, San Diego 4, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Allied Gardens Unit No. 2, subdivision of portion of Lot 1 Allied Gardens Unit No. 1; 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 Burgener, adopted.

RESOLUTION NO. 122149, recorded on Microfilm Roll No. 90, accepting quitclaim deed executed on 18th day of December, 1954, by Lee & Leschorn, Inc., 332 Center Street, Chula Vista, California, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Huntington Park Unit No. 3, being subdivision of portion of northwest quarter Section 81 Rancho de la Nacion; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122150, recorded on Microfilm Roll No. 90, accepting Quitclaim Deed executed on 14th day of December, 1954, by Blanche E. Rose, George Clarke Rose, a single man, Marguerite B. Rose, Virginia R. Olmstead and W. James Rose, a single man (P.O. Box 2624, San Diego 12) quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named La Jolla Vista Unit No. 3, resubdivision of Lot 1 La Jolla Vista Unit No. 2; 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 Burgener, adopted.

RESOLUTION NO. 122151, recorded on Microfilm Roll No. 90, accepting deed of Vincent Baglione and Anna Baglione, bearing date November 8, 1954, conveying easement and right of way for street purposes in portion 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122152, recorded on Microfilm Roll No. 90, accepting deed of Martin P. Capp and Beryl B. Capp, bearing date November 15, 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 purposes in 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122153, recorded on Microfilm Roll No. 90, accepting deed of Gabriel Perez, bearing date October 26, 1954, conveying easement and right of way for street purposes in portion 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122154, recorded on Microfilm Roll No. 90, accepting deed of The Pacific Telephone and Telegraph Company, bearing date December 7, 1954, conveying easement and right of way for street purposes in portion Lot 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 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. 122155, recorded on Microfilm Roll No. 90, accepting deed of The Pacific Telephone and Telegraph Company, bearing date December 17, 1954, conveying portion Lot 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 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. 122156, recorded on Microfilm Roll No. 90, accepting deed of Elmer V. Schneider and Ruby O. Schneider, Peter Montgomery, Jr. and Kathleen Montgomery, executed December 31, 1954, conveying easement and right of way



for street purposes in portion of Lot 43 Block 3 Pacific Beach Vista Tract; setting aside and dedicating land to public use as and for public street and naming it Bayard 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. 122157, recorded on Microfilm Roll No. 90, accepting deed of Arthur Cosgrove Co., bearing date January 6, 1955, conveying easement and right of way for street purposes in portion of Block 13; Lots 2 and 3 Block 14; Lot 2 Block 15, all in Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Moraga Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122158, recorded on Microfilm Roll No. 90, accepting deed of Arthur Cosgrove Co., (bearing date January 6, 1955), conveying easement and right of way for street purposes in portion Lots 7 to 11 Block 9, Lots 6 to 9 Block 10, Lots 3 and 4 Block 11, Block 16, all in Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Morena Boulevard; 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. 122159, recorded on Microfilm Roll No. 90, accepting deed of Carl W. S. Hotten and Margaret C. Hotten, bearing date January 5, 1955, conveying portions of Lots 4, 5, 6, all Lots 7, 8, 9, 10, 11, Block 13 American Park; setting aside and dedicating land to public use as and for public street and naming it Morena Boulevard; 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. 122160, recorded on Microfilm Roll No. 90, accepting deed of William C. Romo and Mary S. Romo, bearing date December 27, 1954, conveying Lot 2 Block 8 Homeland Villas; setting aside and dedicating land to public use as and for public street and naming it Morena Boulevard; authorizing and directing City Clerk to file deed for record in office of City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122161, recorded on Microfilm Roll No. 90, accepting deed of William C. Romo and Mary S. Romo, bearing date December 28, 1954, conveying Block 7 (excepting southwest 50.0 feet thereof) Homeland Villas; setting aside and dedicating land to public use as and for public street and naming same 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122162, recorded on Microfilm Roll No. 90, accepting deed of Irene M. Taylor, bearing date December 30, 1954, conveying portion Lot 5 Block 10 Homeland Villas; setting aside and dedicating land to public use as and for public street and naming same 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122163, recorded on Microfilm Roll No. 90, accepting

deed of George W. Lee and Erie L. Lee, bearing date January 4, 1955, conveying easement and right of way for street purposes in portion Lot 16 Block 2 Tres Lomas; setting aside and dedicating land for public street and naming it Potomac Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122164, recorded on Microfilm Roll No. 90, accepting deed of Frank J. Zbiral Jr. and Beulah Faye Zbiral, bearing date January 4, 1955, conveying easement and right of way for street purposes; setting aside and dedicating land to public use as and for public street and naming it 53rd 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. 122165, recorded on Microfilm Roll No. 90, accepting deed of Kurt R. Krueger and Mary I. Krueger, bearing date May 3, 1954, conveying easement and right of way for street purposes in portion Lot 36 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 Schneider, seconded by Councilman Burgener, adopted.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, 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. 6378 (New Series), recorded on Microfilm Roll No. 90, appropriating \$55,400.00 from Capital Outlay Fund for providing funds for installation of Traffic Signals and Safety Lighting Systems on F Street, between 12th Avenue and Kettner Boulevard, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Schneider, 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. 6379 (New Series), recorded on Microfilm Roll No. 90, appropriating \$6,000.00 from Capital Outlay Fund for providing funds for construction of storm drain in Lots 15, 16, 31, 32 Kensington Villa Annex; Lots 152 and 153 Talmadge Park; and in Vista Street, Van Dyke Avenue, and Burnham Place, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

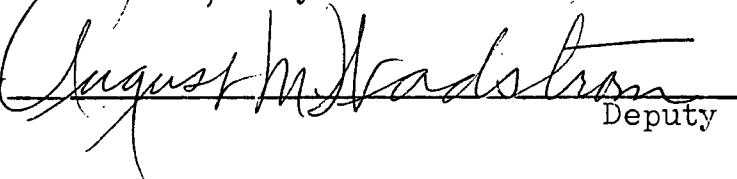
On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance incorporating portion Lot 66 Rancho Mission into R-2 Zone as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance No. 5132 (New Series) insofar as it conflicts, was on motion of Councilman introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

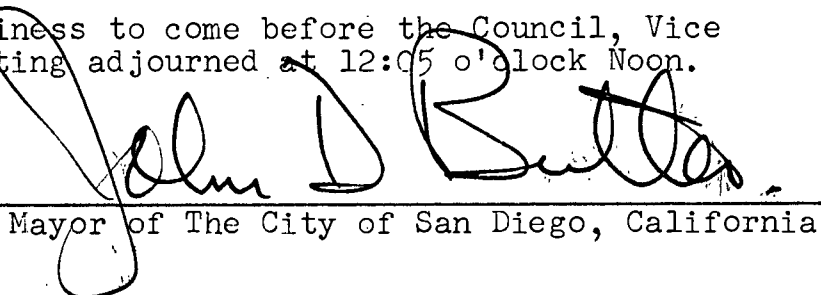
There being no further business to come before the Council, Vice Mayor Charles B. Wincote declared the meeting adjourned at 12:05 o'clock Noon.

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,  
January 18, 1955

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

The Mayor called the meeting to order at 10:09 o'clock A.M.

The Rev. Ellis R. Shaw, Brooklyn Heights Presbyterian Church, was presented by the Mayor. Rev. Shaw gave the invocation.

Councilman Burgener entered

Visiting students were welcomed to the meeting by the Mayor, from:

Horace Mann Junior High School, Miss Dirksmier, sponsor;  
Woodrow Wilson Junior High School, George Robinson, sponsor;  
Hoover High School (A.S.B.), Lavier Lokke, Teacher and Advisor;  
Kearny High School, Gene Hartley, sponsor.

The Mayor explained the procedure followed by the Council in the meeting, and invited the visitors to his office following meeting.

The Minutes of the meetings of Tuesday, January 11, 1955, and of Thursday, January 18, 1955, were presented to the Council.

On motion of Councilman Kerrigan, 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 time set for hearing on Resolution of Intention No. 121648 for removal of existing street lighting foundations, and installation of street lighting standards, etc in Broadway between westerly line of Eighth Avenue and easterly line of Fourteenth Street, the Clerk reported that no protests had been received.

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

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

On motion of Councilman Burgener, seconded by Councilman 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 Preliminary Determination No. 121652 - continued from January 11, 1955 -

RESOLUTION NO. 122166, recorded on Microfilm Roll No. 90, abandoning proceedings for improvement of Commercial Street under Resolution No. 121652, 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 for furnishing electric current for lighting Hermosa Lighting District No. 1, the Clerk reported 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. 122167, recorded on Microfilm Roll No. 90, confirming Hermosa Lighting District No. 1, and adopting as a whole report of City Engineer filed in office of City Clerk December 10, 1954, was on motion of Councilman Schneider

Invocation  
Minutes approved  
Hearings  
122166 - 122167

seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2313 for paving and otherwise improving Congress Street and Hortensia Street, the City Engineer said that a split of property was to be made. He asked for continuance of the hearing to Thursday of this week.

RESOLUTION NO. 122168, recorded on Microfilm Roll No. 90, continuing hearing on Assessment Roll No. 2313 for paving and otherwise improving Congress Street and Hortensia Street, to Thursday, January 20, 1955, 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 appeal of First Baptist Church of La Jolla from decision of Zoning Adjustment for denial of permission to erect church on existing site at southwest corner of Genter Street and Draper Avenue, in Zone R-2, with 15-foot rear yard and 75 per cent coverage, Councilman Burgener asked if there were any opponents to a new proposal.

None appeared.

Councilman Burgener told about 2 meetings on the subject, and revision of the plan. He stated that side line is being moved "in".

Rev. Cyril I. Ried told the Council that 1 or 2 of the committee members went around to opponents and to the neighborhood. He said that the 2 or 3 opponents to the plan are not present at this hearing. He had new drawings, which he offered to present for the Council's examination.

Councilman Dail said that at the first meeting there were quite a few objectors. He stated that Councilman Burgener pointed out that the church should have drawings, and see the neighbors. He told the Council that the property next to the church had been sold, and that new owners favor the proposal (It was Rev. Ried who made that statement).

Councilman Burgener moved to grant the request, for a 65% coverage, on the preliminary plans.

Councilman Kerrigan pointed out that there is a difference from the Planning Commission's action. He contended that any objection should go back to the Planning Commission, for writing in conditions to be imposed by the Council in its resolution.

Councilman Dail stated that the variance has to be modified.

Councilman Schneider agreed that it should go back.

Dave South, Zoning Administrator, said that the item had been continued by the Board of Zoning Adjustment, which is willing to go for 60% (coverage). He stated that there were no plans.

Councilman Kerrigan stated that it is now just a matter of technical details.

The Mayor said that it is necessary for it to come back to the Council.

Councilman Wincote said "no".

Councilman Kerrigan said that there could still be appeals on a further variance.

Mr. South said that property owners in the area should be notified of the hearing.

Councilman Burgener stated that all have had notice of today's hearing.

Councilman Kerrigan said that the Planning would work out details.

Councilman Wincote said that the Council would act, and write in the conditions on the further variance.

Councilman Burgener moved to approve the application for maximum of 60% coverage, and that the Zoning Adjustment have a hearing tomorrow to work out the details. Motion was seconded by Councilman Schneider.

Douglas D. Deaper, Deputy City Attorney, said that it could be referred to the Board - or referred later.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the item was referred back to the Zoning Adjustment Board for the necessary Resolution.

The Mayor referred to the next item, set as a hearing on the agenda for 2:00 P.M. today - proposal for amendment to Master Plan of The City to add public building and parking facility in the plaza and a total area bounded by Broadway, 3rd Avenue, 4th Avenue and E Street. He said that he had talked to Mr. Wansley, attorney for the opposition, who wants 1-1/2 hours for a presentation.

Hearing

Hearing, cont. re variance for

1st. Bap. Church of L.J. - cont again

Comment by Mayor re Shattuck Plan hearing

this P.M.

The Mayor said he thinks he will grant 1 hour, with 1/2 hour rebuttal on each side. He told the Council that he would try to get the hearing down to 1-1/4 hours on each side.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids for revision of Catalog Room lighting fixtures and installation for San Diego Public Library, was presented. It recommends acceptance of low bid of Davies Electric Company at total of \$5,452.00 including tax; 6 bids.

RESOLUTION NO. 122169, recorded on Microfilm Roll No. 90, accepting bid of Davies Electric Company for revision of Catalog Room Lighting Fixtures and installation for San Diego Public Library; 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.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids for furnishing 2,900 lbs. Magnesium Anodes, was presented. It recommends acceptance of low bid of The Vanode Company at \$0.66 per lb. f.o.b. San Diego, or total price of \$1,914.00 plus State Sales tax; 6 bids.

RESOLUTION NO. 122170, recorded on Microfilm Roll No. 90, accepting bid of The Vanode Company for furnishing approximately 2,900 lbs. Magnesium Anodes; 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 Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on sole bid of Guy Urquhart @ \$585.50 each, plus State Sales Tax, or total net price of \$1,206.13 including State Sales Tax, for furnishing 2 3-wheel truckster scooters, was presented.

RESOLUTION NO. 122171, recorded on Microfilm Roll No. 90, accepting bid of Guy Urquhart for furnishing 2 3-wheel Truckster Scooters; 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. 122172, recorded on Microfilm Roll No. 90, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Beryl Street and construction of sanitary sewers in Olney Street closed, southerly of Beryl Street, bearing Document No. 504259; 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. 122173, recorded on Microfilm Roll No. 90, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Class Covering of Plywood Skiffs, bearing Document No. 504258; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, recommending denial of petition to close Brunner Street between Mildred and Laretta Streets adjacent to Lots 1 through 4 Block 8 and Lots 4 and 5 Block 9 Silver Terrace Subdivision, was presented. It states that it is proposed that there be improvement to serve adjacent property, and that are utilities in the portion.

RESOLUTION NO. 122174, recorded on Microfilm Roll No. 90, denying petition to close portion of Brunner Street, as recommended by Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Reports from Purchasing  
Communications  
122169 - 122174



Communication from Sam T. Loftin, District Agt., Farmers Insurance Group, dated January 13, 1955, was presented. It states that he saw in the paper changes re insurance program of the City discussed by the Council. It requests that before final conclusion that conference time with Council or committee appointed by the Council to discuss the matter. It gives assurance of intention to cooperate to establish best possible insurance program, but it is felt necessary that Council hear all sides of the issue.

Councilman Wincote said that if there is to be a conference, petitioner should be advised, but he felt that it is not a subject for a conference but one for the Council.

The Mayor said that the best time to go into the situation would be when the ordinance is prepared by the Attorney. He said that both sides could be here at a hearing.

Councilman Wincote said that both sides should be called in.

Councilman Kerrigan said that this should go to Conference, regarding several different procedures.

The Mayor advocated reference of the letter.

RESOLUTION NO. 122175, recorded on Microfilm Roll No. 90, referring to Council Conference letter from Sam T. Loftin, District Agt., Farmers Insurance Group, dated January 13, 1955 - and requesting the Council Secretary to advise the writer when to appear before Conference - was on motion of Councilman Schneiderr, seconded by Councilman Burgener, adopted.

Communication from James E. Goularte, advisor Post 441 of Explorer Scouts, requesting temporary use of portion of the Plaza for demonstration, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was ordered filed. (Arrangements had apparently been made).

Communication from Pacific Soap Company, and others, objecting to installation of a team-track at the end of Union Street and Island Avenue, was presented. It states that it is felt there would be a serious hazard to an already bad traffic congestion, and in the case of W. P. Fuller & Co. and Pacific Soap Company (2 of the signers) there would be created a serious hazard in case of fire. It suggests proper investigation be made before permission for installation is permitted.

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

Communication from San Diego Municipal Employees' Association, Inc., dated January 14, 1955, signed by Mary E. Harvey, executive secretary, was presented. It submits statement on the MEA's position on extension of Social Security to City Employees, and requests steps be taken to compile data re consideration of calling election employees.

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

Communication from San Diego County and Municipal Employees, Local 127 urging making available benefits of Social Security to City employees, was presented. The communication, dated January 14, 1955, was signed by Otto W. Hahn, business representative.

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

Communication from San Diego Veterans War Memorial Building, Inc., Balboa Park, dated January 12, 1955, signed by Harry Apelman, president, was presented. It speaks of need for repair to the roof, and makes the letter a matter of record so that Board of Directors cannot be held responsible for any emergency which may result from neglect.

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

Communication from Miss Carol Reid, 3530 - 5th Avenue, San Diego 3, dated January 10, 1955, was presented. It complains of unsanitary conditions which exist in self-service laundries.

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

Communication from Mable Smith, 402 63rd Street, San Diego 14, dated January 11, 1955, was presented. It proposes a method of financing new harbor project - without bond issue - by asking each employed person to contribute \$5.00, plus a reasonable amount from each business establishment including doctors and lawyers.

At the request of the Council, the letter was read by the clerk. The Mayor said that the bond issue is to go on the ballot - for \$11,000,000.00

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

Communication from Meserve, Mumper & Hughes, by Cromwell Warner, attorneys for General Supply Company, submitting Stop Notice covering supplies to Tenth Avenue Pier area - Warehouse A - was presented.

Douglas D. Deaper, Deputy City Attorney, told the Council that the Stop Notice had been served on the Clerk, and thinks one has probably been served on the Auditor. He stated that it arises regarding unpaid bill; that claimant who has an unpaid bill, has a claim therefor. (Is re a contract between the City and Trepte Construction Company)

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

Communication from Joseph Gelcher, addressed to the City Manager, from 4607 Van Dyke Ave., dated January 14, 1955, was presented. It relates his experiences in getting a traffic ticket for going through a red light, and the subsequent events in court and effort to secure return of his bail.

The City Manager said that he had received a copy of the letter; it is a procedural matter regarding the court. He said that the letter had been referred to the Court, and that this copy can be filed.

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

RESOLUTION NO. 122176, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2321 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 3 Normal Heights, under Resolution of Intention No. 116054, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122177, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2323 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122178, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2322 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122179, recorded on Microfilm Roll No. 90, directing notice of filing of Assessment No. 2320 and of time and place of hearing thereof, for paving and otherwise improving Wightman Street and Ogden Street, under Resolution of Intention No. 117130, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 122180, recorded on Microfilm Roll No. 90, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 2, for 1 year from and including March 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 122181, recorded on Microfilm Roll No. 90, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights located in Talmadge Park Lighting District No. 3, for 1 year from and including March 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122182, recorded on Microfilm Roll No. 90, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 9 Ocean Beach Park; approving Plat No. 2675 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 Burgener, adopted.

RESOLUTION NO. 122183, recorded on Microfilm Roll No. 90, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alcott Street; approving Plat No. 2664 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 Burgener, adopted.

In connection with the next Resolution, the Mayor said he had been advised that it should be continued 1 week.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Resolution approving plans and Plat No. 2677 for paving and otherwise improving Third Avenue, University Avenue, Washington Street, was continued to January 25, 1955.

RESOLUTION ORDERING WORK NO. 122184, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alleys Block 35 Parish and Loomis Subdivision, under Resolution of Intention No. 121530, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122185, recorded on Microfilm Roll No. 90, for paving and otherwise improving Everts Street, under Resolution of Intention No. 121531, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122186, recorded on Microfilm Roll No. 90, for paving and otherwise improving 69th Street, under Resolution of Intention No. 121532, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122187, recorded on Microfilm Roll No. 90, for sewer mains in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, under Resolution of Intention No. 121533, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122188, recorded on Microfilm Roll No. 90, for furnishing electric current for lighting ornamental street lights in Talmadge Park Lighting District No. 4, for 1 year from and including April 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122189, recorded on Microfilm Roll No. 90, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for 11 months and 25 days from and including March 5, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122190, recorded on Microfilm Roll No. 90, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 2, for 11 months and 14 days from and including March 16, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122191, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 9 Ocean Beach Park, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122192, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alcott Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next Resolution, the Mayor said he had been advised that it should be continued 1 week.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Resolution of Preliminary Determination for paving portions of Third Avenue, University Avenue, et al, was continued to January 25, 1955.

RESOLUTION NO. 122193, recorded on Microfilm Roll No. 90, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current for lighting ornamental street lights in College Park Lighting District No. 1 for 1 year from and including June 1, 1955, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122194, recorded on Microfilm Roll No. 90, ascertaining and declaring wage scale for paving and otherwise improving Boston Avenue, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122195, recorded on Microfilm Roll No. 90, ascertaining and declaring wage scale for paving and otherwise improving C Street, Pickwick Street, E Street and 33rd Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122196, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of paving and otherwise improving Thorn Street and Highland Avenue, under Resolution of Intention No. 118861; directing Clerk of the City at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Mayor Butler explained to the students the reason for rapidity of Council's adoption of Resolutions. He pointed out that most of them are routine, while others had been considered in Conference prior to the meeting.

The Mayor requested that the next item be taken out of order.

Carl Reupsch, of the Harbor Department, explained the change order regarding painting. He said that it would be an increase of about 1/4 of the original cost, and declared it to be a good price.

RESOLUTION NO. 122197, recorded on Microfilm Roll No. 90, approving Change Order No. 2, dated December 16, 1954, filed with City Clerk as Document No. 504207, issued in connection with contract between The City of San Diego and Trepte Construction Company, for construction of Warehouse "A" at 10th Avenue Pier Industrial Area, contract contained in Document No. 497064 on file in office of City Clerk; changes amounting to increase in contract price of \$690.00, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Carl Reupsch told the Council about negotiations on a lease with San Diego Hockey Club to turn a building into a general arena by removing ice. He said that the Harbor Commission wanted to discuss rent and accounting before lease is revised. He said that it should be adjusted, and negotiations are under way, and that the City could afford to reduce rental. He said that the rental would be increased, if from net to gross. He said that the area is used only 2 weeks out of the year for ice shows. (Mr. Reupsch had been speaking about Glacier Gardens, apparently, although he did not identify the property as such).

Next, Mr. Reupsch said that West Coast packing plant has been out of production 1 year. He said that Van Camp has an interested purchaser. He said that fish cannery would be changed to freight forwarding. He said that the change would be an \$80,000 improvement, and there would be need to increase rent. He told of wanting to secure release of water area for a purpose more in keeping with intended use. Mr. Reupsch said additional rent would be needed for 30 years to Van Camp, and then it would go to the Southern California Freight Lines. He declared this to be a large real estate lease.

Councilman Schneider asked if this amounting to trafficking in leases.

Mr. Reupsch replied that it does not, and said that the Commission has gone over the proposal. He stated that Van Camp owns 2 plants. Answering a question by Councilman Wincote, he said that areas are paved, and there is access on 3 streets.

Councilman Wincote then spoke to Mr. Reupsch regarding entry.

Mr. Reupsch identified the area as being across from Martinolich, and repeated that there had been no canning (tuna) there for over a year.

The Mayor stated that remarks being made by Mr. Reupsch are just for information of the Council. He spoke to Mr. Reupsch regarding shut down of the Van Camp plant, and shift to San Pedro. He spoke about having a Resolution regarding foreign import of tuna.

Councilman Dail handed a prepared Resolution on the subject to the Clerk.

Mr. Reupsch pointed out that Van Camp is one of the largest importers of Japanese tuna. He said that the Commission (Harbor) is considering the item tomorrow. He declared the solution to be difficult, and that he does not know if the remedy, etc. is in Washington or in San Diego.

Councilman Dail spoke to Mr. Reupsch regarding decline in tuna packing in San Diego.

Mr. Reupsch spoke of being 100% behind the San Diego packing.

The Clerk read the Resolution presented by Councilman Dail.

Discussion continued between Councilman Dail and Mr. Reupsch.

RESOLUTION NO. 122198, recorded on Microfilm Roll No. 90, deploring on behalf of the Council and citizens of San Diego, the decline of the fishing industry and the handicaps under which the industry has operated in recent years; it urges upon senatorial and congressional representatives that they actively interest themselves in the fishing industry, to the end that hampering international restrictions and competition to fishing industry be alleviated, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The Resolution states that the daily press announces that Van Camp Sea Food Company intends to close its San Diego plant for an indefinite period, with resulting loss of employment of some 800 local employees, grossing an annual pay roll of approximately \$1,500,000, and goes on to speak of the importance of the fishing industry.

Harbor items taken up by U.C.

122198 re fishing decline,

international restrictions & competition



RESOLUTION NO. 122199, recorded on Microfilm Roll No. 90, granting petition contained in Document No. 503500 for paving and otherwise improving Balboa Avenue; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing consolidation with assessment district heretofore ordered by Resolution 116773 in accordance with recommendation filed in office of City Clerk under Document No. 503764, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122200, recorded on Microfilm Roll No. 90, directing notice of filing assessment and time and place of hearing for installation of Storm drains in Streamview Drive, 54th Street and Public Right of Way, under Resolution of Intention No. 115496, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Resolution , which had been continued from week to week for several weeks, consenting to detachment from City of San Diego of territory in Bay of San Diego, and annexation to City of National City, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was continued to January 25, 1955.

In connection with the next Resolution, Councilman Schneider said that it is new.

The City Manager said that it is similar to former Resolution.

RESOLUTION NO. 122201, recorded on Microfilm Roll No. 90, authorizing City Manager to enter into agreement with Sweetwater Fruit Company, a corporation existing under laws of State of California, wherein City will agree to supply water to the company for use on lots facing existing water main of The City of San Diego over and across the east half of the southwest quarter of Quarter Section 72 Rancho de la Nacion, upon delivery to the City of quitclaim deed releasing to City any rights of Company to obtain water from City for use upon Quarter Section 84 Rancho de la Nacion in accordance with agreement attached, entered into by the City in December, 1914, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122202, recorded on Microfilm Roll No. 90, authorizing City Manager to enter into contract with San Diego County Water Authority, on behalf of The City of San Diego, to be dated as of November 1, 1954, and to run for 5 years, wherein City agrees to permit the Authority to deliver to and store within San Vicente Reservoir belonging to The City waters of Colorado River for use by authority in supplying member agencies upon terms and conditions set forth in contract on file in office of City Clerk under Document No. 504501, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122203, recorded on Microfilm Roll No. 90, authorizing City Manager to accept work on behalf of The City in Fleetridge Unit No. 2 Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122204, recorded on Microfilm Roll No. 90, 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 28 and 29 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122205, recorded on Microfilm Roll No. 90, direct-

1/18/55  
Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 17 C. M. Doty'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 the taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122206, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot B Block 4 Magnolia Park, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122207, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 12 Waterville Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122208, recorded on Microfilm Roll No. 90, granting revocable permission to State of California to construct, maintain and utilize truck trail not over 40 feet wide for fire protection purposes, across Sections 35 and 26 Township 18 South, Range 2 East S.B.B.&M., substantially as indicated on plat filed in office of City Clerk as Document No. 502991, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122209, recorded on Microfilm Roll No. 90, granting permission to Peter Huisveld, 3502 University Avenue, San Diego 4, to install 2 35-foot driveways on north side of University Avenue between points 15 and 50 feet and points 77 and 112 feet east of east line of 35th Street, adjacent to Lots 21 to 24 Block 33 City Heights, to provide access to 4 pump islands in service station under construction at northeast corner 35th Street and University Avenue, subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122210, recorded on Microfilm Roll No. 90, granting permission to Bert Wels, owner, to install house sewer at 5954 Cumberland, Paradise Hills, San Diego, with fall of less than 1/4" per foot slope, for reasons and on conditions set out in Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122211, recorded on Microfilm Roll No. 90, granting permission to Henry L. Wheeler and Harry Phelps, owners, 3542 Fifth Avenue, to flat in soil waste and vent lines for Dental Units to be constructed at 2302 Sixth Avenue, on pors Ls D, E, F, all G and H, por 1 Block 261 Horton's Addition, for reasons and on conditions set out in Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122212, recorded on Microfilm Roll No. 90, approving bill of San Diego Convention and Tourist Bureau, bearing date January 13, 1955, for payment in sum of \$1,323.39 for expenses incurred; authorizing requisition to be

drawn on Advertising and Publicity Fund for fiscal year 1954-55, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122213, recorded on Microfilm Roll No. 90, accepting quitclaim deed executed on 31st day of December, 1954, by Point Loma Holding Corporation, a corporation 2,50 Chatsworth Boulevard, 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, subdivision named Fleetridge Unit No. 2; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Schneider, seconded by Councilman Burgener, 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. 6380 (New Series), recorded on Microfilm Roll No. 90, establishing grade of Alley Block 247 Pacific Beach, between westerly line of Noyes Street and easterly line of Morrell Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

On motion of Councilman Schneider, seconded by Councilman Dail, Ordinance dedicating portion of Lot 6 Block 2 College Park Unit No. 1 for street purposes and naming it Montezuma Place, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

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

RESOLUTION NO. 122214, recorded on Microfilm Roll No. 90, authorizing and permitting Mission Valley Golf Club to erect tent structure on its premises from January 18, 1955, running through January 23, 1955 for use as storage of players' clubs and equipment - re professional golf tournament - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of La Jolla Valley Vista, subject to posting adequate bond to insure installation of improvements required, was presented.

RESOLUTION NO. 122215, recorded on Microfilm Roll No. 90, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Morris S. VanMeter for installation and completion of unfinished improvements and setting of monuments required for La Jolla Valley Vista Unit No. 1 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 Schneider, adopted.

RESOLUTION NO. 122216, recorded on Microfilm Roll No. 90, adopting Map of La Jolla Valley Vista Unit No. 1 Subdivision, being subdivision of portion of Lot 1 Pueblo Lot 1782; accepting on behalf of the public streets and unnamed easements shown as Bayard Place, Bayard Street, and dedicating them to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that streets and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Mayor mentioned the League of California Cities, San Diego County

122213 - 122216  
Ord. 6380 N.S.  
Ord. introduced  
La Jolla Vista Unit 1 by U.C.

Division, to be held in Community Building Annex, National City, Friday, January 21, 1955 at 7:15 p.m., mentioned on agenda for this date. It lists Charles Burgess, State President of the League and Mayor of Menlo Park is to report on League activities throughout the State.

The Council took a recess at 10:55 o'clock A.M. until 2:00 o'clock P.M., this date. Upon taking the recess, the Mayor announced that the Council would go into Conference immediately.

Upon reconvening, at 2:05 o'clock P.M., the roll call showed the roll call showed the following:

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

The Mayor announced that Councilman Godfrey is ill, and that his doctor had ordered him not to come out (he entered the meeting, later); and that Councilman Dail would be here in a moment).

The hour of 2:00 P.M. having arrived, the time set for hearing on proposed amendment of Master Plan of The City of San Diego, by adding a public building plan - area bounded by Broadway, 3rd Avenue, 4th Avenue, E Street, to be a site for construction and operation of public facility consisting of underground parking space a municipal convention auditorium, the Mayor stated that it is being considered regarding private financing. He stated that it is approved today, the matter will be referred to the City Manager and to the City Attorney to work out a contract. The Mayor announced that there is a way, legally, where it can be done. He stated that if there is a contract, the City could not enter into it (the construction of the facilities proposed). He stated that comments should be directed to the question "is this to be the site". He announced that proponents would be given 1 hour; 1-1/2 hours to any in opposition; proponents - making 1-1/2 hours for each side. He expressed hope for shortening the hearing. The Mayor turned the meeting over to proponents of the plan for 1 hour, and called upon Mr. Jessop.

Joseph Jessop, representing a group sponsoring the Shattuck Plan, led the proponents. He stated that he would call upon different representatives to speak to the Council. He read a prepared statement, which he filed in favor of the project. Pencil changes were made on the typewritten copy, in accordance with Mr. Jessop's reading. Mr. Jessop stated that he has friends on opposing side, who would not want the plan. He stated that if it goes into the master plan, it is up to the Council to treat with the developer. He called on Hamilton Marston.

Arthur H. Marston, Jr., president of The Marston Company, and Vice President of the San Diego Downtown Association, appeared, and read a prepared statement, which he filed.

Next, Mr. Jessop called Jr. Todd.

O. W. Todd, Jr., stated that he was not representing any organization, is a member of the Board of the Convention Bureau. He told of necessity for San Diego to have an auditorium. He spoke of having given way on the question of bond issue. Mr. Todd told the Council that in Chicago, where he goes once each year, there is an auditorium which handles not 5,000 people or more; there are usually 3,500, he said. He said that in San Francisco there are never in excess of 4,000. He said that 5,000 would be accommodated in the San Diego auditorium. He stated that in Los Angeles the sports attendance never exceeds 5,000 - although there is a population of 3,000,000. He recommended trying the private financing.

Wendell Teague, Cecil Hotel, president of San Diego Hotel Association, asked to present a Resolution of the San Diego Hotel Association. He read it. He stated that no one familiar with large conventions will argue the need for having conventions near housing. Mr. Teague told of need for a hall for larger conventions - soon.

Vern Snorgrass, San Diego Hotel, member of San Diego Hotel Association, spoke. He told of having operated 2 hotels in Fresno, where there was the question of placing an auditorium in the Park, outside, or downtown. He said that it had been placed downtown. He told of having sent a letter to each (presumably each Councilman). Mr. Snorgrass spoke for need of a centrally located downtown site. He stated that, as a result of the hall in Fresno, the convention business has increased.

John Quimby, secretary-treasurer of AFL Central Labor Council, said that this plan would be the best for the majority, and asked the City Council to place it on the Master Plan. He spoke of conventions having been lost to San Diego (on account of inadequate facilities), and told of the need to stimulate

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service crafts in the downtown area. He said that a bond issue passage is remote because of other projects. He stated that this is a needed facility.

Bob Rees, representing the Building Trade Council, was called by Mr. Jessop. He told the Council that the Shattuck Plan has been studied, and that it is endorsed. He spoke of importance of having meeting hall close to hotels and restaurants. Mr. Rees said that the plan would provide work, a representative place in the community, as well as add to the general economy.

Mr. Jessop passed up a Resolution. He said that many others are here who are sponsors, as well as others in favor of the project.

The Mayor told Mr. Jessop that 25 minutes remain for the presentation.

Mitch Angus, general manager of San Diego Convention and Tourist Bureau. He read a resolution adopted by the Bureau, urging creation of an auditorium downtown, and endorses the Shattuck plan. He said that downtown convention headquarters offer a greater magnet in competition. Mr. Angus said that other cities are providing for auditoriums. He spoke for business leaving area, if no convention auditorium is provided.

Opponents to the Shattuck plan were invited to be heard, but did not speak. Instead, Councilman Burgener spoke to Mr. Angus, and asked how many times a year a convention auditorium would be used.

Mr. Angus replied that there are few conventions which would not need this facility immediately, and predicted a 15 to 30% increase of conventions if it were available. He stated that in 1953 148 conventions had been services, the bulk of meetings are held in the day time. He said that the bulk of the conventions do not contribute to traffic. He said that there is a variety, and that only 5% of those in the country are large conventions. Mr. Angus referred to need for exhibit space, and that policies vary. He said that such an auditorium would accommodate facilities coming to San Diego, including those the City wants to attract. He said that delegates arrive in various ways. He said that those of a State nature constitute 50% to 60%.

Councilman Schneider spoke to Mr. Angus regarding use in the day time.

Mr. Angus replied that meetings are held during the day, while banquets and social events are conducted in the evening.

Councilman Wincote spoke to Mr. Jessop, and asked if there is necessity for placing the item in the Master Plan, regarding condemnation.

Mr. Jessop's reply was "yes".

Councilman Wincote referred to having consulted the people, and about what is wanted in connection with Mr. Jessop's intention.

Discussion was held between Councilman Wincote and Mr. Jessop over the idea of 60% or more, before condemnation.

Mr. Jessop said that is incorrect. He told the Council that property owners should have proper consideration; if they do not have fair consideration "count him out".

Councilman Wincote asked if there were 6 parcels involved.

Mr. Jessop, answering Councilman Wincote said that there were 8; and added that no one had been approached.

Councilman Wincote asked "Why not find out what property owners, want, before putting it in the Master Plan?"

After what was applause, Councilman Dail said that this is not a contest.

Ewart Goodwin spoke to Councilman Wincote regarding 5 parcels, owners, yet to be contacted. He said that it is not tantamount to condemnation to put the item into the Master Plan. Mr. Goodwin stated that the matter would be referred to the City Manager to negotiate a contract. He spoke of there being no money; no contract. He said that it needs to go into the Master Plan first, then go to the people to negotiate; came back and report to the City Manager and to the Council.

Councilman Wincote asked if the City Attorney had said that it should go into the Master Plan first.

The Mayor referred to there being 2 aspects; it is park property, and is sound to take the step.

Councilman Dail said that the hearing is not on the Shattuck Plan; it is on convention hall in the Plaza. He stated that it has been indicated that if adopted in the Master Plan, something other than the Shattuck Plan can be adopted. He said that there could be other proposals. He stated that it is location, mainly.

Mr. Goodwin said that the City is in no way bound to proceed, if this is put in the Master Plan.

Councilman Wincote spoke to Mr. Goodwin about being the same as Sutherland, voted out.

Mr. Goodwin said that he does not know. He stated that owners of 5/8 of the property are willing to settle at appraisal under the Shattuck Plan. Mr. Goodwin said that one had changed his mind. He made it clear that none had "signed up".

Councilman Wincote spoke about getting one story from one side; a different one from the other. He said that all favor a convention hall.

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Mr. Goodwin said that opponents have said that if it is for parking and leasing back, there is nothing wrong. He stated that suggestions were made for parking facility, for convention hall.

Councilman Wincote spoke about a difficult position by the group. He spoke of not wanting to quote anybody. He referred to need for concrete proposal.

Mr. Goodwin said that is not possible, since it is not known what would be done.

Councilman Schneider spoke to Mr. Goodwin regarding tentative agreement of 5/8. He said that parking facility makes money, and that would be needed to in making the appraisal.

Mr. Goodwin said that it is in the plan, including lease hold interest.

Councilman Burgener asked about other uses.

Councilman Dail was excused.

Mr. Goodwin spoke of trying to produce revenue, and mentioned several special events. He said that it would be primarily a convention hall, for use as a sports palace also, with 4,960 seating capacity.

Councilman Burgener asked if there would be proper parking.

Mr. Goodwin replied that there would be need for 2,000 spaces - and there are many other areas. He stated that there are 2,700 spaces, within 1,500 feet - available at night.

Councilman Burgener wanted to know how many spaces are available at night.

Mr. Goodwin said that 10% of the space is used at night.

Philip Anewalt, of the firm of Hotchkiss & Anewalt, said that the hearing is regarding convention hall on the Plaza. He read a statement, and protested this being placed in the Master Plan. He related his clients having not been approached. He declared Eminent Domain to be a sacred trust; not taking from one to give to another. He said that this would obligate the City to a large extend. Mr. Anewalt said that over a million dollars in improvements would be demolished.

Councilman Dail returned

Mr. Anewalt spoke about losing tax on the improvements, destroyed. He declared that the Planning Director had recommended against this proposal, and said that if placed there, there can be no expansion. He stated that it would be out of place, and unwarranted. Mr. Anewalt said that the situation would multiply the traffic problem, and disrupt the buses. He said that the established theatres should not be destroyed, unless they are structurally unsound. He stated that "it should not be done without a vote". Mr. Anewalt declared this proposal to be in a highly promotional stage. He said that if this is put in the Master Plan, it would be under threat of condemnation of the property.

Councilman Godfrey, who had been out, ill, entered.

Mr. Anewalt said that other sites are not abandoned, that the Council should keep in mind that San Diego has much property off the tax rolls.

Col. Frank Lynch, national traffic expert, identified himself as a graduate electrical engineer, Westinghouse Electric Co.; a colonel in world war I, etc. He told of being on the National Traffic Council, at Lockheed with 15,000 cars. He told of cars coming onto the streets, having lectured at Northwestern University, helped represent various groups on the President's highway safety conference, etc. He spoke of being on the Collier Interim Committee of State, as a consultant, etc. Col. Lynch told the Council that he has visited San Diego frequently, for years. He said that this was like 30 - 40 years ago where highways were selected to have them near businesses, which is an irritation. He said that at peak hours the condition is reaching congestion, and residents being already conscious of the traffic problem. Col. Lynch stated that 1-way streets do increase traffic facility, and spoke about the difficulties encountered in loading and unloading from different positions in the car. He pleaded for not bringing vehicles for storage into the heavy traffic area, and said that they should be located around the periphery. Col. Lynch said that he admires Mr. Reading (City Traffic Engineer), but felt that he was influenced by the proponents. He spoke of matter of lane changes, and the freeways in Los Angeles regarding lane changing. He said that traffic east and north have to change lands. He had a map put up to which he pointed regarding exits, 1-way streets, right turns. He said that traffic would be blocked on 4th Avenue and on Broadway - taken from Shattuck report. He stated that the E Street exit would practically useless, regarding yielding right. He said that right and left turns are not serious when there are few pedestrians, but it is where there are many delegates. He spoke of many beyond the housing area. He stated that local people would find the parking areas filled, and they would have to go to the fringe areas. He declared that convention people are not interested in where the auditorium is located, but how to reach it. He quoted from the Shattuck report, regarding keeping cars moving. He said that 15% of the Plaza would be used for entrances and exits. He said that he was convinced of the fact that mass transportation at the

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Plaza. He said that there is no similarity between this and the Pershing Square (Los Angeles) garage, including the 1-way traffic and the freeway, and the interchange. Col. Lynch said that this would not cater to local events. He told the Council that the street facilities should not be burdened, and that conventions should have off-street traffic which would not interfere. He spoke for free parking, and said there should not be change regarding mass transportation. He declared that this would create congestion, and drive out customers. That should be considered, he said. He referred to Mr. Reading's report of December 15. He spoke of tractors and trailers regarding exhibits.

Ed Schwartz, attorney, read a report from the manager of the Spokane auditorium, signed by B. C. Moore (auditorium consultant). He stated that he had sent to the Mayor and to members of the Council copies of Life Magazine, and having sent copy of the Shattuck report to Spokane. He read Mr. Moore's letter of January 14, 1955, and said that approximately 98% of the auditoriums are built upside down, operating in the red or barely meeting expenses. He said that a modern auditorium is a large room and several small rooms. He took exception to the Shattuck design, and said that stores in connection with the project, as well as bars, are not practical. He said that the floor area is not sufficient, and that exhibit space is inadequate. Mr. Schwartz declared that the structure should not be fitted to a plat; it should be designed, then find the plot. He said that it should be about 8 blocks from hotels. He said that few cities are as fortunate as Spokane which is 10 blocks from the hotel district and has 1,200 parking spaces available. He told the Council that few bring cars to national conventions. He told of design for auditorium in Lincoln, Nebraska, and of others that are under way (plans being checked by Mr. Moore). The report he read said that people are prone to say what does an outsider know about needs and circumstances. He said that a competent consultant is usually called in, anyway. The report made a series of suggestions:

1. Design auditorium for multi-purpose usage with permanent stage and complete stage facilities, adequate dressing rooms, seating 7,000 permanent seats, 3,000 portable seats on arena floor, etc.
2. Floor area main area 114 x 230.
4. Around 20' corridor outside main arena should be concession outlets, meeting rooms with partitions to allow for variety of size seating, adequate men's and ladies' lounges.
3. (this one is out of order). Exhibit hall below 90,000 sq. ft. accessible by vehicle ramp, etc.
5. Second floor level corridor leading to balconies re meeting rooms, lounges and concessions.
6. Include ice rink for large ice shows, etc.
7. Operate own concessions; also operate parking lot.

Mr. Schwartz said that cost would be between \$4,500,000. and \$5,000,000. He said that benefits would be many, and would be more flexible than Long Beach's.

John T. Webb, manager of the Long Beach Convention Hall was heard next. He started by stating that he was not down here to tell the Council how to run a building, or how to build one. He said that he was here, just regarding pitfalls. Mr. Webb said that he was not familiar with the Shattuck background. He said that first and foremost there is the lack of expansion or contraction of the plan. Mr. Webb said that the railway convention which is great, with large expenditures, asked for 45 committee rooms. He said that none such are set out in the Shattuck report, while 15 or 20 are asked for. Mr. Webb said that 4,000 delegates would be divided up, and that there is need to expand and contract facilities for the different groups. He told of need for storage space, 1/3 of area space. He said that there is not adequate concessions. He told of need for 1 stand for 1,000 people; there are 2 provided, regarding sitting down. He spoke of shops outside, which would annoy merchants, and the conventions which sell inside. He said that if bars were put in (as apparently proposed), many conventions such as churches and schools, would be lost. He said that convention shops are banned by the American Legion. He said that jewelers have their own; that if there is a cafe it can't sell inside. He told of the inadequacy of box office facilities; more are needed: 1 box office, double, to 1,000 persons. He said that page 11 paragraph 4 refers to arena regarding its capacity; minimum length 210 needed. He spoke about 180 feet for ice hockey, and that 122 feet is why. He stated that a roller derby is a fine revenue producer, that there is need for clearance - 160 to 170 feet regarding the side lines. He said that the exhibit space proposed is not enough. He told of having 50,000 feet in Long Beach, but 3 big shows had been lost because of inadequate space. He told of contemplating more in the new facility (which is to be built in Long Beach). He said that it has been possible to lower registration cost on account of more exhibit booths. He said that charge is \$2,700. for 3 days for the electronic show. He said that parking is 3.1 persons seated in the auditorium, and need for 1,600 spaces. He said that this plan has inadequate parking. Mr. Webb said that both sides are unpopular: the convention, and the merchant, regarding the parking. He said that as the parking areas fill, parking prices go up. He told of importance of loading and unloading regarding trade shows. He spoke of 100 to 125 trucks and trailers needed. Mr. Webb told the Council that there is not enough turning radius, in the Shattuck plan. He stated that it takes up to 2 hours to unload. He spoke of there being not adequate planning, and of overlooking the picture of San Diego as a convention city. He spoke for need of a building with 15,000 seating capacity. He

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said that convention delegates will talk 8 to 9 blocks from hotels. He stated that they will go to the better hotels, even with longer walks. He said that in San Francisco the auditorium is 14 blocks from hotels. He repeated that shows had been lost (in Long Beach) because of need for larger area.

Ray Wansley, attorney and C.P.A., told the Council that he is fortunate in having his name on the bronze plaque on the Civic Center (having been a Councilman). He stated that he hopes Councilmen will have their names on the building, but they would not be proud of "this structure" (the Shattuck plan auditorium) in 1, 2, 3, 4 years. He said that there is involved the matter of judgment of the future. He stated that he is representing a lessee, and that lessees get rough deals on condemnation. If the property has been in the family for 50 years - as he said it had - they must have liked it, according to Mr. Wansley. He spoke of there having been excerpts in the paper on the plan, and referred to the January 13, 1955 Tribune. He read quotes regarding comments on the Sullivan views, and Goodwin quotes, and of Kahn who is an owner of a bar facing the plaza. He spoke about not trying to tie to the past. He told of 1908 conditions, and said that this proposal would have been grand in 1908. Mr. Wansley said that this is now a city of 450,000; and spoke for dream big and building big. He spoke of a report of Shattuck, which the Council did not get, but that the financial editor of the Union did. He spoke for standing up for rights, and fighting.

Ernest Miller, secretary of the projectionists' union, was heard next. He told of people who would be out of work if the theatres (2) were closed. He declared condemnation to be unnecessary, and said that there are better sites. Mr. Miller said that there would be no elimination of jobs in 2 downtown theatres then. He said that there are no closed theatres in San Diego, but that there are many closed ones in Southern California. He said that it would be tragic to take away jobs.

George Abrahamson told the Council that he speaks for 2 locals of theatricals: projectionists and stage hands. He spoke of their not wanting "to do this". He told of an arena in Richmond, which is flexible. He declared this proposal to be inadequate. Mr. Abrahamson said that it would not be deep enough. He said that there are better sites: 6th and Date, as well as other areas. He said that in other cities buses and cabs are used (to reach auditoriums). He stated that what is wanted is to put the delegates in the U.S. Hotel.

W. W. Whitson, owner of the Plaza Theatre, told the Council that he is not a man of science or wealth, just a poor ordinary common person. He said that trouble is not regarding garage or condemnation; it is the wrong done more than 6 months regarding plan to build the building on the Plaza. He said that capitalists would finance his plan to finance a limit height building, if he could get together with other owners, and take in the whole block on the Plaza. He said that to put on suspicion with uncertainty is not in accord with justice. He declared it to be not the right way. Mr. Whitson said that no money has been raised, but then he can do nothing on account of the Shattuck Plan proposal, with his grand plan. The speaker said that he is acquainted with most of the proponents, who are not trying any skulduggery; but they are wrong. He said that if in the garage there is space for 600 cars under the Plaza, the Councilmen can't permit the tremendous prices for parking to pay off the cost. He said that there is no word of who, or how it would be run. He felt that there had been overemphasis on the need for a convention hall. Mr. Whitson said that banks are bursting at the seams with money, people are coming into San Diego by the thousands. He said that we do not need the convention hall NOW (he said that now is spelled with capital letters). He said that it is progressive, but merchants find it not progressive. He spoke of a \$10,000,000. development on University. He said that the Plaza is not the place for a convention hall; the bottom of the Plaza is not the place for a garage. Mr. Whitson told the Council that when he built the theatre 40 or 50 years ago, walt came in. He said that on that account it could be too expensive to build what is wanted. He declared that it does not look wholesome. He agreed that San Diego should have a convention auditorium. Mr. Whitson said he realized that he would be paid for the property, but that he would lost it, although it has been in the family for 50 years. He declared that he does not want any price for the property. Mr. Whitson spoke of having an alternate plan. He told those present that he passed his 90th year day before yesterday. There was tremendous applause as he made that announcement. He said that the Whitson Co. on the Plaza favors a master plan for San Diego, if it is well conceived. He said he would petition the City to acquire the Grant Hotel area - across Broadway from Horton Plaza - "as a sort of Cow Palace; a whole block". He said that it would become world famous. Mr. Whitson told the Council that he wants to think and build big. He stated that the Plaza site seems silly for what is proposed; it would be an eyesore.

The Mayor stated that Mr. Whitson was a member of the City's first Planning Commission. He congratulated Mr. Whitson for his years, and for his past service in the City's behalf.

Mr. Whitson continued, with the comment that he had held the office of member of the Common Council, and others which he named. He told of excellent work having been done by convention hall proponents, but repeated that this is not right.

The Mayor asked if others were here.

Mrs. Richard Ney, one of the owners of property facing the Plaza, was heard. She said that hers is part of the property which could be condemned. She

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spoke about Councilman Godfrey's TV comment, when he argued for the Shattuck Plan and condemnation. She stated that Mr. Godfrey had made the decision, as judge and jury. He spoke of Mr. Sutherland's statements. Mr. Ney told of no one having approached her regarding acquisition of the property. She told the Council that the property had been acquired by Nathan Watts, one of the founders of San Diego, and that the property had suffered the ups and downs of San Diego. She asked for reference to page 7 of the Shattuck plan. She asked that if the auditorium is a civic minded project, what difference it makes where it goes. She quoted Mr. Sutherland, in connection with convention hall and theatre need. She declared that it should be on a proper place - and done honestly.

Mr. Anewalt stated that property owners are not interested in selling.

The Mayor invited other opponents to be heard, in addition to the organized opposition.

Roland Reed said that he cannot be brief. He spoke about a number of unrelated subjects. He charged that attempt is being made to steal the property and turn it over to others. He wanted the auditorium across from the zoo, which he said would solve 4 problems. Mr. Reed told the Council that he was the father of Cabrillo Freeway. He said his proposal would save the view to 28th Street; cars can be parked so as to save the view to 28th Street; the City owns the land. He said that he solved the traffic problem regarding the Freeway, and relieved Cabrillo Freeway congestion regarding bridge. He said that he wants the City to build a dam in Switzer canyon, etc., etc.

Councilman Wincote urged Mr. Reed to "stay on the subject".

Mr. Reed said that it would be an unusual place for a convention hall, in the park. He spoke of building out to 30th and University. He referred to auditorium in Little Rock, Ark.

John R. Box, formerly an electrician at the Destroyer Base, spoke. He said that location should be selected by experts, "not this man, that man". He said that the proposal has not been substantiated. He stated that Shattuck is apparently an expert in various fields. He asked for rejection of the plan, and for the hiring of an expert.

Joseph Gahan spoke, and identified himself as president of the Greater San Diego Association. Mr. Gahan stated that he had been authorized to oppose the Shattuck Plan. He said that he does not approve of getting signatures, but goes for good common hard sense. He told of the people having voted down the Cedar Street Mall, against which proposal he worked. He said that some people advocate "this". Mr. Gahan said that the people voted down \$5,000,000 for a court house, but voted an \$8,000,000 bond issue for court house when it was placed on the right site. He said that the Library was voted down on the Cedar Street Mall, and that it was necessary to have an injunction on that. He stated that when the library was placed where it is now, the bond issue carried. He declared that erection of public buildings under bond issue is cheaper. Mr. Gahan spoke about a moral standard. He charged that promoters want to take from some and give to another; it is like Jessie James; it has a bad odor. He stated that promoters are ashamed of the thing, and would not go to anyone except Mr. Kahn. He continued with views regarding the location. Mr. Gahan said that people of San Diego should be consulted regarding location. He declared that the traffic plan would be worse. He told about Earl Mills having been brought to San Diego, and he says 12th Street is best. He advocated that the City stay away from condemnation. He said that there would be effort on the part of opponents of the Cedar Street Mall and parking will oppose this effort.

Arnold D. Asherfelt, realtor, opposed the Plaza site. He stated that it is totally inadequate. He said that the Council should proceed with adequate, constructive plan, for a convention hall. He said that the proposed site is inadequate - impossible. Mr. Asherfelt expressed appreciation for work on the proposal.

The Mayor returned the hearing to proponents.

Joseph Jessop told the Council that the Western Union location (which faces the Plaza) had been brought up, and that architect had said that building can be built around the Western Union, which can remain in operation.

Ewart Goodwin stated that there has been diametrically opposed testimony. He said that the assessed value is \$20,000; not \$35,000. (He changed the statement to "tax collected", rather than "assessed value"). Mr. Goodwin said that Col. Lynch, in his report of traffic, was not award of a report made in December. He spoke of Mr. Reading having reputed a report. He told of being impressed with Dorsey, and said that he had been retained at the recommendation of the Planning Department. He said that Mr. Shattuck had stated that the Plaza is undoubtedly the best location in San Diego. He said that others had been considered, but this is the best. Mr. Goodwin said that there are only 400 permanents, in the parking. He stated that contrary to testimony of Col. Lynch, it is comparable to Pershing Square. He agreed that this is tough to put over, and it will take a long time. He said that the Los Angeles Council opposed the Pershing Square plan 10 years; now they are happy with it. Mr. Goodwin stated that he knows other facilities are necessary. He stated that meeting rooms are adequate to supplement those in hotels. He declared it to be surprising to have the Long Beach man show up, when he is in the competitive field. He referred to Mr. Wansley's statement about monument to the Council, but thinks it is not wanted. He spoke about

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reference which had been made to hard core communists. He said that there can be negotiations. He agreed that the City could sell bonds lower, in that they are tax exempt. He said that the moral issue had quieted down, because the opponents read the papers also. He pointed out that Mr. Anewalt favors other property for condemnation - but not this. He agreed that Mrs. Ney and Mr. Whitson pay millions of dollars more than services they receive. He stated that has to be so in this type of city; and thinks this is right. He hopes, Mr. Goodwin said, that Mr. Anewalt has reported his conversation with Mrs. Ney and Mr. Babcock. He pointed out that Mr. Babcock might want to sell, or not. He spoke of having done business with Mr. Whitson (aside from this issue). Mr. Goodwin declared that nothing has been done which is not correct.

A. J. Sutherland said that the Council has received statement today, discussing site for convention hall. He told of having hired an expert, who may be the wrong one, but that Mr. Shattuck thinks this site is right. Mr. Sutherland pointed out that he is a member of the City's sewer committee. He declared that a convention hall would help the City Treasury. He stated that expansion throughout the United States is terrific. He told of never having said that he wanted to do the job, but that he had just as a civic job. He told of having been on the exposition committee (which was disbanded on account of the war), and of trying to get a convention hall at that time. Mr. Sutherland said he was sorry that this has been taken as a personal issue. He pointed out that wherever the City goes, there might be condemnation. He stated that the committee would be relieved if it thinks it would not have this job. He told of being happy by the decision of experts.

Irving Kahn, attorney, owner of property "in the Plaza block", was heard. He said that it is his opinion that condemnation would not be necessary for 5/8 of the property; he owned 1, Babcock offered his to him at near the amount in the Shattuck report. He said that condemnation may or may not be necessary, and if so in what amount. Mr. Kahn said that this is regarding use and necessity. He stated that rights of the people are paramount to those of the property owners. He stated that protection is set up for compensation. He considered the proposal feasible, practicable and in the best interest of the City; and as a result, he had agreed to sell. Mr. Kahn spoke of having faith in the leaders, and in the Council. He said that it has to be seen that no advantage is taken of the property owners. He pointed out that under laws of the country every person can have his day in court. He stated that he expects to be protected - along with others. He said it is not so that property is being taken away. He spoke about Shattuck plan providing for appropriation. He asked for approval of the plan.

Mr. Jessop expressed appreciation for the hearing which had just been held.

Mr. Schwartz referred to Reading reports (traffic) of September 14, 1954 and of December 15, 1954. He put them in the record.

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

Councilman Schneider referred to Mr. Witson's comment regarding static situation. He said that there can be a resolution about that. He referred to a difference between the Spokane and the Long Beach men. He thought this would not get trade shows.

The Long Beach man, upon being asked the question, agreed that money for the (new) auditorium is coming from tidelands.

Councilman Schneider said that Long Beach has millions in oil royalties. He asked if owners would sell at a fair price. He stated that San Diego is like a poor family, and should not turn down this opportunity to secure the facility.

Councilman Godfrey spoke about Mrs. Ney's comment, and pointed out that Harold Kean had asked him to appear on the TV. He said that he appeared for the City - not the proponents. He referred to having attacked Mr. Wansley, who was a paid attorney. Mr. Godfrey said that Mr. Wansley was not in a position to open mindedly consider the proposal, whereas it is open minded.

Councilman Burgener spoke to Mr. Merkleley who came to the microphone. Mr. Merkleley spoke of having "144 elderly people on the Plaza". He asked if they would be frozen out.

The Mayor said that there would be appraisals made, and that they can go to court.

Mr. Merkleley spoke about those people having put money in the lease years ago.

The Mayor stated that if it goes to condemnation, the original purchase price of the surrounding area would be taken into account. He said that this is not the proper place to state reasons. Mr. Merkleley said that the law is "rough on these". He went on to explain, further to Councilman Wincote.

Councilman Dail expressed hope for reaching a decision today. He said that the Council has to rely on the opinions and advices of the Planning Department and Commission. He spoke of trying to place this in the Master Plan, based on studies. He stated that a committee had been asked to review and recommend. Mr. Dail said that the City Manager got in on a policy, which he said was a mistake. He said that the Council asked for the dismissal of the committee - out of which came the Shattuck Plan. He said that there was no opposition and no recommendation from Planning. He stated that Shattuck was not appointed by the Planning, who went back on data collected over a period of years. He said that recommendation was regarding 10,000 seats. Mr. Dail said that Bob Peterson gave each Councilman a master plan, recommending a 10,000 seat convention hall. He said that it diminished to a smaller facility.

Hearing - Master Plan  
(Shattuck Plan on the Plaza, and S.)



The Mayor stated that the original advise was regarding a 1-purpose facility - followed by different type of facility. He stated that the Council had referred the Shattuck Plan to the Planning Commission, and to have it back. He said that there should not be settlement for a small facility. He referred to authorities having made presentations. He spoke of the Shattuck Plan at another location. The Mayor stated that the Plaza site is not adequate.

Councilman Burgener said that the Council should reach a vote today.

The Mayor stated that the Council should come to a conclusion.

Councilman Burgener said that he wants a convention hall for San Diego at almost any price, but not at any price. He referred to there having discussion of taking from one for another. He said that the question is, is this the right place for the auditorium and the right size. He told of 14 sites surveyed by the Planning Commission - but not this one. He asked if location is of expediency, and if this is the Planning Division's recommendation.

Glenn A. Rick, City Planning Director, replied "no".

Councilman Burgener said that half of the time there will not be adequate parking. He pointed out that 1500 feet takes one to 10th Avenue and to Cedar Street. He asked if that is too far to walk. Mr. Burgener said that convention auditorium managers said that it can't be put on this location; it is too small; he votes "no".

Councilman Schneider said that the bulk would come from private capital; if this is not built, the City will not get an auditorium for 5 or 10 years. He said that this one could be used.

Councilman Godfrey said that in Long Beach the City dipped into oil money; in Spokane it went to a bond issue, and took 29 years to pass. He spoke about the practical approach; about it being practical to have, or not to have. He asked if San Diego wants a convention hall, or not; how to get it, and when. He spoke of having studied the report, and made reference to thinking the plan is a multi-purpose facility. He agreed that it is not the most practical approach. Mr. Godfrey said that there might be facilities at various places. He said that this is not a hearing on how many rooms, how to finance the project, the shops, etc. He said that San Diego has an opportunity, since it has no oil money, or 29 years. He stated that it can be worked out. He said that it has to be decided if it is in the master plan. He said that he votes "yes".

The Mayor said that he was in Spokane, which has an excellent auditorium, but that it had been largely brought about by clubs and in connection with closed gambling. He stated that much contracting was donated. The Mayor told of \$2,000,000 having been voted - for a 4 or 5 million dollar facility. He said that Long Beach has all-purpose shows, not thought of for this facility. He said that for 4 years it has been a lively issue, and that it will continue to be. The Mayor said that with every location proposed there is violent opposition. He said that this is a piece of a bit segment of an economic base: conventions. He said that if this move is taken, the Council can analyze the situation. He stated that the Council can say "yes" or "no". The Mayor said that he is not bothered by the condemnation, because that would occur anywhere, except in the Park. He said that this is an opportunity for the City.

Councilman Wincote said that the moral issue is involved, and that it would affect proponents of the plan. He said that if there would be a sports arena in 2 years he would not be interested. Mr. Wincote said that the property needed may possibly be purchased at the desired price. He told of having been working on it for 35 years. He said that it should be asked if effort is being made to buy, rather than condemn. He said that the Master Plan way would mean to condemn.

The Mayor asked if there was a motion to put this in the Master Plan.

Councilman Wincote said that the Council is "facing condemnation, here and now."

Councilman Schneider said that only 1 property owner had come to the front who is willing to sell: Mr. Kahn. He said Mr. Kahn can withdraw from the master plan.

Councilman Godfrey moved to place the area between 3rd and 4th Avenues, Broadway and E Street in the master plan, by including the site for a convention hall. Motion was seconded by Councilman Schneider.

Councilman Wincote said that the proposition would be better served by a delay.

Councilman Godfrey spoke about approach not having been made. He said that it is a question if there is a place in the master plan for this proposal.

The Mayor said that it would not preclude negotiations; it could be replaced in the present status.

Councilman Burgener said that 4 votes of the Council would be necessary.

The Mayor said that there is no recommendation.

The roll was called on motion to amend the Master Plan of The City of San Diego by adding a public building plan: area bounded by Broadway, 3rd Avenue, 4th Avenue, and E Street, as site for construction and operation of a public facility consisting of underground parking space and a municipal convention auditorium, resulting in the following: Yeas Councilmen Schneider, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote, Kerrigan, Dail. Absent--Councilmen None.

The Mayor announced that the motion lost.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 5:57 o'clock P.M.

Hearing - Master Plan  
(Shattuck Plan in Plaza,  
and S.)

ATTEST:  
FRED W. SICK, City Clerk

By August M. Hadistson  
Deputy

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

### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, January 20, 1955

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

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Assessment No. 2313 for paving and otherwise improving Congress Street and Hortensia Street, the Mayor announced that the hearing had been continued at the request of the City Engineer, and on request of the City Attorney.

RESOLUTION NO. 122217, recorded on Microfilm Roll No. 90, adopting recommendation of Street Superintendent, filed under Document No. 503215, to correct and modify Assessment Roll No. 2313 for paving and otherwise improving Congress Street and Hortensia Street; directing him to modify and correct the Assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122218, recorded on Microfilm Roll No. 90, confirming and approving Street Superintendent's modified and corrected Assessment No. 2313 made to cover expenses of paving and otherwise improving Congress Street and Hortensia Street, under Resolution of Intention No. 116719; 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 on ordinance incorporating portion of Lot 66 Rancho Mission into R-2 zone, the Mayor asked the Planning Director to make a report.

Glenn A. Rick told the Council that the rezoning is for a school in Allied Gardens, and that there are no objections.

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

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

ORDINANCE NO. 6381 (New Series), recorded on Microfilm Roll No. 90, incorporating portion of Lot 66 Rancho Mission into R-2 Zone as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance No. 5132 (New Series) adopted March 25, 1952, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Godfrey.

On motion of Councilman Schneider, seconded by Councilman Wincote,

Hearing  
122217 - 122218  
6381 N.S.

reading of 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.

The next item was taken out of order.

It was a communication from San Diego Junior Chamber of Commerce, dated January 19, 1955, signed by Calvin H. Flynn, president, was presented. It requests permission to appear this date and present a review of program during the next year, as part of observance of National Junior Chamber of Commerce Week.

At the request of the Mayor a delegation from the Junior Chamber arose, for recognition.

A communication setting out in detail, during observance of National Jaycee the extent of the projects and events in which the Jaycee participates during the year. It speaks of being proud of the activities and accomplishments, the role played in bettering the community, and the part taken in helping to train young men of San Diego to become civic leaders of tomorrow. The 5-page letter was read to the Council by Mr. Flynn.

On motion of Councilman Wincote, seconded by Councilman Burgener, it was ordered filed. (Councilman Burgener had entered the meeting during the reading).

Councilman Burgener moved that the Junior Chamber of Commerce be commended for its work, and for the report which had just been filed and read. Motion was seconded by Councilman Dail.

As a result of the motion, the Mayor commended the Junior Chamber.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Mission Valley Improvement Association, a corporation, from decision of the Board of Zoning Adjustment in granting permission to Caudell & Johnson to construct and operate a plant for manufacture of pre-cast concrete products, existing buildings to be used as office and warehouse on portion of Fueslo Lot 1109, south of Friars Road, east of prolongation of Texas Street, in Zone R-A, subject to conditions imposed, the finding of facts - on application No. 13270, signed by D. E. South Zoning Administrator on Resolution No. 8646 - was presented and read.

Glenh A. Rick, Planning Director, told the Council that there was a 4 to 1 vote to grant, answering Councilman Dail.

The Clerk read the conditions attached to the variance.

Mr. Rick showed a map to the Council. He stated that master plan for Mission Valley is still under consideration, and will be ready in a couple of months. The information was given in answer to a question put by the Mayor. He explained from the map. He explained the situation from a map, and said that variance on the Caudell & Johnson transit mix plant has some time to run.

Councilman Dail said that the question is regarding the present operation.

Morey Levenson, attorney, appeared in behalf of the Mission Valley Improvement Association. He said that he would yield to others.

The Mayor said that he hopes points will be made, but that there will not be repetition.

Raymond P. Coady, attorney, representing the Roman Catholic Bishop, Men's College, in Alcala Park, Law School, appeared. He stated that the University, under Bishop Buddy, has spent millions for its plant. He told the Council that the university was put there regarding the status quo - and for historical reasons of the location. He said that the situation adds to nuisance of operation of the educational institution. He protested increased operation in Mission Valley.

Councilman Wincote spoke directly to Mr. Coady regarding seeing the area from the Catholic School.

Mr. Coady's reply to question if site could be seen was "yes".

Councilman Wincote stated that he thinks it cannot be seen.

The Mayor said that the Council will be here all day, referring to questions being asked and answered during the hearing. He said that the Council can go out and look at the property, inasmuch as it is not possible to tell all from the map.

Thomas Moran, attorney, told the Council that he was speaking for the Religious of the Sacred Heart, in opposition. He stated that they work without pay. He said that they have invested over 5 millions, aside from the site. He said that they oppose industry in the Valley. He asked for reversal of the action of the Board of Zoning Adjustment.

Discussion was entered into between Councilman Schneider and Mr. Moran.

Communication  
Verbal presentation by Jr. C. of C.  
Hearing

Mr. Rick pointed out various situations, from a map.

Mr. Moran told the Council that various schools are all a part of development of Alcalá Park.

Councilman Schneider spoke to Mr. Moran about the area in question being about 3 miles from the College, and about protesting view, not the entire Valley.

Mr. Moran stated that development cannot be of different characters in Mission Valley. He said that the School is affected by development of the Valley.

G. C. Meadows, representing Overlook Heights Improvement Assn. asked for rejection of industry in the Valley. He said that Mission Valley is bypassed from San Diego. He declared the Valley to be one of the future beauty spots of San Diego. Mr. Meadows pointed out that light industry does not impress visitors. He stated screening of the area with trees is like housewives sweeping dust under rugs. Mr. Meadows asked the Council not to grant the variance for more new light industry. He said that there is an area on Kearny Mesa available for that.

There was applause. The Mayor called for no applause or expressions of feeling, in the interest of cutting down the time consumed during the hearing.

Mr. Levenson told of having filed 468 signatures in opposition to the request for the variance. He showed the Council a map regarding property use. Mr. Levenson stated that he is cognizant that members of the Zoning Adjustment Board are volunteers, and that he does not question their motives, but is amazed by actions of the Board. Mr. Levenson told the Council that he does not know how the Board can come to the conclusions that it did. He told of the existing Zone R-1A which lists the area to residences and small farms. He stated that many people have acquired homes, relying on the zoning and the belief that they would not be burdened by detriments. He said that it is true there are some non-confirming uses. He said that rezoning is for the purpose of preventing expansion of non-conforming uses, but that there have been variances - after the area was zoned - to Caudell & Johnson or their affiliates. Mr. Levenson told about an August 1954 hearing for variance for a 60-unit hotel, adjoining El Camino Real. He said that there were objections by the Board, and that there is now conference with the State Highways regarding development. He read from minutes regarding comments made by Mr. Landt. He pointed out that the application was denied, although there was no opposition. Mr. Levenson referred to the existing Town & Country hotel, but said that application for another hotel had been denied on account of there being no community plan in Mission Valley. He said that was denied, when Caudell & Johnson made application for variance. He told of need for knowing about future plan, and that it should be known what the masterplan will be. He said that it will be known that there would be encroachments. He said that when Mission Valley was originally zoned, Mission Valley was more or less on the perimeter. Now, he said, there are many homes beyond to the north. He said he thinks Mr. Rick will agree that industrial development should be on the outskirts. He spoke of establishing residential zone in 1940. Mr. Levenson said that Mission Valley is now practically in the heart of the city, and there is now expanding industry. He said that he cannot agree with the "findings". Mr. Levenson told the Council that the power of the Board is not arbitrary, or absolute. He stated that it is limited by the Municipal Code. He read from the Code about the limitations. He told of acquisition after zoning. He said that it is not true that the property can't be used; it was bought after being zoned. Answering Councilman Dail, he said that he does not know what date Caudell & Johnson, and other corporations received several zone variances. He said that in 1950, May 24, there was a variance for the San Diego Transit Mix. He quoted regarding it terminating in June of 1955. Mr. Levenson said that there would be 5-year time limit on the variance, and there would be a never ending process limiting to 5 years. He said that they will want continuances on the other variances. He read from the Code regarding deriving use. He said that if the Council would examine the area it would find considerable agricultural use. Mr. Levenson stated that it is not a fact that the area can't be used for other than industrial.

Councilman Dail moved to refer the matter to the Planning Department for a record of the variances - on the time involved.

Mr. Rick told the Council that the R-1A use was put in about 1940; prior to that it was mostly R-1.

Mr. Levenson pointed out that R-1 increased the restrictions.

Councilman Dail spoke to Mr. Levenson about driving out of the Valley the industries.

Mr. Levenson said that when the variances are limited, the use for which they were given should stop (at the end of the variances). He declared that under the present system they would never end. He spoke of not being able to tell regarding a time 6 months hence. Mr. Levenson said that the property owners have a "right to have an end to this thing." He told the Council that the property owners have to continue defending the area (against the encroachment on the zone). He read further from the Code regarding harmony, intent and use being not harmful. He declared that the use is not in harmony with R-1A. He stated that the highest use and restriction is in the R-1A zone. Mr. Levenson said that the extreme is going to be opposed. He said that the proposal is inconceivable. He continued to read from the findings on the variance. He stated that it needs no argument to convince anybody that the industrial use will depreciate residential use. He declared that it would increase discomfort to the residential use. He spoke of transportation by truck. Mr. Levenson said that affects the peace, quiet and enjoyment of the property in the Valley.

Hearing - Mission Valley Improvement Assn.  
appeal on Caudell & Johnson variance



Councilman Burgener spoke to Mr. Levenson about the adjoining property. Mr. Levenson told of "new development to the north - above". He stated that Councilman Wincote is talking about 20 acres in a tract adjoining. He observed that "the whole thing is relative".

Councilman Burgener asked if the property is over a mile away. A conference was held over a map by Mr. Rick and Councilmen. Mr. Levenson stated that 1 property owner is less than 1/4 mile away. The Mayor asked for "getting ahead" with the hearing. Mr. Levenson pointed out that he was yielding to questions from Councilmen.

Councilman Schneider stated that property owners involved are entitled to exaggerations.

Mr. Levenson stated that the Council has heard a lot about smog and smoke. He stated that he had photographs, which he showed, taken on a Sunday morning when the area was clear. He stated that on December 22, when there were industrial uses in the Valley, the smog settled in Mission Valley. He identified photographs taken from Kensington, west to Mission Valley, at different times. He continued showing various pictures, taken under different conditions and times, which he explained as he exhibited each. Mr. Levenson contended that pictures showed conditions caused by industrial activity. He explained them particularly to Councilman Wincote, who asked specifically about each. Mr. Levenson said that effects ~~effects~~ from conditions in Mission Valley can be felt at the College and at the hospitals - as well as their being seen. Mr. Levenson declared that requirements of the Code have not been met in the granting of the variance. He said that it (denial) would not deprive applicants of nothing, but the granting is injurious and detrimental. He declared that everybody recognizes that the City has no master plan for the Valley. He told of the Board of Zoning Adjustment having turned down one request because there is none; granted another for the same reason. He declared that no variances should be granted until the City has established a master plan. He emphasized that variances are being granted contrary to ordinances. He referred to the moral obligation to the people who have acquired property in Mission Valley. He contended that those operating under them should not expand under variances, or through zoning. Mr. Levenson told the Council that it should grant the appeal; and deny the variance.

Councilman Schneider spoke to Mr. Levenson regarding distinguishment between R-1 and R-1A.

Mr. Levenson said that if there were a master plan that was it.

Councilman Dail pointed out that Mr. Levenson was representing Mr. Starr in an application for a variance, in which case Mr. Levenson took the opposite view.

The Mayor left the meeting - Vice Mayor Charles B. Wincote took the Chair.

Mr. Levenson said that a ball park (the Starr application for the "Padres") was regarding a different use.

Councilman Burgener referred to the different atmospheric conditions.

Mr. Levenson said that smoke and smog are not seen on Sunday, and that industry (the Valley) creates the conditions.

Councilman Burgener spoke directly to the photographer who made the pictures, who in turn spoke to Councilman Burgener. The photographer, Joseph Busco, spoke about the conditions in the photos. He declared that the plants do cause the condition in Mission Valley.

Will Hippen, a property owner and resident in Mission Valley, identified himself as chairman of the Mission Valley Improvement Association. He said that Mr. Golden had made remarks to the effect that if start is being made to develop Mission Valley it would take 50 years to do something; it is too late, now. He exhibited a picture made 39 years ago, and a picture now. (The various pictures shown to the Council during this hearing were not filed with the Clerk). Mr. Hippen declared that "it is not too late to make the Valley beautiful." He spoke about applicants wanting to go ahead, regarding the University, the Mission Valley County Club, the Town & Country Hotel, which are of course not residential uses. Mr. Hippen pleaded for deep consideration of the Caudell and Johnson variance; and deny it. He said that when the Valley is opened up to such uses, the City cannot deny others.

Walter Turner, president of Mission Valley Improvement Association, and a property owner, spoke next. He said that from Texas Street to the City limits the property owners oppose this, and referred to being only 1/4 mile away. He said that the areas can see the smoke every morning from the Caudell & Johnson plant, as well as the moving equipment - except on Saturday and Sunday, when they do not work. Mr. Turner stated that in the Summer there is dust from the area.

Councilman Schneider asked if there is a nuisance now.

Mr. Turner's reply was "yes".

Councilman Schneider spoke to Mr. Turner regarding future action.

Mr. Turner stated that he could not answer that point; it is regarding what the Association decides. He told of having moved in 5 years ago; he has opposed the variance, which has grown. He said that he "can see all, despite the trees". Mr. Turner stated that it is right in front of his front door. He predicted that it will be a continuance of the industrial thing, and stated that it is up to the Council to help plan the Valley.

Councilman Wincote, as Vice Mayor, spoke to all present interested in this appeal. He said that there are 5 members of the Council present, and that it

Hearing - Mission Valley Improvement Assn. appeal on Caudell & Johnson variance.



takes 5 votes to overrule the Planning (Board of Zoning Adjustment). He stated that if it is agreeable, the Council will hear the proponents.

Councilman Kerrigan said that before a vote is taken, the Council should have full criticism before a full Council

Councilman Burgener stated for the benefit of people at this hearing, that Councilman Godfrey is ill; the Mayor is at a Navy function. He said that the Council should continue the hearing.

Russell Grant, attorney, representing Caudell & Johnson, also a property owner in Mission Valley, and representing other property owners, was heard. He told the Council that he has been in the Valley for 30 years or longer. He told of having given a road without compensation - then paved it. He made reference to not opposing the University schools, and there is need for clean industry. He declared that the Caudell & Johnson operation is a clean industry. Mr. Grant said that this is clean, not smog - the opposition is a smoke screen. Mr. Grant spoke of not having any smoke, and not driving trucks. He declared that it is not possible to get smoke from wet concrete. It was his contention that Caudell & Johnson is not creating the smoke. He referred to paying high taxes. It was Mr. Grant's contention that smog will increase, as the road increases.

The Vice Mayor said that Caudell & Johnson has boilers.

Mr. Johnson told the Council that 2 are too small; they want to discontinue; they want 10 h.p.

Mr. Grant pointed out that this is not rezoning; it is a variance. He spoke of having met conditions of the variance. He said that no effort is being made to re-try a denied variance. He spoke of a delay, it went to a hearing by the Board of Zoning Adjustment and Planning Commission. He repeated that they had a hearing. He stated that "we're" trying to protect property; the Mission Valley Improvement Association is not a property owner. Mr. Grant stated that the City is going to be burdened with hearings for some time. He told of operation and sale; Caudell & Johnson has created an interest, City, State and Nation-wide. He told the Council of their operating under a permanent variance. Mr. Grant referred to need for more space; 20 acres are owned to the east. He showed a photograph of a portion used for a waterway; there are tules and trash according to him. He referred to going to full and slope. He said that building on the east was moved - except the warehouse. He told the Council that it is proposed to plant trees, and that the trees which exist are an asset to the property. He stated that the operation is almost completely hidden; the office should not be hidden. Mr. Grant stated that the low area is 1/3 of the area involved, and that it is going to be filled. He said that there is no intention to put in a batching plant; material is hauled in, west of Texas Street intersection on a private road, not dedicated. Answering Councilman Kerrigan, he said that the road is used by the public, but that it is not dedicated.

Councilman Dail asked Mr. Grant if he is part owner.

Mr. Grant replied that he does not own any part of the corporations; he does own land in the Valley - 250 some acres. He said that there is no dust or smoke from the operation. He declared that pictures show other operations which create the smoke. He stated that the zone had been adopted about 1940, when the area was different - mostly farming. He stated that Mission Valley Road is put on a fill; on the Mission Valley north, it is on only bottom land. Mr. Grant said that there is a risk involved in building a home in the area. He point out the channels, and said that map is being made of the flood land to the west. He told of Friars Road being about on grade of Mission Valley on the north side of Mission Valley. He spoke of there being 4 or 5 potential sites, and of everyone having signed petition he presented asking denial of the appeal - representing 942+ acres. He showed another map of signers of petition to sustain the Board of Zoning Adjustment. He stated that the adjoining site had signed, but that 1 is in Mexico; others have signed. He pointed out the opposition, on a map.

Councilman Dail spoke to Mr. Grant regarding flooding, and not being suitable for other use.

Mr. Grant agreed that is so. He spoke of the area being encircled by non-conforming uses, or permanent variances. He pointed them out on the map. He referred to 1 mile or 1-1/2 miles, and having had it measured. He spoke of not being an engineer, but it is between 1 and 1-1/4 miles. Mr. Grant spoke about variances which exist, and pointed them out, as well as conditions on a channel on 1 of them. He spoke of there being several millions of dollars involved on the 5-year basis. He said that he can't get a permanent variance. He told of the Gas Co. substation, which is in the County; there is a dairy and a trailer court, as well as the Fenton operation; 100 acres of City-owned land; there are 4 sand and gravel excavations, and a point. He said that City lines are on map, answering the Vice Mayor. He told of 4 operators who are paying royalties to the City. He said that his property, and Caudell & Johnson's are encircled. He contended that the area should be rezoned.

Councilman Schneider asked what the risk would be in R-1 zoning.

Mr. Grant replied that it would be regarding flood.

Discussion followed between Councilman Schneider and Mr. Grant.

Mr. Grant said that a portion is properly zoned, above the water. He said that when it gets across Mission Valley Road it is dangerous.

Councilman Burgener asked about low land and motels, and where they are.

Mr. Grant referred to about 1937 or 38, to Caudell & Johnson, on a variance. He told of the natural deposit for sand and gravel, centrally located.

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Mr. Grant told the Council that there is nothing of historical interest being hurt. He declared that the gravel was not put there; it was there.

The Vice Mayor announced that it was 12:00 o'clock.

Mr. Grant asked for 5 minutes more.

The Vice Mayor said that the Council doesn't want to crowd the individuals involved in the hearing.

Councilman Kerrigan said that there should be no attempt to curtail information.

Mr. Levenson advocated having a full Council here.

Councilman Kerrigan stated that this is not going to be resolved in 15 or 20 minutes. He said that the hearing could be continued until next week, or it could be finished today.

Councilman Dail moved to continue the hearing to 2 P.M., next Thursday.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the appeal of Mission Valley Improvement Association hearing was continued until thursday, January 27, 1955, 2:00 o'clock P.M.

Communications from City Planning Commission, submitting 2 Resolutions on Tentative Map of Chester Square Addition - suspending portion of Municipal Code and approving Tentative Map - were presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, they were continued until January 27, 1955.

On motion of Councilman Dail, seconded by Councilman Burgener, the meeting was recessed at 12:05 o'clock Noon, until 2:00 o'clock P.M., this date.

Upon reconvening, at 2:05 o'clock P.M., the roll call showed the following:

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan

Absent---Councilmen Dail, Godfrey, Mayor Butler

Clerk----Fred W. Sick

Vice Mayor Wincote acted as Chairman

A majority of the members of the Council signed undertakings for Street Lighting, with San Diego Gas & Electric Company:

Garnet Street Lighting District No. 1;

Sunset Cliffs Lighting District No. 1;

Presidio Hills Lighting District No. 1.

Petition of Residents and Property Owners requesting that name of Lorca Drive, which had been changed to Logrono and Lambeth by the City - after annexation of Rolando area to the City - be reinstated to Lorca Drive, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the petition was referred to the Planning Commission, and the Commission requested to inform the Council regarding the procedure to change street names.

Councilman Kerrigan stated that petitioners want the name changed back to Lorca, that they did not know of the situation until the change had been made, and until they received their gas and telephone bills.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of Muirlands Easterly Sanitary Outfall Sewer - 10 bidders - and recommending acceptance of low bid of W. V. Hutchison Company, in sum of \$11,859.00 - was presented.

RESOLUTION NO. 122219, recorded on Microfilm Roll No. 90, accepting bid of W. V. Hutchison Company for construction of Muirlands Easterly Sanitary Outfall; awarding contract; authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of improvements in Orange Avenue

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Reconvened  
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at 51st Street, Altadena Avenue, 50th Street, Winona Avenue, and Altadena Avenue at Trojan Avenue, was presented. It recommends acceptance of low bid of H. C. Dennis - 2 Bids - at \$2,295.21.

RESOLUTION NO. 122220, recorded on Microfilm Roll No. 90, accepting bid of H. C. Dennis for improvement of Orange Avenue at 51st Street, Altadena Avenue, 50th Street, Winona Avenue, and Altadena Avenue at Trojan Avenue; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract with H. C. Dennis, pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Linda Manor, a 22-lot subdivision located on Logan Avenue easterly of subdivision of Donna Estate, subject to 11 conditions, was presented.

RESOLUTION NO. 122221, recorded on Microfilm Roll No. 90, approving Tentative Map of Linda Manor, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lot 20 Block 14 Loma Alta No. 1, was presented.

RESOLUTION NO. 122222, recorded on Microfilm Roll No. 90, suspending Sections 102.18-5 and 102.17-c of San Diego Municipal Code, in connection with Tentative Map for resubdivision of Lot 20 Block 14 Loma Alta No. 1, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lot 20 Block 14 Loma Alta No. 1, into 2 lots - located between Venice and Mendocino Blvd. near Brighton Street in Point Loma area - subject to 3 conditions, was presented.

RESOLUTION NO. 122223, recorded on Microfilm Roll No. 90, approving Tentative Map for resubdivision of Lot 20 Block 14 Loma Alta No. 1, subject to 3 conditions, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for Resubdivision of Lots 11 to 14 Block 87 Morena, subject to 3 conditions, was presented.

Also communication from Planning Commission recommending suspension of portion of San Diego Municipal Code, was presented.

RESOLUTION NO. 122224, recorded on Microfilm Roll No. 90, suspending Sections 102.18-5, 102.07-5, 102.09 1&2, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lots 11 to 14 Block 87 Morena, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122225, recorded on Microfilm Roll No. 90, approving Tentative Map for resubdivision of Lots 11 to 14 Block 87 Morena, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Manager returning offer of C. Arnholt Smith to exchange closed portion of Twiggs Street lying easterly of Casa de Lopez for 150'x150' city-owned lot which lies to the west of Casa de Lopez, was presented. It states City would not be in position to consider proposal until location of major street connecting Morena Boulevard with Kettner and India Streets near Washington Street has been determined. It says that determination is pending before Planning Commission and will eventually come to the Council for final decision. It reports that the communication had been forwarded to Mr. Smith for his information.

Communication from City Engineer, with City Manager's stamp of

communications  
122220 - 122225

approval, stating that attempts have been made in past few years to secure signatures of owners of at least 60% of area near Barnett Street and Midway Drive to remedy sewer problem, by 1911 Act proceedings, was presented. It recommends that Council order district formed to install sewers to serve portions of Pueblo Lots 236, 319 and 320.

RESOLUTION NO. 122226, recorded on Microfilm Roll No. 90, adopting recommendation of City Engineer contained in Document No. 504540 to order district formed to pay costs and expenses of sewers to serve portions Pueblo Lots 236, 319 and 320 under 1911 Improvement Act proceedings; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district 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 Kerrigan, adopted.

\* The Mayor entered the meeting, and took the Chair

Communication from Loyal Order of Moose, Lodge No. 1755, signed by Paul M. Thomas, secretary - 5019 Newport Avenue, dated January 18, 1955 - was presented. It submitted copy of Resolution re dredging Mission Bay Channel and restoration of beach area. The communication states that delegation will be present at this meeting on the matter.

Councilman Burgener told the Council that a delegation had been present this morning, but he had advised them to go home, inasmuch as the item apparently was not going to be reached. He said that the Clerk would read it. He came to the Clerk's desk and secured the communication, which he read.

The City Manager said that they will be in again.

Councilman Burgener stated that the communication urges action to dredge and construct groin. He stated that Mr. Rick is conferring with Mr. Eaton.

Glenn A. Rick, City Planning Director, told the Council that the Beach Erosion group has 2 recommendations: beach erosion engineer and district engineer. He said that there will be 1 recommendation before the Board in March. He said that they don't want publicity regarding differences of opinion. He said that there will be recommendation, including the U.S.A. paying 1/3.

Councilman Burgener asked if dredging would interfere.

Mr. Rick stated that the dredge is in operation.

\* It was at this point that the Mayor entered the meeting.

Mr. Rick told about progress of the project.

Councilman Burgener spoke of writing to the Ocean Beach Chamber of Commerce, and to the Moose Hall.

Mr. Rick stated that he had written to Col. Drake. He related the procedure, if the State or local benefit or financing is involved. Mr. Rick said that it is contemplated that there will be a revision of the beach acquisition program.

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

Communication from Motor Car Dealers Association of San Diego, inc., 324 Cedar Street, P.O. Box 269, San Diego 18, dated January 18, 1955, signed by Lawrence A. Smith, Mgr., was presented. It protests adoption of proposed Ordinance amending Section 101.0411 of San Diego Municipal Code establishing regulations of "C" Zone - relative to automobiles, automobile trailers, retail sales yard, or parking lot or garage.

Glenn A. Rick, stated that the item is in Conference, and that Mr. Cope (Assistant to the City Manager) has it.

The Mayor recommended filing.

Mr. Rick spoke about a man on Blaine Street having made objections in connection with usable and serviceable cars, as well as retroactive feature. He said that no adjectives regarding automobiles is in the ordinance. He stated that City Attorney J. F. DuPaul would not enforce against autos, but against trailers.

Then the Mayor recommended sending the item to Conference.

Councilman Schneider said that it may not be necessary to change the Ordinance, regarding the 1 occasion.

Councilman Wincote said that the Council ought to get to this in its conference.

Councilman Kerrigan related the conditions which exist at 54th and University, which he described as being like a junk yard. He spoke of the problem of moving traffic, related to the moving of wrecked cars. He said that this can happen all over the City.

Councilman Schneider said that the City is so full of laws now, that nobody can do anything.

RESOLUTION NO. 122227, recorded on Microfilm Roll No. 90, referring to Council Conference communication from Motor Car Dealers Association of San Diego, Document No. 504488, objecting to proposed Ordinance re restrictions in "C" Zone, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Petition of residents and property owners relative to procrastination on the petition for street improvements in area of 52nd Street, Landis Street and Altadena Avenue, was presented.

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

Communication from Public Utilities Commission, State of California, dated January 7, 1955, signed by Justus F. Craemer, Commissioner, was presented. It refers to hearing on Application No. 36579 from San Diego Gas & Electric Company for annual rate increase for year 1955 - hearing to start 2:00 P.M., Wednesday, February 2, 1955, at Civic Center Building, San Diego.

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

Communication from residents (1 was listed on the agenda; another was received and added to the file by the Clerk), favoring building of a Civic Festival Theatre great enough to make San Diego world famous, was presented.

The Mayor asked that the item be referred to him for reply.

Councilman Wincote asked if it would be breaking faith with La Jolla, regarding setting up an area.

Mr. Rick told of having met with the La Jolla people, and of there being no conflict.

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

Communication from Mrs. Raymond E. Smith, 3565 Jennings St., San Diego 6, dated January 16, 1955, was presented. It mentions having worked on committee in Memphis last year and attended National Conference re "Keep America Beautiful, Inc.". It tells of organization in April 1954, and of 20 years work in Memphis.

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

The item listed next on the agenda, from San Diego Junior Chamber of Commerce, was handled earlier in the meeting.

Communication from Dr. Anna M. Schnelle, 3559 Oliphant Street, San Diego 6, dated January 18, 1955, was presented. It requests removal of an old acacia tree, blown down some time ago, from property at 3559 Oliphant Street.

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

Communication from Woodrow Wilson Jr. High School social studies classes, 3737 El Cajon Blvd., San Diego 13, signed by Orville Hay, vice president of Room 16, was presented. It thanks the Council for attention received at Council Meeting, and at the Mayor's office, during visit to civic center building.

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

Copy of communication from Thomas J. Fanning, attorney at law, suite 626 Bank of America Building, dated January 14, 1955, addressed to Building

Communications  
Petition  
122227



Inspection Department, relative to building inspection at 1128 to 1130 West Redwood Street, was presented. It states letter was written at direction of Heilman Construction 3859 47th Street re unnecessary delay, and advice given to the Heilman Construction to hold any persons responsible for an unjustified delay liable for damages resulting therefrom.

Councilman Schneider said that the letter had been read in Conference.

Councilman Wincote said he would like to have the letter read. The Clerk read it.

Councilman Wincote spoke of property as being "next door to Buck Metzger". He said that Mr. Heilman brought the property out to 0 setback with forms, whereas Mr. Metzger went back 11 or 12 feet. He stated that Mr. Heilman and Mrs. Andreen (Deputy City Attorney) called him. Mr. Wincote said that he got in touch with Mr. Metzger, and Mr. Metzger wanted Mr. Heilman to state what the footage back would be. He stated that Mr. Heilman would not change; Mr. Metzger wanted copy, or a statement regarding 9 foot setback. He told of discussion between the 2, and of discussion between Mr. South (Dave South, Zoning Administrator) and Mrs. Andreen. Mr. Wincote said that 2 variances on side setbacks were approved. He said that Mr. Heilman referred to a Seattle woman - and what does Mrs. Christman want. (It was not made clear who Mrs. Christman is, or what her interest is in the matter).

Councilman Kerrigan stated that Mr. Heilman had told him the whole story yesterday.

The Mayor recommended that it be filed.

Councilman Kerrigan said that it is involved, as far as Mr. Heilman is concerned.

The copy of the letter was, on motion of Councilman Burgener, seconded by Councilman Schneider, ~~ordered~~ filed.

RESOLUTION NO. 122228, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement for operation of Bahia Hotel at Gleason Point, agreement filed in office of City Clerk as Document No. 464084 as amended by Document No. 498067, with William D. Evans and Lucy E. Cooper as lessees; set out in form of agreement filed in office of City Clerk as Document No. 504649, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122229, recorded on Microfilm Roll No. 90, approving Change Order No. 4 dated January 6, 1955, heretofore filed with City Clerk as Document No. 504545, issued in connection with contract between The City of San Diego and L. B. Butterfield for construction of Redwood Village Pipe Line (Housing and Home Finance Agency Project, Calif. 4-CF-18), contract contained in Document No. 488480 on file in office of City Clerk; changes amounting to decrease in contract price of approximately \$567.16, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122230, recorded on Microfilm Roll No. 90, approving Change Order No. 1 dated January 7, 1955, heretofore filed with City Clerk as Document No. 504547, issued in connection with contract between The City of San Diego and H. W. Grizzle for construction of Fire Station No. 27, in Clairemont, contract contained in Document No. 501370; changes amounting to increase in contract price of \$133.46, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122231, recorded on Microfilm Roll No. 90, approving Change Order No. 1 dated January 13, 1955, heretofore filed with City Clerk as Document No. 504549, issued in connection with contract between The City of San Diego and Dan E. Face, doing business as Pace Construction Co. for construction of storm drain in Kensington Villa Annex No. 6; changes amounting to increase in contract price of \$70.82, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122232, recorded on Microfilm Roll No. 90, granting request of Pascoe Steel Corporation, dated January 10, 1955, contained in Change Order No. 1, for extension of 14 days to and including January 22, 1955, heretofore

filed with City Clerk as Document No. 504551, in which to complete contract for construction of Hangars at Montgomery Field, contained in Document No. 498827; extending completion time to January 22, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122233, recorded on Microfilm Roll No. 90, vacating easement for right of way for construction, operation and maintenance of storm drain or drains, and appurtenances in portion of Lot 20 La Mesa Colony, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution states easement was acquired in 1952, more than 1 year and less than 5 years next preceding date of Resolution and has not used it since August 22, 1952, date of acquisition; easement is unnecessary for present or prospective public use. It states that title to land previously subject to easement reverts to owners thereof free from rights of the public

RESOLUTION NO. 122234, recorded on Microfilm Roll No. 90, approving Water District plat of Muirlands Crest area, together with Water Department Director's report, filed with City Clerk as Document No. 504257, authorizing Water Department to permit property owners within Muirlands Crest Water District to connect to Muirlands Crest Water System upon payment to City of \$400.00 per family unit, or its equivalent, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122235, recorded on Microfilm Roll No. 90, granting permission to Armour Oil Company (L. Alsage) 3525 Estudillo Street, San Diego, to install 1 30-foot and 1 35-foot driveway on west side of 16th Street between points 13 and 43 feet and points 65 and 100 feet south of south line of Market Street; also 1 40-foot, 1 30-foot and 1 36-foot driveways on south side of Market Street between points 28 and 68 feet, 90 and 120 feet and 142 and 178 feet west of west line of 16th Street; also 2 30-foot driveways on east side of 15th Street, between points 16 and 46 feet, and 68 and 98 feet south of south line of Market Street, adjacent to Lots 1, 2, 11, 12 Block 17 Sherman's Addition, to provide access to 9 service station pump islands and 20,000 square feet of area subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122236, recorded on Microfilm Roll No. 90, granting permission to Chester L. Biggers and Frances M. Biggers, 3939 Calvert Way, San Diego 15, by revocable permit, to install and maintain brick retaining wall on both sides and front of 3939 Calvert Way, San Diego 15, to serve property being Lot 74 Rolando Park Unit No. 2 County of San Diego Map No. 2644, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122237, recorded on Microfilm Roll No. 90, granting permission to Citizens Warehouse (H. B. Johnson, Jr.) 1001 East First Street, Los Angeles, to install 40-foot driveway adjacent to Lot 5 Block 3 Vernon Park - Nly side of Banks Street Wly of Linda Vista Road, on conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122238, recorded on Microfilm Roll No. 90, granting revocable permit to Convair (a division of General Dynamics Corporation) Pacific Highway, San Diego, to install and maintain a 12" water main and appurtenances in unnamed street adjacent to and east of Pacific Highway and south of Rosecrans Street to serve property described as Lots 326 to 331 inclusive, Pueblo Lots, on conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122239, recorded on Microfilm Roll No. 90, granting revocable permit to Delfin R. Picon, 524 - 43rd Street, San Diego, to install and



maintain fence located 13.5 feet into right of way, in front of 524 - 43rd Street, to provide fence around property described as Lots 6 and 7 Block 13 Morrison-Marscene Park, San Diego, on conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122240, recorded on Microfilm Roll No. 90, authorizing and empowering Mayor and City Clerk, ~~for and on behalf of and as act and deed~~ to execute, for and on behalf of and as act and deed of The City of San Diego, a quitclaim deed to Alida M. Groves, of portions of Lots 30 and 33 Block 10 Tres Lomas; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantees upon receipt by City of deed conveying property as required by the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states The City is desirous of acquiring portion Lot 31 Block 10 Tres Lomas for street purposes; that Alida M. Groves is owner of the land and is willing to deed to City in exchange for quitclaim from City of portions Lots 30 and 33; value of each portion is \$400.00.

RESOLUTION NO. 122241, recorded on Microfilm Roll No. 90, authorizing Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, or portion Lot 12 Ex Mission Lands of San Diego (Horton's Purchase); authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that same be placed in escrow opened for the purpose of effecting exchange, was on motion of Councilman Schneider, seconded by Kerrigan, adopted.

Resolution states The City is desirous of obtaining land in Northwest Quarter of Section 34 Township 16 South Range 2 West lying westerly of 54th Street to be used for parkway purposes; that Byrl D. Phelps and Devereux M. Phelps are willing to deed land to The City of San Diego and pay to the City the sum of \$5,100.00 in exchange for quitclaim deed from the City for portion Lot 12 Ex Mission Lands of San Diego; value of property to be granted to the City by qualified real estate appraiser is \$8,400.00; value of City property is \$13,500.00.

RESOLUTION NO. 122242, recorded on Microfilm Roll No. 90, authorizing Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, of portion Lot 101 El Cajon Valley Company's lands; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states The City required reversionary rights to Lot 101 of El Cajon Valley Company's Lands in event of use of property for sale of intoxicating liquors, from El Cajon Valley Company, that San Diego Gas and Electric Company is owner of Lot 101 and is desirous of making use of property for electric substation, that reversionary interest constitutes obstruction to use of the property, and reversionary rights have no value as disclosed by last report of City Auditor and Comptroller, and City Manager has recommended quitclaim to owner of the property.

RESOLUTION NO. 122243, recorded on Microfilm Roll No. 90, accepting deed of Ryan Aeronautical Company, executed January 5, 1955, conveying  
1 6-inch Hersey F M C T Meter No. 310588  
1 6-inch Hersey Detector Check Valve,

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

RESOLUTION NO. 122244, recorded on Microfilm Roll No. 90, accepting subordination agreement, executed by Daley Corporation, beneficiary, and Union Title Insurance & Trust Company, trustee, bearing date December 30, 1954, subordinating all right, title and interest in and to portion Lots 56 and 57 Muirlands Village Unit No. 1, to right of way and easement for storm drain conveyed to The City; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122245, recorded on Microfilm Roll No. 90, accepting

deed (subordination agreement), executed by Union Title Insurance & Trust Company, beneficiary, and Union Title Insurance & Trust Company, trustee, bearing date January 5, 1955, wherein they subordinate all right, title and interest in and to portion Lots 56 and 57 Muirlands Village Unit No. 1, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122246, recorded on Microfilm Roll No. 90, accepting deed of Wilbur W. Easton, as Tax Collector for County of San Diego, bearing date January 13, 1955, conveying:

In the Dells Park - Lot 1 Block 2;

In E. W. Morse's Sub. of P.L. 1950; Lots 7 to 10 incl. Block 92; 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. 122247, recorded on Microfilm Roll No. 90, accepting deed of Valborg Landreth, bearing date January 13, 1955, conveying portion 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122248, recorded on Microfilm Roll No. 90, accepting deed of State of California, Department of Public Works, bearing date December 27, 1954, conveying portion of Pueblo Lot 1788; 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. 122249, recorded on Microfilm Roll No. 90, accepting deed of State of California, Department of Public Works, bearing date December 27, 1954, conveying portion Lot 28 Eureka Lemon Tract; setting aside and dedicating land to public use as and for public street, 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. 122250, recorded on Microfilm Roll No. 90, accepting deed of Alida M. Groves, bearing date January 7, 1955, conveying portion Lot 31 Block 10 Tres Lomas; setting aside and dedicating land to public use as and for public street, naming it Potomac Street; 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. 122251, recorded on Microfilm Roll No. 90, accepting deed of Western Mutual Corporation, bearing date January 11, 1955, conveying easement and right of way for street purposes in portion Lot 16 Block 2 Tres Lomas; setting aside and dedicating land to public use as and for public street, naming it Potomac Street; 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122252, recorded on Microfilm Roll No. 90, accepting



deed of Timothy J. Sullivan and Ann E. Sullivan, bearing date January 11, 1955, conveying easement and right of way for street purposes in portion Lot 18 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122253, recorded on Microfilm Roll No. 90, accepting deed of Clifford O. Boren Contracting Company, a corporation, bearing date January 13, 1955, conveying easement and right of way for sewer purposes in portion of Northeast Quarter Section 33 Township 16 South, Range 2 West, S.B.B.M.; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122254, recorded on Microfilm Roll No. 90, accepting deed of Jack C. Lane and Sunne Lane, bearing date December 25, 1954, conveying easement and right of way for sewer purposes in portion Lots 28 to 36 Block 14 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122255, recorded on Microfilm Roll No. 90, accepting deed of Eunice Greeley, bearing date January 4, 1955, conveying easement and right of way for storm drain purposes in portion Lot C Resubdivision La Jolla Hills 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122256, recorded on Microfilm Roll No. 90, accepting deed of Martin N. Nelson, bearing date January 3, 1955, conveying easement and right of way for storm drain purposes in portion of Lot C Resubdivision La Jolla Hills 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122257, recorded on Microfilm Roll No. 90, accepting deed of San Diego Unified School District, bearing date January 4, 1955, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1262; 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. 122258, recorded on Microfilm Roll No. 90, accepting deed of Clements W. Stose, Patricia Stose Wyatt, and Marjorie Stose Flacksenhar (by Frank K. Wyatt, attorney-in-fact), bearing date December 27, 1954, conveying easement and right of way for storm drain purposes in portion Lot C Resubdivision La Jolla Hills 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122259, recorded on Microfilm Roll No. 90, accepting deed of Union Title Insurance and Trust Company, bearing date December 30, 1954, conveying easement and right of way for storm drain purposes in portion Lots 56 and 57 Muirlands Village 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 Schneider, 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 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. 6382 (New Series), recorded on Microfilm Roll No. 90, proposing and submitting to The Electors of The City of San Diego at Municipal Primary Election to be held on Tuesday, 8th day of March, 1955, propositions to amend the Charter of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Godfrey.

Proposition A is for amendment to Section 12 of Article III of the Charter: The Council;

Proposition B is for amendment to Section 24 of Article IV of the Charter: The Mayor

(Among other things, these amendments would deal with salaries, duties, election, and vacancies).

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

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

ORDINANCE NO. 6383 (New Series), recorded on Microfilm Roll No. 90, appropriating \$13,000.00 from Capital Outlay Fund for providing funds for construction of Muirlands Easterly Sanitary Sewer Outfall, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Godfrey.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance authorizing renewal of lease of portion of Pueblo Lot 1311 for operation and maintenance of restaurant and appurtenances, was introduced, by the following vote: Yeas-- Councilmen Burgener, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Godfrey.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Ordinance authorizing renewal of lease of portion of Pueblo Lot 1337 for operation and maintenance of Snack Bar and appurtenances, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Godfrey.

RESOLUTION NO. 122260, recorded on Microfilm Roll No. 90, according official recognition and endorsement by the City to the forthcoming Pacific Flower Exposition-San Diego, to be presented in Electric Building, Balboa Park, March 3, 4, 5, 6, 1955 - 80% of opening event to be paid over to San Diego Girls Club, Inc., declared to be charitable event within meaning of Resolution No. 99208 establishing rentals for use of Electric Building; appointing Councilman Charles C. Dail to serve as member of Honorary Advisory Committee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The item was brought up under unanimous consent, on motion of Councilman Schneider, seconded by Councilman Wincote.

RESOLUTION NO. 122261, recorded on Microfilm Roll No. 90, consenting to assignment of City of San Diego's claim No. CP571 in amount of \$355.50 representing final construction water meter bill against Western Area Company, debtor in Federal reorganization proceeding No. 3950 to Edwin A. Tomlin for full value thereof; authorizing and directing Director of Finance to execute Assignment upon receipt of \$355.50, was on motion of Councilman Kerrigan, seconded by Councilman Burgener.

The item was brought up under unanimous consent, on motion of Councilman Kerrigan, seconded by Councilman Burgener.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 2:33 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom  
Deputy

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

# REGULAR MEETING

Chamber of The Council of The City of San Diego, California,  
Tuesday, January 25, 1955

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

Absent---None

Clerk---Fred W. Sick

Dr. Hollis A. Burge, Balboa Park Baptist Church, was presented by the Mayor. Dr. Burge gave the invocation.

On motion of Councilman Godfrey, seconded by Councilman Schneider, minutes of the meetings of Tuesday, January 18, 1955 and of Thursday, January 20, 1955 were approved without reading, after which they were signed by the Mayor.

Communication from the Purchasing Agent reporting on bids opened January 21, 1955, for paving and otherwise improving Alley Block 3 La Mesa Colony, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a finding was made that the bids had been opened as reported, and ~~that~~ it was referred to the City Manager and to the City Attorney for recommendation.

Communication from the Purchasing Agent reporting on bids opened January 21, 1955, for paving and otherwise improving Carleton Street, Plum Street and Dickens Street, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a finding was made that the bids had been opened as reported, and it was referred to the City Manager and to the City Attorney for recommendation.

The next item was taken up out of order.

It was a Resolution consenting to detachment from City of San Diego of territory in Bay of San Diego, and annexation of territory to City of National City.

Councilman Kerrigan moved to adopt the Resolution. Motion was seconded by Councilman Dail.

The Mayor recognized Mr. Campbell, City Attorney of Chula Vista, who urged that San Diego not consent to National City annexation of the corridor. He ~~He~~ thinks there will be hard feelings if the Resolution is adopted. He wondered if it would be possible to compromise boundary lines. Mr. Campbell stated that it might be that there would be further litigation, and wanted to work in harmony with the 2 cities. He asked the Council not to adopt the Resolution.

Adjournment

Convene

Invocation

Communications

Resolution re Corridor detachment from S.D.  
re N.C. annexation.

The Mayor said that the Council wants to see resolved the situation - to the satisfaction of 3 cities - and has continued it from time to time. He stated that the Council had been advised by Higgins (Shelly J. Higgins, Asst. City Attorney) that there would be no prejudice to the City of Chula Vista, and had advised continuation with this item, regarding the proposed litigation.

Shelley Higgins told the Council that the statute provides for boundaries by cities concerned. He told of stipulation to be made regarding boundaries to 3 cities. He stated that San Diego corridor goes to the south line of the Bay. He said that it would not concern Chula Vista, in litigation. Judge Higgins stated the court would forever settle the boundary line, and that Chula Vista would not be affected.

Dorothy Jensen, member of the Chula Vista Council, was heard. She told the Council that she voted "against this". She states that the Council does not have the right to overrule the people (the people of Chula Vista), and said she does not relinquish.

Mayor Butler said that Mrs. Jensen is a representative of the people, but the record stands.

Mrs. Jensen said that she is speaking for the people, and again referred to not being able to relinquish rights.

Judge Higgins stated that Coronado has stipulated to a compromise.

Mrs. Jensen referred to there having something to exchange.

Councilman Dail spoke to Mrs. Jensen about the Chula Vista Council being on record.

Mrs. Jensen stated that she came on her own accord.

Walter Davis, who identified himself as being with the Chamber of Commerce of Chula Vista, said that theoretically and legally there is no leg to stand on. He said that when the small boat harbor was under way, Coronado had asked Chula Vista to desist. Mr. Davis stated that Coronado made an annexation. He said that if the boundary is "true" the City of Coronado has violated the boundary of 1887 - it belonged to National City.

The Mayor said that the history is probably true. He said that if the matter goes to the Supreme Court, it will be found in favor of San Diego and Coronado. He said that he does not want the County to own land under the bay, and does not want a part of the dispute between National City and Chula Vista.

Mr. Davis told of having a bill before the Assembly, on the bay. He said that as a result it would be clear. He said that the action proposed by San Diego City Council might create hard feeling, and would result in a delay.

Councilman Dail said that Admiral Hunt, of Western Salt, is here. He spoke to the Admiral.

Adm. Hunt told the Council that the company he represents is interested in annexing its property to San Diego; is not agreeable to annexation to National City.

Councilman <sup>Wincote</sup> said that Mr. Davis had referred to the middle of the bay. He asked why take it away from Chula Vista, and charged that Chula Vista would be cut off.

Councilman Schneider said that it would be cut off by Coronado.

Councilman Dail told of Chula Vista not being successful in expansion. He said that it may already be in San Diego, regarding the corridor.

Councilman Wincote referred to jeopardizing Chula Vista.

A woman spoke next, identifying herself as Mrs. S. Colish (the spelling was not learned), of National City, member of the taxpayers' group in National City. She asked to have the proposition put on the ballot, and said that since that time there has been a great deal of controversy. She talked about having no right, and of having right.

The Mayor spoke about right for 3 cities, and proper expansion of the bay. He stated that if there is an error in description, it is technical. He contended that this would clarify the situation, not jeopardize Chula Vista.

Councilman Wincote spoke to Mr. Higgins regarding technical error on the map of 1887.

Judge Higgins said that it was correct that the National City line was beyond Point Loma.

Councilman Godfrey said that it goes practically to Honolulu.

Councilman DeGraf, from Chula Vista, stated that he wants to see the Bay developed, that litigation makes ill feeling. He said that ~~with~~ the corridor in their front yard does not make good feeling. He said that case in point is in connection with National City boundary line disagreement. He said that litigation would hold back development. He told of having passed the Navy development in National City, on the way to this meeting. He referred to the black smoke from the Navy, which National City does not want. He said that there should be approval of people of the neighborhood. He said that it is better to settle, if there is any right and justice to the claims. Mr. DeGraf referred to a threat hanging over the heads of those affected. He said that Chula Vista does not wish other people in their front yard, but spoke for wanting a good neighbor policy.

Corridor detachment from San  
Diego re N.C. Annexation -  
hearing

The Mayor stated that the front yard is the middle of San Diego Bay. He contended that there is no prejudice to Chula Vista in connection with expansion; it is just jurisdictional.

Councilman Burgener said that the matter is regarding 4 cities' jurisdiction.

Judge Higgins agreed.

Councilman Schneider said that people in Chula Vista, regarding Coronado, are having 1/2 of the bay, yet feel infringed upon and unhappy. He wondered if that is objectionable.

The Mayor answered that he is beginning to wonder.

Councilman Wincote asked if anybody in National City and Chula Vista says that land in Chula Vista is used regarding dickering. He said that it should be this.

A man whose name was understood to be Kester, spoke. He said that when the Mayor of Chula Vista realized the importance of the growing city, he went to the Legislature to get a deed to a portion of the tidelands. He spoke of a formulated plan; the State is about ready; Coronado has a dispute about its tidelands and has asked that it be held up. He stated that the plan is one of jurisdiction of cities; not the County. He said that the cities need San Diego; San Diego needs them. He told the Council that the corridor does jeopardize expansion, that National City would be able to acquire tidelands.

Judge Higgins said that it is under lease to Western Salt.

Judge Higgins said no; the State Lands Commission would have control.

Mr. Kester spoke of wanting future trade, and that National City would be able to acquire a portion.

The Mayor referred to there being 2 things: political jurisdiction.

Judge Higgins agreed.

Councilman Burgener asked if National City is represented officially.

The Mayor's reply was "no".

Mr. Kester said that it is National City's intention to get land for tidelands.

Councilman Dail asked about National City's intention.

Judge Higgins stated that National City Council met with him, and wanted the issue disposed of without expense and litigation. He referred to compromise if ceded, of 1/2 portion of the corridor, but that they did not state a plan. He spoke of statement made in presence of attorney Campbell, regarding deal on tidelands north, adjacent to National City and adjacent to Chula Vista. He said that the lands belong to those cities.

The Mayor pointed out that San Diego is talking about political jurisdiction, only.

Councilman Wincote asked what National City is expecting. He asked Judge Higgins what would be traded.

Instead, Councilman Jensen spoke. She said that a committee met with Mr. Higgins, and it was expected that Chula Vista would be taken into consideration regarding a pie-shaped land south of Chula Vista.

Judge Higgins commented that it is a pie shaped piece of water.

Mrs. Jensen said that Mr. Higgins was to arrange a meeting, but there was none. She stated that the original boundary line went out to Point Loma.

The Mayor said this is not prejudicing Chula Vista.

Councilman Schneider said this is predicated on development of San Diego Bay. He said that Coronado is not interested in development of San Diego Bay; Chula Vista and National City are. He said that the Navy should get in on dredging. He said that he thinks a suit can be maintained. He pointed out that San Diego would not cut the throat of a neighboring city. Mr. Schneider said that Higgins has made much of urgency, and that it should be taken through court. He said that it is necessary to have the co-operation of cities.

Councilman Wincote said that he hopes the corridor stays. He said he does not know what San Diego Council would be. He said that there might be a way to work it out in a month or 2.

Mayor Butler said that the Council have met, and can't come to a decision. He said that it is not regarding ownership under the bay; it is only political jurisdiction over salt water.

Councilman Wincote spoke of the practical aspect, and there is something he can't grasp. He asked for an informal vote.

Councilman Burgener said that after National City annexes, attention can be given to annexation of tidelands. He spoke of there being a proper body to settle boundaries.

The Mayor said that Judge Higgins has stated that the Councils of 3 cities can settle it.

Councilman Wincote said that calling for a vote (on the continued Resolution) accomplishes nothing.

The Mayor said that it will conclude riffs. He stated that San Diego will be accused of bad faith.

Corridor detachment from  
San Diego, re National  
City annexation - hearing



Councilman Dail told of having to rely on the City Attorney.

Councilman Godfrey said that it is ridiculous regarding National City's claim on its line (to Point Loma). He spoke of it being impossible to vote for a perfect solution. He stated that there is certain merit regarding the presentation. He asked what the alternatives are. He agreed that this is not a perfect choice. He told of being willing to continue the item 1 week. He said that although he would be willing today, this has gone on month after month.

Councilman Burgener asked why give any kind of leverage, if it goes to suit.

Judge Higgins spoke about settlement on account of disagreement over boundaries. He said that moves have been approved by the Navy and property owners on the south boundary of the bay; as well as National City and Chula Vista attorneys. He said that if it is correct, National City will adopt an ordinance. He stated that there can be joint development. He agreed that there are 2 points, but that nobody would be hurt. Judge Higgins spoke of a whole south boundary of Chula Vista open to Tijuana.

Councilman Wincote spoke to Judge Higgins about San Diego having the corridor.

Judge Higgins said "yes". He stated that National City would have nothing to bargain with, except political jurisdiction.

There was discussion between Councilman Wincote and Judge Higgins.

Councilman Wincote spoke of having checked the Western Salt deal, and said that it is a logical solution. He stated that he is going to try to take care of San Diego first.

RESOLUTION NO. 122262, recorded on Microfilm Roll No. 90, consenting to detachment from The City of San Diego of uninhabited territory consisting of uplands, tide and submerged lands, including portion of tide and submerged lands lying within the corporate boundaries of City of San Diego - described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote, Schneider. Absent--Councilmen None.

The Council returned to the agenda schedule.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 121772 for sewers in Alley Block 16 La Mesa Colony, 73rd Street, Public Right of Way in Lot 41 La Mesa Colony, the Clerk reported that there were no written protests.

The Mayor inquired if there was anyone present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, proceedings were referred to the City Attorney for 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. 121773 for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach, the Clerk reported that there were no written protests.

The Mayor inquired if there was any<sup>one</sup> 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. 121774 for paving and otherwise improving East and West Alley Block 4 West Teralta, and Alley west of and contiguous to Lots 1 to 18 inclusive West Teralta, the clerk reported a written protest from Harry Cacopard. It was presented to the Council.

The City Engineer reported a 2.3% protest, no reason given.

RESOLUTION NO. 122263, recorded on Microfilm Roll No. 90, overruling and denying protest of Harry Cacopard against improvement of East and West Alley Block 4 West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta, under Resolution of Intention No. 121774; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Schneider

Hearings  
122262 - 122263

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 paving and otherwise improving Franklin Avenue and 28th Street, under Resolution of Intention No. 121775, the Clerk reported no protests had been received.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Burgener, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Intention No. 121776, the Clerk reported that no written protests had been received.

The City Engineer reported that there had been argument from Mr. Evans regarding the paving end.

Councilman Wincote stated that Mr. Evans had wanted to be here, that he might have to pay for something which could be torn up later.

The City Engineer said that if Hancock were put next to the railway it would be so.

Councilman Burgener moved to abandon the proceedings, and eliminate a block on Harney.

A woman, who remained unidentified, spoke. She said that would leave the block torn up, and that there had been a surface on that portion. She said that it was graded before bringing this up.

Councilman Wincote advocated a delay, and that Mr. Evans be asked.

The City Engineer told the Council that Mr. Evans was in last week, and he had shown the proposal. He maintained that if Mr. Evans does not want the area paved he should have come in with a protest, and that he has not heard from him since. The Engineer told of having gone over the proposal thoroughly with Mr. Evans.

The same woman said that she had stopped Mr. Evans' action of protest; protest is in the minority.

The City Engineer said that the City would do only what property owners want.

Councilman Kerrigan said that the City is faced with a petition for the work, as well as a protest on a portion.

The woman told the Council that the work had been thrown in with other petitions.

Councilman Kerrigan spoke to Douglas D. Deaper, Deputy City Attorney, and asked if there was a legal petition.

Mr. Deaper replied "that is correct".

Councilman Kerrigan spoke of an orderly protest; hearing is today; protestant is not here.

The woman told of the protest "having nothing"; that Mr. Evans tried to get a majority

Councilman Schneider told of the objection having been predicated on future development - in 6 months, a year or 2.

The City Engineer replied that it would not be in his life time. He pointed that improvement, if made, would be out of the Gas Tax.

Councilman Schneider said that property owners would not, therefore, be burdened.

The City Engineer said that there is also a drainage situation. He said that the improvement can be "chopped off", all be left out, or he can go ahead with plans.

The woman said that it is a blind street; there are not 60 cars in a month which use it; there is a turn-around.

The Engineer said that the turn-around is largely for garbage and rubbish trucks.

The woman said that she wants the surface restored, if the project is thrown out.

Councilman Wincote spoke directly to the woman.

The woman said that it would be a 10% grade, and her driveway would be up in the air.

Councilman Kerrigan asked for continuance 1 week, regarding the major street plan.

RESOLUTION NO. 122264, recorded on Microfilm Roll No. 90, continuing hearing on proposed improvement of Jefferson Street, Moore Street, Conde Street

and Harney Street, under Resolution of Intention No. 121776; until 10:00 A.M., Tuesday, February 1, 1955, 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. 121777, for paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, the Clerk reported no protests had been received.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121877 of Preliminary Determination for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Lot 7 Block 13 La Jolla Park, and La Jolla Boulevard, the Clerk reported that no protests had been received.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 122265, recorded on Microfilm Roll No. 90, determining that improvement of Alley Block 13 La Jolla Park, Public Right of Way in Lot 7 Block 13 La Jolla Park, La Jolla Boulevard, under Resolution No. 121877 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121878 of Preliminary Determination for paving and otherwise improving Taft Avenue and Bellevue Avenue, the Clerk reported that written protests had been received from Fred Nebel-Thau and from Ronald Kayser. They were presented to the Council.

The City Engineer reported a 6.1% protest.

The Mayor inquired if anyone was present to be heard.

Mr. Ronald Kayser said that the proposal concerns 2 streets: they are different. He said that Taft is 2 blocks long, in bad shape, dug up a year ago; Bellevue is at present surfaced with concrete slab, and there are huge trees. He stated that Bellevue, as it stands, is passable and never muddy. Mr. Kayser said that most of the owners have small lots; he has a large lot. He told of liking the roughness of the Street. He repeated that Bellevue and Taft are different; one needs the improvement; the other does not. Mr. Kayser said that he prefers to not have the work done, but that if it is he wants it harmonious. He stated that he "never saw the petitions". He told of being informed of the concrete slab, and spoke of substantial difference in cost.

The City Engineer stated that "this is cheaper than concrete".

Councilman Kerrigan read the petition, which he had obtained from the clerk.

The City Engineer said that it would be 4" asphalt, about \$140. difference in cost.

The Mayor said that it would be about \$300. more for concrete.

Councilman Burgener stated that the Engineer makes recommendations, based upon soil conditions, speaking to Mr. Kayser. He said that the City does not recognize specifications drawn up by property owners.

Answering a question, the City Engineer said that petitions had been combined for economy.

Councilman Kerrigan stated that the City receives cheaper bids on a big job.

Mr. Kayser said that there is a drainage problem, but that paving is not necessary.

Councilman Wincote referred to cost figures he had made.

A man, who did not identify himself, spoke about petition for Taft, and said that he would like to separate the streets if it jeopardizes Taft.

RESOLUTION NO. 122266, recorded on Microfilm Roll No. 90, overruling and denying protests of Fred Nebel-Thau and Ronald Kayser against improvement of Taft Avenue and Bellevue Avenue under Resolution of Preliminary Determination

No. 504870; overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122267, recorded on Microfilm Roll No. 90, determining that improvement of Taft Avenue and Bellevue Avenue, under Resolution No. 121878 is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for sewers in Ollie Street, Camulos Street, Liberty Street, hearing on Assessment No. 2314, the Clerk reported that there had been 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. 122268, recorded on Microfilm Roll No. 90, confirming and approving Assessment No. 2314 made to cover cost and expenses of sewer in Ollie Street, Camulous Street, Liberty Street and Venus Street, under Resolution of Intention No. 118156; 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.

Petition of Clairemont Business Properties, signed by Carlos J. Tavares and Louis C. Burgener, partners, requesting change in name of Huxley Street to Clairemont Drive between Morena Blvd. and Galveston Street, was presented.

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

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids for furnishing Water Meters of various sizes for 1 year from Feb. 1, 1955, was presented. It reports 5 bidders, and submits 4 resolutions on 4 low bids for meters and parts.

RESOLUTION NO. 122269, recorded on Microfilm Roll No. 90, accepting bid of Industries Supply Co. for furnishing for 1 year beginning February 1, 1955, with 5/8" standard meters at \$20.24 each, and 5/8" heavy duty meters at \$20.94 each, parts discount from list 50 and 5%, all f.o.b. San Diego, terms net, plus State sales tax, with credit of \$598.75 to be allowed City for trade-in of 231 discarded meters; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract for furnishing meters pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122270, recorded on Microfilm Roll No. 90, accepting bid of Mission Pipe & Supply Co. for furnishing for 1 year beginning February 1, 1955, with parts for Rockwell (Pittsburgh) meters, at discount of 45% from list, f.o.b. San Diego, terms net, plus State sales tax; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract for furnishing meters pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122271, recorded on Microfilm Roll No. 90, accepting bid of Western Metal Supply Co. for furnishing for 1 year beginning February 1, 1955, with 2" meters at \$136.50 each; parts discount 47½ and 5%, all f.o.b. San Diego, terms net, plus State sales tax; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122272, recorded on Microfilm Roll No. 90, accepting bid of Hudson Equipment Co. for furnishing for 1 year beginning February 1, 1955, 3/4" x 3/4" meters at \$31.35 each; 1" meters at \$46.08 each; 1-1/2" meters at \$90.62 each; parts discount 53% from list dated August, 1953, all f.o.b. San Diego, terms net, plus State sales tax; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids for furnishing 9,000 Bd. Ft. 6"x6" Redwood, received from 3 bidders - recommending award to S.D. Lumber Co., low bidder, was received.

RESOLUTION NO. 122273, recorded on Microfilm Roll No. 90, accepting bid of San Diego Lumber Company for furnishing redwood at \$175.00 per thousand board feet, plus sales tax, terms 2%; 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 Schneider, adopted.

Report from Purchasing Agent, with City Manager's stamp of approval, on sole bid of Driscoll Bros. Boat Works for Glass Covering of Landing Craft, at \$6,010.00, recommending acceptance, was presented.

RESOLUTION NO. 122274, recorded on Microfilm Roll No. 90, accepting bid of Driscoll Bros. Boat Works for furnishing Glass Covering of 4 - 36 ft. Bow Ramp Landing Craft; 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 Wincote, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on 4 bids received for furnishing 5 "L" Desk Units for Inspection Department, recommending award to Austin Safe & Desk Co., second low bidder - \$1,507.70 - was presented.

RESOLUTION NO. 122275, recorded on Microfilm Roll No. 90, accepting bid of Austin Safe & Desk Co. for furnishing 5 "L" Desk Units; 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 Schneider, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on proposed rental of Vacuum Street Cleaner for 6 months at \$300.00 per month, for Public Works Department, was presented. It states that owner, Smith-Booth-Usher of Los Angeles has agreed to apply all rentals paid against purchase at end of rental period should City desire to purchase - price in effect at time of delivery but not exceeding present price of \$7,446.00, f.o.b. San Diego, plus applicable taxes.

RESOLUTION NO. 122276, recorded on Microfilm Roll No. 90, accepting bid of Smith-Booth-Usher Co. for rental of OBECO Tornado Vacuum Street Cleaner for 6 months beginning February 1, 1955, with option to apply all rentals paid against purchase of machine at end of rental period should City decide to purchase machine; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122277, recorded on Microfilm Roll No. 90, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for remodeling Men's Restroom, Administration Building, Lindbergh Field under Document No. 504688; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Clairemont Plaza Unit No. 3 (with minor revisions) subject to conditions listed in Resolution 119769, and suspension of sections of Municipal Code listed in Resolution No. 119768, was presented.

RESOLUTION NO. 122278, recorded on Microfilm Roll No. 90, approving Tentative Map of Clairemont Plaza Unit No. 3, approved by Resolutions 119769 and 119768, subject to conditions and suspensions in those Resolutions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122279, recorded on Microfilm Roll No. 90, suspend-

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ing Section 102.17-c of San Diego Municipal Code in connection with Lot 137 and portion Lot 138 Encanto Hights, Highdale Addition, 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 for 2-lot subdivision of Lot 137 and portion Lot 138 Highdale Addition Encanto, located in Encanto on Klauber Street westerly of Zeller Street, subject to 3 conditions, was presented.

RESOLUTION NO. 122280, recorded on Microfilm Roll No. 90, approving Tentative Map for 2-lot subdivision of Lot 137 and portion of Lot 138 Highdale Addition to Encanto Heights, subject to conditions of the Resolution, was on motion 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 resubdivision of Lot 15 Gardena Home Tract, was presented.

RESOLUTION NO. 122281, recorded on Microfilm Roll No. 90, suspending Sections 102.11-2 and 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lot 15 Gardena Home Tract, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lot 15 Gardena Home Tract into 2 parcels fronting on Gardena Avenue, located at south end of Tecolote Canyon, subject to 4 conditions, was presented.

RESOLUTION NO. 122282, recorded on Microfilm Roll No. 90, approving Tentative Map for resubdivision of Lot 15 Gardena Home Tract into 2 parcels, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Haugh Heights, resubdivision of portion of Pueblo Lot 1773, was presented.

RESOLUTION NO. 122283, recorded on Microfilm Roll No. 90, suspending Sections 102.11-1 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Haugh 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 Haugh Heights, a 6-lot subdivision located in Pueblo Lot 1773 between Inspiration Drive and Solymar Drive, adjacent to La Jolla Highlands and subdivision of Muirlands Point, subject to 10 conditions, was presented.

RESOLUTION NO. 122284, recorded on Microfilm Roll No. 90, approving Tentative Map of Haugh Heights, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 122285, recorded on Microfilm Roll No. 90, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map of Homesites, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, with typed signature of Harry C. Haelsig, recommending approval of Tentative Map for resubdivision on Homesites, subject to 10 conditions, was presented.

RESOLUTION NO. 122286, recorded on Microfilm Roll No. 90, approving

Tentative Map of Homesites, 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 subdivision of portion Lot 4 and all Lot 5 Block 93 Point Loma Heights, was presented.

RESOLUTION NO. 122287, recorded on Microfilm Roll No. 90, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative subdivision map for portion of Lot 4 and all Lot 5 Block 93 Point Loma Heights, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for 1-lot subdivision of portion Lot 4 and all Lot 5 Block 93 Point Loma Heights, located on Guizot Street between Coronado Avenue and Santa Cruz, subject to 3 conditions, was presented.

RESOLUTION NO. 122288, recorded on Microfilm Roll No. 90, approving Tentative Map for 1-lot subdivision of portion Lot 4 and all Lot 5 Block 93 Point Loma Heights, on conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from J. A. Beek, stating that Senator Fred Kraft has included the City Council of San Diego on the Senate mailing list for legislative publications, was presented.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was ordered filed - and the Mayor requested to answer.

Communication from Public Utilities Commission, State of California, dated January 18, 1955, signed by J. W. Mulgrew, Director of Transportation, was presented. It refers to application of San Diego and Arizona Eastern Railway Company for relocation of industrial trackage, was presented.

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

Communication from O'Melveny & Myers, attorneys, 433 South Spring Street, Los Angeles 13, dated January 19, 1955, signed by James L. Burke, was presented. It refers to City Attorney J. F. DuPaul having discussed with him the firm's employment as bond counsel on 2 proposed issues of bonds by San Diego - Harbor Improvements and Water Works. It outlines fees, and offers to work with City on the issues.

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

Communication from William F. Reed, being copy of one addressed to the City and to the Planning Commission, relative to approval of map of Muirlands Crest without signature of San Diego Gas & Electric Company, was presented.

Among other things it requests that the item be put on the agenda of the Planning Commission of January 26 (original was filed with the Clerk but withdrawn before being documented).

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

RESOLUTION NO. 122289, recorded on Microfilm Roll No. 90, directing notice of filing of assessment and of time and place of hearing thereof, on Assessment No. 2328 to cover paving and otherwise improving Alleys Block 3 Alhambra Park, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122290, recorded on Microfilm Roll No. 90, direct-

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ing notice of filing of assessment and of the time and place of hearing thereof, on Assessment No. 2325 to cover paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122291, recorded on Microfilm Roll No. 90, directing notice of filing of assessment and of the time and place of hearing thereof, on Assessment No. 2326 to cover paving and otherwise improving Alley Block 11 City Heights Annex No. 2, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122292, recorded on Microfilm Roll No. 90, directing notice of filing of assessment and of the time and place of hearing thereof, on Assessment No. 2329 to cover paving and otherwise improving Alley Block 45 Normal Heights, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122293, recorded on Microfilm Roll No. 90, directing notice of filing of assessment and of the time and place of hearing thereof, on Assessment No. 2327 to cover paving and otherwise improving Ellison Place, in Tract 1353, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122294, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 8 La Jolla Park under Document No. 504263; approving Plat No. 2689 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of the Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122295, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Guy Street under Document No. 504268; approving Plat No. 2667 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of the Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122296, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 3rd Avenue, University Avenue and Washington Street under Document No. 503758; approving Plat No. 2677 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of the Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122297, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 31st Street under Document No. 504266; approving Plat No. 2671 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of the Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 122298, recorded on Microfilm Roll No. 90, approving plans, drawings, typical cross-sections, profiles and specifications

for ornamental lighting improvements in Broadway under Resolution of Intention No. 122298, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 122299, recorded on Microfilm Roll No. 90, for furnishing electric current for lighting ornamental street lights located in Hermosa Lighting District No. 1, for 1 year from and including May 1, 1955, to and including April 30, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122300, recorded on Microfilm Roll No. 90, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental lights located in Talmadge Park Lighting District No. 4, for 1 year from and including April 1, 1955, to and including March 31, 1956, in accordance with plans and specifications contained in report of City Engineer filed December 3, 1954 in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 122301, recorded on Microfilm Roll No. 90, for paving and otherwise improving Boston Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 122302, recorded on Microfilm Roll No. 90, for paving and otherwise improving C Street, Pickwick Street, E Street and 33rd Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122303, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 8 La Jolla Park, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122304, recorded on Microfilm Roll No. 90, for paving and otherwise improving Guy Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122305, recorded on Microfilm Roll No. 90, for paving and otherwise improving 3rd Avenue, University Avenue and Washington Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122306, recorded on Microfilm Roll No. 90, for paving and otherwise improving 31st Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122307, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, under Resolution of Intention No. 117465, and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122308, recorded on Microfilm Roll No. 90, approving

diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Byron Street, under Resolution of Intention No. 118860, and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122309, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving Mohawk Street, 71st Street and 72nd Street, under Resolution of Intention No. 117359 and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122310, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Quimby Street under Resolution of Intention No. 117466 and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122311, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Wells Street under Resolution of Intention No. 116720 and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122312, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on Alley Block 95 Ocean Bay Beach, described in Resolution of Intention No. 118393 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122313, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sewer mains in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, Alleys in Mission Bay Park Tract, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122314, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sewer mains in Market Street, Pitta Street, J Street and Public Right of Way, under Resolution of Intention No. 120270 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122315, recorded on Microfilm Roll No. 90, granting petition contained in Document No. 504036 for paving and otherwise improving Commercial Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; and portion of Hensley Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.



RESOLUTION NO. 122316, recorded on Microfilm Roll No. 90, granting State of California, Department of Public Works, permission to grade and otherwise improve portion of East Tecolote Road, under Document No. 504509, by private contract, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122317, recorded on Microfilm Roll No. 90, granting Smith-Trevor Lumber Company, a co-partnership, permission to construct sanitary sewers in portion of Euclid Avenue by private contract, under Document No. 504512, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122318, recorded on Microfilm Roll No. 90, granting property owner permission to construct sanitary sewer in portion of Euclid Avenue, under Document No. 504508, by private contract, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The item listed on the agenda next, in connection with detachment from the City of San Diego of territory in Bay of San Diego, was handled at the beginning of the meeting.

RESOLUTION NO. 122319, recorded on Microfilm Roll No. 90, modifying contract with Daley Corporation under Document No. 494197 regarding rental of dump trucks, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122320, recorded on Microfilm Roll No. 90, establishing parking time limit of 2 hours between 8:00 a.m., and 6:00 p.m., Sundays and holidays excepted:

Both sides of 4th Avenue between Hawthorn and Ivy Streets;  
Both sides of Hawthorn Street between 3rd and 4th Avenues;  
Both sides of 3rd Avenue between Hawthorn and Ivy Streets;  
Both sides of Kalmia Street between 3rd and 4th Avenues;  
establishing parking meter zones; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122321, recorded on Microfilm Roll No. 90, establishing parking time limit of 36 minutes between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of 3rd Avenue between Island Avenue and J Street;  
Both sides of J Street between 2nd Avenue and 3rd Avenue;  
establishing parking meter zones; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122322, recorded on Microfilm Roll No. 90, prohibiting parking at all times:

Both sides of Witherby Street between Pacific Highway and Kurtz Street;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122323, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager to do all work in connection with construction of recreation facilities at El Capitan Reservoir, consisting of roads and approaches, boat washing facilities, concession installation, and disposal facilities, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Burgener,

adopted.

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

RESOLUTION NO. 122324, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager to do all work in connection with hauling and placing 1,000 tons of rip-rap on banks bordering Sunset Cliffs Boulevard near Osprey Street, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 122325, recorded on Microfilm Roll No. 90, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 7 subdivision and execute Notice of Completion and have same recorded, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122326, recorded on Microfilm Roll No. 90, authorizing employment of Dr. Oscar Kaplan of San Diego State College to conduct and carry on pilot survey of officers and employees of Department of Water, for advising City as to whether or not it would be beneficial to advise, permit and adopt a plan for training officers and employees of the Department in public relations, which might result in benefit to people of The City, at a cost not to exceed \$250.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122327, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 29 La Mesa Colony, together with all penalties and other expenses in connection therewith be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122328, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lots 4 and 5 Gardena Home 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 be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122329, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with portion Lot 5 Gardena Home 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 be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122330, recorded on Microfilm Roll No. 90, adopting recommendation of City Planning Department, contained in Document No. 504810 relative to zone variance and property use permits granted under Resolutions 116359 and 116460 to Sidney L. Davis and Elinore N. Davis, owners, and Laurence O'Connell and Raymond O'Connell, purchasers, to erect and operate 150-unit trailer park on portion Pueblo Lot 264 bounded on southwest by Morena Boulevard; on northwest by proposed Tecolote Creek Channel; on northeast by line parallel with and 100 feet

southwest of northeast line of Pueblo Lot 264; on southeast by proposed Tecolote Valley Freeway; being approximately 263.8 feet by 881.35 feet, in Zones C and R-1; extending permission for 1 year from July 1, 1954, upon same conditions as set forth in the Resolutions, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122331, recorded on Microfilm Roll No. 90, authorizing Richard Gallagher, Director of Public Works; Russell Hall, Assistant City Engineer; James Reading, Traffic Engineer; and A. R. McKee, Highway Design Engineer, to attend California Street and Highway Conference to be held in Berkeley, California, February 2 through February 4, 1955; authorizing incurring all expenses necessary in connection with the trip - also authorizing James E. Reading to leave San Diego January 28 to stop over at San Francisco to do preliminary work for the Berkeley meeting, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122332, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager, upon presentation by San Diego Philharmonic Society, a corporation, of proper claim, to issue requisition in amount of \$1500.00, for services rendered in presenting 3 children's concerts within County between dates of October 1, 1954, and January 31, 1955, and in connection with obtaining material and local advertising and publicity regarding such concerts, for purpose of making known nationally the musical and cultural resources of the City and County; authorizing City Auditor and Comptroller to issue warrant in payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122333, recorded on Microfilm Roll No. 90, approving claim of Blanche Goldberg, on file in Office of City Clerk under Document No. 501491 in amount of \$65.00; authorizing and directing Auditor and Comptroller to draw warrant in favor of Blanche Goldberg in that amount in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122334, recorded on Microfilm Roll No. 90, approving claim of William Lowry, on file in Office of City Clerk under Document No. 503287 in amount of \$7.50; authorizing and directing City Auditor & Comptroller to draw warrant in favor of William Lowry in that amount in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122335, recorded on Microfilm Roll No. 90, approving claim of Pacific Telephone & Telegraph Company, on file in Office of City Clerk under Document No. 503575 and 503816 in amount of \$72.53; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Pacific Telephone & Telegraph Company in that amount in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122336, recorded on Microfilm Roll No. 90, approving claim of Robert D. Sloan, on file in Office of City Clerk under Document No. 501819 in amount of \$30.85; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Robert D. Sloan in that amount in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122337, recorded on Microfilm Roll No. 90, approving claim of Tasti-Diet Foods, Inc., on file in office of City Clerk under Document No. 492621 in amount of \$46.64; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Tasti-Diet Foods, Inc., in that amount in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122338, recorded on Microfilm Roll No. 90, approving claim of Helix Electric Company for refund of Electric Permit Fee No. 32998 in amount of \$12.50 be granted in sum of \$11.00 on basis that claimant did not receive any consideration for that portion of permit fee, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122339, recorded on Microfilm Roll No. 90, denying claim of First National Trust & Savings Bank of San Diego, on file in Office of City Clerk under Document No. 503571, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122340, recorded on Microfilm Roll No. 90, denying claim of Mrs. Theresa Henson, on file in office of City Clerk under Document No. 503342, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122341, recorded on Microfilm Roll No. 90, denying claim of Mary Neves, on file in office of City Clerk under Document No. 503228, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122342, recorded on Microfilm Roll No. 90, denying claim of Pacific Telephone and Telegraph Company on file in Office of City Clerk, under Document Nos. 497310 and 499772, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122343, recorded on Microfilm Roll No. 90, denying claim of Pacific Telephone and Telegraph Company, on file in office of City Clerk under Document Nos. 497309 and 502327, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122344, recorded on Microfilm Roll No. 90, denying claim of Irving Passarino, on file in office of City Clerk under Document No. 502949, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance was introduced. (It was introduced at the former meeting)

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 final passage a written or printed copy.

ORDINANCE NO. 6384 (New Series), recorded on Microfilm Roll No. 90, dedicating portion Lot 6 Block 2 College Park Unit No. 1 for street purposes and naming the same Montezuma Place, 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 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. 6385 (New Series), recorded on Microfilm Roll No. 90, proclaiming a Municipal Primary Election in The City of San Diego, California, for purpose of voting on nomination of candidates for Mayor, for Members of the Council

from Districts No. 2, 5 and 6, for City Attorney/for Members of the Board of Education; proclaiming a Municipal Primary Election in that portion of San Diego Unified School District lying outside the corporate limits of The City of San Diego, for purpose of voting on nomination of Candidates for Member of the Board of Education to be nominated at Municipal Primary Election to be held in The City of San Diego, 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 of the ordinance was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6386 (New Series), recorded on Microfilm Roll No. 90, calling and providing for and giving notice of Special Election to be held in territory known as "Grantville-Rancho Mission Tract", in County of San Diego, State of California, Tuesday, March 1, 1955, for submitting to Electors residing therein question whether territory shall be annexed to, incorporated in and made a part of The City of San Diego, and that the property therein shall, after such annexation, be subject to taxation equally with property within The City of San Diego to pay bonded indebtedness of the City outstanding at date of annexation, 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.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:37 o'clock A.M. He announced that members of the Council would go into Conference immediately.

ATTEST:  
FRED W. SICK, City Clerk

By August M. Hadstrom  
Deputy

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

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Thursday,  
January 27, 1955

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 10:09 o'clock A.M. He introduced Gerald Desmond, Vice Mayor and Councilman from the second district of Long Beach, California.

The hour of 10:00 o'clock A.M. having arrived, the time set for

6386 N.S.  
Adjournment  
Meeting convened



continued hearing on Ordinance incorporating Lots 14, 15, 16 Block 190 University Heights into C Zone (the Planning commission recommended approval of the ordinance by vote of 6 to 0; Ordinance was introduced January 6, 1955; hearing was held January 13, 1955), at the request of the Mayor report from the Planning Commission dated Dec. 17, 1954, signed by P. Q. Burton, was re-read.

Glenn A. Rick, City Planning Director, told the Council that the matter had been delayed, in connection with proposed amendment to the Municipal Code; the recommendation carried no conditions. He said that Mr. (Illingworth) Hardy had protested the "C" Zone.

Councilman Dail was excused

Councilman Schneider told of having visited the area on Sunday, and found that it did not look bad. He agreed with earlier statements that the Alley and Blaine Avenue are narrow. He stated that Mr. Hardy had said that there is difficulty regarding the movement, rather than the storage. He asked Mr. Hillman (Wm. Hillman, applicant) to explain regarding coming in from Centre Street.

Mr. Hillman said that it would not be possible, financially, to come in from Centre Street. He said that the alley is 20 feet. He agreed that there could be parking on only 1 side of the street, which would facilitate matters.

Councilman Schneider spoke to Mr. Hillman regarding moving in. He said that if there were a cut-through from Centre it would relieve the problem. Mr. Schneider said that the operators have an obligation to Mr. Hillman and to the neighbors regarding the moving and storing of the cars.

Councilman Burgener said that amendment to the existing C Zone requirements would call for a hearing. He spoke to Mr. Hillman about being across from Mr. Hardy.

Mr. Hillman said that the property is not across from Mr. Hardy; that all cars to be placed on the property are usable, but not wrecked. He said that it would be leased, and that he would not use the property himself.

Councilman Wincote said that the argument covers only 1 objection.

Mr. Hardy said that when he tried to pin Mr. Hillman down, he would not agree to putting in a gate. He stated that wrecked cars would be in front of his (Hardy) house. Mr. Hardy said that he would protest change in the proposed C Zone.

Councilman Schneider said that this is not regarding change of zone.

Mr. Hardy stated that Mr. Smith had mislead property owners and residents regarding there being no wrecked cars stored.

Councilman Schneider spoke directly to Mr. Hardy.

Mr. Hardy said that "Bob is a reasonable man", and added that he may sell.

Councilman Wincote spoke directly to Mr. Hardy about wrecked cars stored in C Zone.

Councilman Schneider said that the Hillman house is between Blaine and this lot.

Mr. Hardy charged that Hillman has jumped the gun; cars are already stored.

Councilman Wincote disagreed; he had not jumped the gun.

Mr. Hardy said that he had a protest, as well as a list of signers for Mr. Hillman, on a map of the situation. He produced the map, over which Councilmen had a conference.

Councilman Schneider moved to close the hearing.

Mr. Hardy asked Councilmen to look at the 2 lists.

Councilman Burgener stated that the Council would have to have a good, logical reason for denying a C Zone, since the property is surrounded by that zone.

Mr. Hardy stated that with parking on both sides, the street would be reduced to practically 20 feet. He said that he was representing people who expect him to protest, and that he did not have all the information at the Planning Commission's hearing. He told the Council that property owners wish they had not signed the Hillman petition.

Councilman Wincote pointed out that it would be possible to get lots of complaints over the City; the lot is not across the street from the objector.

Mr. Hardy replied "it is diagonally across".

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

Councilman Schneider moved to dispense with reading of the ordinance (which had been introduced earlier) and adopt it. Councilman Wincote seconded by motion.

Councilman Godfrey stated that there are good points on both sides, the ordinance regarding car parking should be amended. He referred to the law as set up at the present time, and that petitioners have the legal right to follow the procedure. He spoke about the City having a continuing problem regarding

residences near C Zone. He stated that request is being made under a proper, legal use, that under the law the Council does not have too much choice.

Mr. Hardy continued to talk, although hearing had been closed. Councilman Schneider spoke to him. None of it was recorded inasmuch as the hearing had been concluded.

ORDINANCE NO. 6387 (New Series), recorded on Microfilm Roll No. 90, incorporating lots 14, 15 and 16 Block 190 University Heights into C Zone as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance No. 12988 insofar as it conflicts, was adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Petition of property owners requesting that paving of Calle del Oro, east of La Jolla Shores Drive, be expedited.

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

Councilman Burgener asked what constitutes "hardship" on a 1911 Act proceeding.

Councilman Kerrigan and Councilman Godfrey expressed their views, directly to Mr. Burgener.

The Mayor said that it refers to conditions "if necessary".

RESOLUTION NO. 122345, recorded on Microfilm Roll No. 90, referring to Council Conference the matter of 1911 Act priorities, particularly in relation to hardships, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The Mayor recognized Carl Reupsch, from the Harbor Department, and asked him for an explanation of the Harbor items which were taken up out of order.

Mr. Reupsch stated that on construction of a launching ramp building, Shelter Island, Raymond D. Haas was the low bidder of 10. He said that it is for control of the launching ramp, and that it is to be leased on a temporary basis.

RESOLUTION NO. 122346, recorded on Microfilm Roll No. 90, accepting bid of Raymond D. Haas for construction of launching ramp control building on Shelter Island for \$4,688.00; awarding contract; authorizing and instructing majority of members of the Harbor Commission to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Mr. Reupsch told the Council that it is proposed to amend the Santiago F. Bracamonte lease covering hangar on Lindbergh Field, adding 2 terms of 5 years each to lease, which was originally for 5 years. He said that as a consideration he agrees to build at own expense a \$4,500 office and storeroom addition to the hangar, which is owned by the City. He said that the extension is wanted, and that the building would become the property of the City.

RESOLUTION NO. 122347, recorded on Microfilm Roll No. 90, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, with Santiago F. Bracamonte, Lessee, filed as Document No. 504887 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Mr. Reupsch told the Council lease under name and style of Shelter Landing has the same members in the corporation, but that the Harbor Commission wants the partners liable under the lease.

RESOLUTION NO. 122348, recorded on Microfilm Roll No. 90, ratifying, confirming and approving Agreement for Assignment of Tideland lease, whereby Charles D. Rollins, general partner, Edwin H. Frazer, limited partner, and Bay Finance Company, limited partner, doing business under name and style of Shelter Landing, as assignors, assign lease to Shelter Landings, a California corporation as assignee, filed as Document No. 504890 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Mr. Reupsch told the Council that on the next lease it would double the water area.

Petition  
Communications & Res.  
on Harbor (out of  
order 122345-122348  
6387 N.S.)

RESOLUTION NO. 122349, recorded on Microfilm Roll No. 90, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2, with Kenneth E. Wilson doing business under name and style of Kenneth E. Wilson Company, lessee, filed as Document No. 504893 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Mr. Reupsch told the Council that the leases are not wanted, and wants to date the Shelter Landing lease January 1, 1955, and the assignment back to November. He said that they will now be dated February 1, 1955 on the leases.

Councilman Kerrigan referred to there being a problem of assessing. He spoke to Mr. Reupsch regarding the assessing work. Councilman Schneider spoke to Mr. Reupsch, also.

Mr. Reupsch said that Mr. Eddy, assessor had made a statement that if a boat burns 2 days after assessment, it will be assessed for the entire year. He stated that some leases are pre-dated to 3/1/55, to provide for not avoiding payment of taxes. He said that is not done any more.

Councilman Kerrigan spoke to Mr. Reupsch regarding leases and assessment. He said that details can be straightened out.

Petition of Residents and Property Owners on Casita Way, San Diego 15, for "reversal of Ordinance No. 6316 (New Series), was presented. It requests restoration of name Casita Way, which had been changed to Calvert Way.

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

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 60 electrical fixtures, recommending award to Electric Supplies Distributing Co. of San Diego, 2nd low bid, at \$3,123.50 plus State sales tax, terms 1% - 10th prox., net 30 days, was presented. It reports 4 bids.

RESOLUTION NO. 122350, recorded on Microfilm Roll No. 90, accepting bid of Electric Supplies Distributing Co. of San Diego for furnishing 60 Electrical Fixtures; awarding contract; authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122351, recorded on Microfilm Roll No. 90, accepting bid of Ets Hokin & Galvan for installation of new electric lighting system in Shed No. I - "B" Street Pier - for Harbor Department, in sum of \$36,835.00; awarding contract; authorizing and instructing majority of members of Harbor Commission to enter into and execute for and on behalf of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states that the action does not, nor shall it be interpreted to release Pacific Electric and its surety, United Insurance Company from and of their obligations under the contract and the faithful performance bond, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent reporting on bids for 2 sedans for Harbor Department, recommending acceptance of low bid of Bay Shore Motors at \$1,632.71 each plus State sales tax, less \$100.00 trade-in allowance for 1 1950 wrecked Ford sedan - 3 bids - was presented.

RESOLUTION NO. 122352, recorded on Microfilm Roll No. 90, accepting bid of Bay Shore Motors for furnishing 2 sedans; awarding contract; authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of Sections 102.07-5 and 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Chester Square Addition, was presented.

RESOLUTION NO. 122353, recorded on Microfilm Roll No. 90, suspending Sections 102.07-5 and 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Chester Square Addition, 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 Chester Square, 1-lot subdivision of portion Lot 16 Horton's Purchase - 105 ft in width extending from Federal Boulevard to Lyons Street, bounded on west by Altadena Avenue - portion of Mayfair Market site at Federal Blvd. and Euclid Avenue - was presented. It is made subject to 7 conditions.

In connection with this recommendation, Morey Levenson, attorney objected to conditions, particularly sidewalk requirement on Lyons Street. He contended that requirement was placed on account of Council policy. He pointed out that the property is adjacent to existing C Zone for the entire length of Lyons St., Euclid to Altadena. He told of the property being in operation without sidewalk; it is black topped. Mr. Levenson contended that it should be the same; not a sidewalk. He pointed out that the whole area adjoining the street is parking, and that there is no occasion for pedestrian traffic.

Glenn A. Rick, City Planning Director, said that probably the City should modify its policy. He agreed that sidewalks are not necessary.

Councilman Kerrigan spoke of the property as being a corner, and a CP zone.

Mr. Levenson said that it is the whole block; there are houses on the south side of Lyons Street, with sidewalks.

Mr. Rick showed a map, over which Councilmen had a conference. He pointed out the Segel property on the map.

Mr. Levenson told of having already granted an easement for Federal Boulevard.

Mr. Rick said that 5-foot strip, objected to by Mr. Levenson does no harm; it is a standard clause.

Mr. Levenson said that the strip of land belongs to the City by dedication.

On motion of Councilman Schneider, seconded by Councilman Burgener, condition 1 of the next resolution, providing for sidewalk on Lyons Street, was eliminated from the proposed resolution.

RESOLUTION NO. 122354, recorded on Microfilm Roll No. 90, approving Tentative Map of Chester Square Addition, subject to 6 conditions of the Resolution (there were originally 7; 1 was eliminated), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, suspending portion of San Diego Municipal Code in connection with Tentative Map for division of portions Lots 1 and 2 Block 10 Encanto Heights, was presented.

RESOLUTION NO. 122355, recorded on Microfilm Roll No. 90, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of portions Lots 1 and 2 Block 10 Encanto Heights, 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 division of portions Lots 1 and 2 Block 10 Encanto Heights, into 2 lots fronting on 65th Street south of Wunderlin Street, subject to 7 conditions, was presented.

RESOLUTION NO. 122356, recorded on Microfilm Roll No. 90, approving Tentative Map for division of portions of Lots 1 and 2 Block 10 Encanto Heights, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 122357, recorded on Microfilm Roll No. 90, suspending Sections 102.07-5, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map for subdivision of Valencia Plaza, 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 Valencia Plaza, a 24-lot subdivision located in portion of Lot 54 Horton's Purchase, on westerly side of Euclid Avenue Avenue in area recently annexed to the City, subject to 11 conditions, was presented.

RESOLUTION NO. 122358, recorded on Microfilm Roll No. 90, approving Tentative Map for subdivision of Valencia Plaza, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Quintin Whelan, attorney, requesting that his client, Elizabeth Goodwin, owner of Lot 17 Rancho Ex Mission be permitted to use public sewer line which crosses her property, was presented.

Attached was report from the City Manager, dated January 17, 1954, stating that until such time as a more feasible annexation proposal can be developed, it recommended that permission to commence annexation proceedings and for immediate connection to the sewer be denied. It gives a detailed report on the situation.

Mr. Whelan appeared, and showed the Council plats of the area. Answering the Mayor, he stated that he was not appearing as a member of the City Planning Commission, that if it is felt improper for him to make the presentation, he would withdraw. He stated that the plat represents the proposed annexation, and referred to the portion out of the City as a triangle marked "Demers". He said that the request is for use, prior to annexation.

The Mayor replied that there is no objection to use, prior to annexation - "if it can be checked out".

Mr. Whelan expressed hope for a temporary permit. He stated that the sewer runs across his client's property, and referred to precedent for hooking up, in connection with annexations to come.

The Mayor said that petition is available, and that it could be cleared.

Mr. Whelan asked for continuance for a period of 1 week.

Councilman Kerrigan declared that it would be advantageous to have the property annexed to the City. He expressed hope that annexation will be pursued.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the item was continued 1 week - to February 3, 1955.

Communication from (Mrs.) B. Rader, 6384 Jeff St., San Diego 15, dated January 23, 1955, was presented. It refers to being new residents, moving here from Berkeley, and being impressed by several features of San Diego. It tells of need to plan for recreation facilities to accompany the growth, parks, sidewalks and trees.

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

Communication from William A. Richardson, 6194 Lambeth Drive, San Diego 15 - in behalf of William A. Richardson and family - dated January 22, 1955, was presented. It expresses pleasure that name of Lorca was changed to Lambeth, and surprise at some neighbors disliking the new name. It asks that name be not changed back to Lorca as Lambeth is a more progressive and sensible name.

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

Communication from Ed Vandersluis, 5742 Valencia Drive, San Diego 15, dated Jan. 24, 1955, objecting to the name of Valencia Drive having been changed to Vantage Drive. It comments on there being the other Valencia on Point Loma with fewer residences, and asks why it not be eliminated. In addition to expressing himself on the name he mentions expense involved in letter heads and envelopes with the present name. It asks for early action to eliminate garbling of addresses.

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

Communication from F. E. Young Construction Company, 2141 Main Street, dated January 21, 1955, signed by F. E. Young, enclosing 2 perspectives of original submitted re proposed building (auditorium) at 6th Avenue and Date



Street, was presented.

Communication from F. E. Young Construction Compaby, 2141 Main Street, dated January 20, 1955, signed by F. E. Young, directing attention to "Horton Plaza Parking" as presented by "Plaza Associates", was presented. It encloses perspective which is representation of exterior design.

RESOLUTION NO. 122359, recorded on Microfilm Roll No. 90, referring to Council Conference communications from F. E. Young Construction Company relating to design of Horton Plaza Parking facility and proposed building at 6th Avenue and Date Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next 3 items on the agenda, having to do with Harbor leases, were handled earlier in the meeting.

RESOLUTION NO. 122360, recorded on Microfilm Roll No. 90, establishing green fees, and having to do with golf teams at the Municipal Golf Course in Balboa Park; rescinding Resolution No. 120298, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122361, recorded on Microfilm Roll No. 90, authorizing City Manager to enter into necessary contracts on behalf of City of San Diego, providing that City contribute jointly with other public agencies of the County its proportionate share of cost of cloud seeding operations for fiscal year 1954-1955, commencing about April 15, 1955, to be done by San Diego County Weather Corporation; provided that total amount of money to be expended shall not exceed \$8,000.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122362, recorded on Microfilm Roll No. 90, authorizing and empowering City Manager, for and on behalf of City of San Diego amendment to agreement heretofore entered into between The City and Roland S. Hoytt, consultant, agreement filed in office of City Clerk as Document No. 473441; authorizing City to employ him in connection with landscaping Harbor Drive, in addition to and subject to same conditions as to time and compensation established; filed in office of City Clerk as Document No. 505011, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122363, recorded on Microfilm Roll No. 90, authorizing and directing City Manager, for and on behalf of City of San Diego to execute agreement for installation and maintenance in Public Library of 2 Type-O-Matic Units, with Roy D. Graham, doing business as Type-O-Matic Service, 4217 East Gage Avenue, Bell, California, under Document No. 504948, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122364, recorded on Microfilm Roll No. 90, authorizing San Diego Gas & Electric Company to install 6000 lumen overhead street light at each of 13 locations, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122365, recorded on Microfilm Roll No. 90, approving Change Order No. 1, dated January 19, 1955, heretofore filed with City Clerk as Document No. 504949, issued in connection with contract between The City of San Diego and Harold Stephens Plumbing & Heating, for installation of sprinkler system at Gleason Point, contract contained in Document No. 493496 on file in office of City Clerk; changes amounting to increase in contract price of \$568.00; and extension of time to and including February 3, 1955; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122366, recorded on Microfilm Roll No. 90, accepting deed of United States of America, acting through Housing and Home Finance Agency, Public Housing Administration, executed in favor of The City of San Diego, bearing

Communications  
122359 - 122366

date December 31, 1954, conveying all of Housings known as Presidio, Frontier and Levant; 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. 122367, recorded on Microfilm Roll No. 90, accepting deed of W. O. Kobusch and Jerlene Kobusch, bearing date January 12, 1955, conveying Lots 14 and 15 Block 1 Berkeley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122368, recorded on Microfilm Roll No. 90, accepting deed of Lillie M. Bell, bearing date January 20, 1955, conveying Lot 2 Block 53 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122369, recorded on Microfilm Roll No. 90, accepting deed of La Mesa, Lemon Grove and Spring Valley Irrigation District, bearing date January 18, 1955, conveying 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122370, recorded on Microfilm Roll No. 90, accepting deed of Wilrose Corporation, bearing date December 2, 1954, conveying portion Lot 66 Rancho Mission of San Diego; 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. 122371, recorded on Microfilm Roll No. 90, accepting deed of Sydney S. Baston and Jeanette K. Baston, bearing date January 20, 1955, conveying portion Lot 22 Block 9 Loma Alta No. 1; setting aside and dedicating land to public use for public street and naming it Wabaska Drive; 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. 122372, recorded on Microfilm Roll No. 90, accepting deed of Raymond Wilson and Teresa Turinetta Wilson, bearing date January 7, 1955, conveying easement and right of way for storm drain purposes in portion Lot 20 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 Wincote, adopted.

RESOLUTION NO. 122373, recorded on Microfilm Roll No. 90, accepting deed of C. H. Dutcher and Lois Dutcher, bearing date January 21, 1955, conveying easement and right of way for storm drain purposes in portion Lot 16 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 Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, as well as the one which follows

122367 - 122373

Councilman Burgener asked if the City can get out of the leases.

City Manager replied that it can, in approximately 30 days.

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 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. 6388 (New Series), recorded on Microfilm Roll No. 90, authorizing rental of lease of portion of Pueblo Lot 1311 for operation and maintenance of restaurant and appurtenances - at intersection of Highway 101 and Miramar Road shown on City of San Diego Engineering Plat 3946-B - for 5 years at monthly rental of \$100.00; description of property and terms and conditions to be set forth in lease filed in office of City Clerk under Document No. 505016, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Lease is to Edward C. Stiegemeier

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 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. 6389 (New Series), recorded on Microfilm Roll No. 90, authorizing rental of lease of portion Pueblo Lot 1337 for operation of snack bar and appurtenances - in Torrey Pines Park - for 3 years at monthly rental of \$35.00 and in addition Lessees shall act as supervisor of picnic area and parking lot; description of property and terms and conditions set forth in Document No. 505017, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Lease is to Joseph F. Connell and E. E. Stiegemeier.

Councilman Kerrigan had a discussion with the City Manager regarding leases.

There was no action.

On motion of Councilman Wincote, seconded by Councilman Schneider, Ordinance amending Section 22.0902 of The San Diego Municipal Code concerning procedure for sale of City-owned real property to permit a combination of sale by Public Auction and by Sealed Bids, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Wincote, seconded by Councilman Burgener, Ordinance incorporating Lots 496 through 505 Allied Gardens Unit No. 4 into RC, CP and C Zones, as defined by Sections 101.0409, 101.0410 and 101.0411 respectively of San Diego Municipal Code, and repealing Ordinance No. 5132 (New Series) adopted March 25, 1952 insofar as it conflicts, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

At the hour of 11:11 o'clock A.M., the Council took a recess until 2 P.M. this date.

Upon reconvening, at 2:03 o'clock P.M., the roll call showed the following:

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

Absent---None

Clerk----Fred W. Sick

6388 N.S. - 6389 N.S.  
Ords introduced  
Recess  
Reconvene

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing - continued from January 20, 1955 - on appeal of Mission Valley Improvement Association from decision of Board of Zoning Adjustment in granting permission to Caudell & Johnson to construct and operate plant for manufacture of pre-cast concrete products, existing buildings to be used as office and warehouse, on portion Pueblo Lot 1190 south of Friars Road, east of prolongation of Texas Street, in Zone R-1A, the Mayor made a statement. He stated that at the conclusion of the first hearing Russell Grant was making a presentation. He asked for pictures which had been presented at the previous hearing, to be brought up again, so that the Council might check them further. The Mayor said that if they are smog pictures, that subject has been gone into.

Councilman Wincote said that if the opposition wants, it has the right to use the pictures in evidence. He told of having 5 or 6 letters dwelling on the Caudell & Johnson-created smog.

Russell Grant told the Council that what is being discussed is a zone variance, and does not involve the question of a zone change in Mission Valley for industrial uses. He stated that there is no nuisance involved with the operation, and there is to be no batching plant. He contended that there is no smog or smoke connected with situation in Mission Valley. He spoke of protestants having other things in mind, but insinuating that this plant is the cause of the nuisance. He added that there is no nuisance from noise, smoke or smog. Mr. Grant contended that the area cannot be seen from the University site, and that the University will not be hurt; it is 2 or 3 miles away. He referred to owners having signed a petition for the improvement, and showed a map. He stated that owners surrounding the property in question have signed the petition for the variance. He showed a cloud caused.....(he was interrupted, and statement was not completed. Mr. Grant identified the property as being 1/3 in the north channel of the Mission Channel, which he said is to be filled, and the low-lying condition minimized. He stated that it is a flood area, and no residential property. He said that the State built a fill for highway and bridge in the west end. He told of having a certified photostated letter from the Mission Valley Improvement Association, addressed to Supervisors. He read it and referred to survey of flood conditions. Mr. Grant quoted from the Planning Commission's minutes. He pointed out that operation was in existence when application was made. He said that Caudell & Johnson will widen the channel. He told of being able to show several kinds of pictures. He mentioned there being no pictures since 1927 (apparently referring to water in the Valley). He said that all he had are from the Union Title Insurance Co.'s historical collection. He showed them and spoke of there being taken at various times. He told the Council that there should be an effort to control waters in Mission Valley. Mr. Grant said that there is supposed to be a letter from Town & Country hotel supporting the application for the variance. He told the Council that if there were no trouble from the water, roads would not have been raised. He stated that there are probably 500,000,000 tons of gravel - estimated - in the hill. Mr. Grant said that the Planning Department had made a survey of variances. He said that there are some 27 to the west; 13 to the east. He stated that variances to the east of 395 are on the south side of Mission Valley, not subject to flood. He stated that a majority had bought homes knowing of the existing businesses and the gravel operations. He said that the Council could not make a statement that no variances will be given. He said that the area in question has unusual circumstances; there are no nuisances; variance would put land to use; Country atmosphere had been eliminated by the Mission Valley Road - which is to be widened. Mr. Grant told about there being enough conditions contained in the variance granted by the Board of Zoning Adjustment to police the property.

The Mayor, speaking to Morey Levenson, said that there would be a rebuttal.

Mr. Grant stated that there were others present (on his side of the issue) who want to be heard.

Robert Dorland (former City Building Inspector) told the Council that he had been a resident of San Diego since 1921, and is now engineer for the Southwest Structural Concrete Corporation, which will lease from Caudell & Johnson. He told of having been in operation for several years, re pre-stretched concrete, which is used in Europe. He referred to an article in Fortune Magazine on the subject. He spoke of the elasticity of the concrete; it is a new industry here. Mr. Dorland pointed out that this would be the first plant of its kind in California, one of the first in the nation. He spoke of need for expansion, in connection with this being the area having the source of material. He set up a easel on which he had a chart, and told of advantages and disadvantages from the operation. He told the Council that San Diego does not have many resources, but this is one. He said that this would also result in reclamation of waste land, and would provide for elimination of a health hazard. He referred to reports from the Health Department on the area being a particular health hazard. Mr. Dorland spoke of clean plant operation, and of UCLA having come down to take pictures of this ideal operation. He spoke of there being 4 years of scientific research, over \$100,000 to develop, and of a laboratory and engineering facilities. He referred to this as being expansion of an important industry. He referred to there being over \$100,000 Sales tax collected, and over \$200,000 per year toward the welfare of people of the community.



He pointed out that there are 200 employees at the present time, and that it is desired that there be expansion. He spoke of the \$1,125,000 payroll. He told of one industry having been lost to San Diego (Van Camp Co.; tuna packing); and repeated that this industry wants to expand. He agreed that there are some bad points on which efforts are being made to correct: a "bone yard" containing a lot of scrap and material, which is being cleaned up. He said that is the only eyesore. He said that the points should be weighed.

Fritz Orr, who has a dairy in Mission Valley, spoke. He told the Council that he was born in Valley, and that he is next to Caudell & Johnson. He said that their produce is from one of the premium mills in San Diego, which causes no trouble. He referred to Mission Valley's material resource of sand, rock, and paving materials. He declared that for the company to stop would be a blow to the prosperity of San Diego. He stated that most of the material on the roads in San Diego have come from Mission Valley. He said that Mission Valley is a commercial area, and he named the industries. He spoke of production of between \$5,000,000 and \$10,000,000 in Mission Valley sand and gravel. Mr. Orr told the Council that he has no jealousy against others making money. He said that he wants to see Mission Valley progress, but that Mission Valley Improvement Association has to an extent hindered Mission Valley. He told about the Fenton Material Co. having contributed to the orphanage at the Old Mission; the Mission owned sand which Fenton mined. He said that a lot of people are making a fuss, but they are new people, according to the speaker. Mr. Orr told about remembering when sand was taken out of the Valley by horse and wagon. He said that smoke is now being controlled, and that property owners on Friars Road had contributed road improvement cost. He said that City and County did the spreading, but that Caudell & Johnson did the paving over Texas Street. He said that while it is a private road, the public uses it. He stated that there is not the trouble which the Council is led to believe. He referred to the possibility not always milking cows in the Valley. He spoke about establishment of trailer parks. He said that the rocks for the jetty came from Mission Valley. He stated that Mission Valley has had a great part in the development of Mission Valley. Mr. Orr said that Caudell & Johnson is not the cause of the nuisance, and others do not either. He contended that the Mission Valley Improvement Assn. should give a dinner at the Town & Country (located in the Valley) for people who have developed Mission Valley.

Arthur S. Johnson (member of the firm of Caudell & Johnson) was heard. He told about there being a petition with 480 names at the last hearing. He said that in the valley signers west of the highway were over a mile away, and there were 5% of them, and that they can't hear any operation noise. He said that east of 395 in the Valley there were 4% in Allied Gardens. Mr. Johnson said that 4 miles away there were 25%; on the rim there were 59%; some can't see, and can't hear. He told of being unable to understand the interest of 3% signers from East San Diego and from La Mesa. He said that reference had been made to the planting of trees because of having something to hide. He said that statement is not true. He spoke about picture shown had to do with smoke from the plant in the last week of December and the first week in January, resulting from cleaning the area. In that connection he said that brush was burned; that might have been it.

Morey Levenson said that there are 1 or 2 persons in the Chamber here, who had not been heard, and want to be for 2 or 3 minutes. He said that impression had been created by Mr. Grant that objection is based on smog nuisance. He said that is not true; it is one of the several factors. He said that Mr. Grant had a petition favoring the operation, by owners who favor it because of having no objection and who would consider industrial use for 942 acres. He told the Council that residential owners of Mission Valley are relying on the area having been zoned R-1A, which they had reason to believed would be continued. He referred to the City breaking faith with the property owners and residents regarding industrial uses in the Valley. He spoke of being proud of figures and facts presented by Mr. Dorland, and hoped for success by Caudell & Johnson. He maintained that Mission Valley is in the heart of the City, and that the proposal is based on not good planning. He agreed that the smog may not be caused by Caudell & Johnson. He said that, however, fear is based on expansion, and upon detriment to the property on the perimeter. Mr. Levenson said that the situation is expanding to the point where it will be not desirable for industrial use. He stated that the 1940 zoning was for residential use. He stated that nothing should be done in the Valley regarding variances or zone change for industry until a master plan is developed. He said that if the character of the Valley is changed all should know, including Kensington and Mission Hills, as well as the residential areas on Kearny Mesa. They are expendable, and should be told that, according to Mr. Levenson. He said that they have the right to know that the City doesn't care about them. He referred to Mr. Dorland's comments on expansion, and said that Mr. Orr's criticism was unfair. Mr. Levenson stated that the people had thought that industrial uses would go no farther. He declared that it is not an arbitrary power that the City has, but it is one which should be used reasonably. He stated that all people affected have the right to be heard. He asked the Councilmen to think seriously what is to be done in Mission Valley before granting of this variance, or other zoning. He told of the Planning Commission having recommended against proposed "Q" zone. He said that this situation is practically the same, between variances and zone use.

Councilmen Wincote and Schneider protested Mr. Levenson's last statement.

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Councilman Wincote, speaking to Mr. Levenson, referred to willingness to rezone the property, but that it would be worse than what is proposed.

Mr. Levenson stated to the Council that practically none of the variances are industrial.

Councilman Wincote spoke about differences.

Mr. Levenson said that it is regarding conditions, not the use. He said that there can be nuisances from the trucks and from the equipment. He said that the City should make up its mind regarding master plan for use of the Valley. He stated that there will be no more magnificent homes in the Valley. He repeated that they have a right to know, and that operation should not be expanded.

Councilman Wincote spoke to Mr. Levenson regarding withdrawing of statement that Caudell & Johnson operation is causing the smog.

Mr. Levenson said that he did not state that Caudell & Johnson are responsible, but that industrial uses would magnify the condition. He charged that Councilman Wincote had expressed an opinion on the subject before the hearing. He said that this is a quasi-judicial hearing.

Councilman Wincote said that he got up to see the smoke from the Caudall & Johnson plant, but that he did not see any smoke. He said that Mr. Johnson fired up the boiler, at his request, and that he took pictures. He said that argument was on smog.

Harry Adams, 4220 Ridgeway, in Kensington, spoke next. He said that he can't see the plants in the Valley. He told of having come to San Diego 2-1/2 years ago on account of the climate and the beautiful city. He protested variances for creation of factories in the Valley. He said that on the south rim the area is affected. He read names on a petition, who are neighbors. He told of there being several millions of dollars represented in properties owned on the south rim, which will be affected. He spoke of the Council being in favor of factories, regardless of how they affect health, and of their going to ignore the petition he had.

Councilman Schneider spoke to Mr. Adams, and asked if he went down to look at the plant.

Mr. Adams replied "no". He said he was suggesting some other location.

Councilman Schneider spoke to Mr. Adams regarding Pittsburgh, and the manufacturing because of the supply being there. He said that the City is not rezoning the Valley.

Mr. Adams said that "every action is a step toward that".

Councilman Schneider told of having looked at the property.

Arthur P. Pratt, 6775 Friars Road, said that he had been refused a variance, regarding use of 1 little boiler. He asked for a ~~master~~ master plan so it will be known "where they are".

Bill Miller told the Council that he lives above the property in question, in a new home, which looks at the Caudell & Johnson property. He said that there is no smoke. He spoke about wind during loading dirt in trucks in Caudell & Johnson operation regarding moving dirt, but that the plant is not causing much smoke. He said, however, one variance leads to another. He stated that pictures shown regarding water in the Valley had been taken 50 and 28 years ago; there are dams now.

Councilman Wincote spoke to Mr. Miller regarding the 1926 flood.

Ada Muench identified herself as a native of San Diego, and said that 2,000 people in San Diego are interested in this zone variance. Mrs. Muench said that "industry is industry, whether it is pink, blue, or surrounded by geraniums". She declared that control does not do much good. She said that there is need for industry, but not at the expense of ruining the tourist industry. She spoke of the nice blue sky and the air being the best features of San Diego. She said that Mission Valley is not suited to industry.

Councilman Dail, who had been excused shortly before this, returned

Mrs. Muench said that stacks will not clear the residences.

Councilman Wincote spoke to Mrs. Muench, and told her that 6 or 8 plants have been there a long time. He agreed with previous speaker that the City should arrive at a plan. He told of having had at least 30 people call him; 20 did not know the situation, and were sorry that they had.

Mrs. Muench said that this is new. She identified her property as 5262 Marlborough.

Councilman Godfrey moved to close the hearing. Councilman Schneider seconded the motion.

Councilman Burgener wondered about encroaching on farm land. He spoke to Mr. Rick regarding historical facts.

Mr. Rick posted maps to which he referred. He explained the situation in the Valley from the map. He told of studies having been made by the Department covering many subjects, regarding nuisances. He had a list, and said that the first zoning took place in 1933. He said that plants existed, and are now non-conforming, with no time limit. He told of some variances having time limits, some with conditions, some with no limits or conditions. He said that he cannot tell what the future of the Valley will be. He said that existing conditions will influence the plan. He stated that the City would not, and should not control the right of property owners to petition. Mr. Rick said that would not be democratic, and would not be upheld in court. He told the Council that the Zoning Adjustment Board had voted 4-2 to approve, under conditions, and had then voted unanimously. He said that Mr. Levenson had put stress on petition regarding building a 60-unit motel which had been denied, while the Board had granted variance to Caudell and Johnson. He told of insistence on an answer that day (apparently the motel). He

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said that the answer was then "no". He stated that Caudell & Johnson had agreed to a continuation of application. He told of the situation having become involved in the Q Zone, which was denied. He said that a hearing had then been held on the application, and conditions were not correct. He told of 2 statements by Levenson; regarding industry not been seen, etc. He referred to the statement as of today regarding Mission Valley being in the center. He told the Council that those statements are not in agreement. Mr. Rick referred to having had a reaction from the minutes of the zoning hearing. He said that owner would have the right to extract natural resources. He stated that it has come to a point where the people want to expand to a new type of operation. He read a list of conditions considered by the Zoning Board. He stated that it is not the opinion of the Board that it is not R-1A property, regarding flooding of the property. He said that consideration is regarding variance; not change of zone. Mr. Rick read the conditions of the variance (there are 10 of them).

The Mayor spoke to Glenn Rick regarding attempt to put the Valley into a master plan. He asked if right of variance exists.

Mr. Rick said "yes". He referred to the zoning as being in the most restricted area, but that application for variance could not be prevented. He said that "this" is for decision today (not the master plan). He said that if in the development of property on Camino del Rio it would be illegal to permit things they could not get. He said that there might be a zone which permits such other things, and that C Zone could be straightened out. He felt that it is better to do it all at one time. He said that so far as his judgment is concerned, it is not advisable to hold owners to construction of 1 house to 1 acre. Mr. Rick said that R-1 zone would be worse, regarding danger of flood. He pointed out that it is still possible to have a flood in the Valley, despite precautions.

Councilman Burgener said that the Council has no responsibility to initiate use of the property.

Mr. Rick said that zoning is controlled by law.

Councilman Schneider stated that he has 3 out of several letters, which have come from the areas of 30th and Laurel and from Luisiana near University.

The Mayor said that this comes on a recommendation from the Board of Zoning Adjustment, and that it would need 5-2 vote to overrule the Board. He spoke of there having been at least 15 or 20 problem arising in Mission Valley. He agreed that the situation is unsatisfactory, both in the Valley and on the rim. He told of being sympathetic to both sides. The Mayor observed that the area is not compatible to residences. He spoke of there being many variances and non-conforming uses. He said that the Council is attempting to balance the use of Valley. He asked how to do that. He said that it can't be done by change of zone. He said that it is best done by analyzing and re-analyzing each case, regarding safeguards. The Mayor said that each comes in on a specific purpose. He stated that it is fair, if granted.

Councilman Schneider said that Assessor Eddy had spoken about losing \$46,000.00 on Wherry housing, on a tax base. Mr. Schneider said that the City is trying to bring light industry, with an improved tax base and employment. He said that would bring in more tax money. He told of having gone through the Valley, and that this is nothing to harm anyone. He said that trees will shield, and that protecting the view at a distance is not fair in regard to investment. He said that he would not build a home in the area.

Councilman Godfrey moved to grant the variance and uphold the Zoning Adjustment Board on the conditions set up in the variance. The motion was seconded by Councilman Burgener.

Councilman Burgener spoke to Mr. Rick regarding the proposal. Mr. Rick told of facts to be considered, and of hearings required in the Valley before draft of a plan.

Godfrey Councilman/said that a Master Plan is alright to consider. He spoke of having "heard many things in 8 years". He stated that he thinks this is reason and logic. Mr. Godfrey told of having studied the situation carefully. He said that the piece of property had been improved regarding anticipated use. He said that the situation will continue to come up in Mission Valley, including effect on adjacent properties.

Councilman Wincote spoke to Mr. regarding County area.

Mr. Rick showed the boundaries. He asked if the County Planning Commission had been taken into consideration.

Mr. Rick replied "not at the same time".

The roll was called (a unanimous vote) resulting in

RESOLUTION NO. 122374, recorded on Microfilm Roll No. 90, overruling and denying the appeal of Mission Valley Improvement Association from the decision of the Board of Zoning Adjustment in granting variance to provisions of Ordinance No. 1947 NS to Caudell & Johnson to construct and operate plant for manufacture of pre-cast concrete products, existing buildings to be used as office and warehouse, on portion of Pueblo Lot 1109 south of Friars Road, east of prolongation of Texas Street, in Zone R-1A per legal description on file in Planning Office, subject to the same 10 conditions attached the Planning Resolution No. 8646; sustaining the action of the Board of Zoning Adjustment, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 3:55 o'clock P.M., after he had thanked property owners in connection with the hearing. He announced that the Council would go into Conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstein*  
Deputy

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

Hearing on appeal of Mission Valley  
Improvement Assn. on Zone Variance to  
Caudell & Johnson in M.V.

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, February 1, 1955

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

The Mayor announced that the minister who was to be present and give the invocation was not here. As a result, all present arose, for silent prayer.

The Minutes of the Regular Meetings of Tuesday, January 25, 1955, and of Thursday, January 27, 1955, were presented.

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

Communication from the Purchasing Agent reporting on bids received January 28, 1955 for paving and otherwise improving Alley Block 18 La Mesa Colony, was presented.

The Council made a finding that bids had been opened as reported, and that Al E. Riley, Inc. was the low bidder.

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

Communication from the Purchasing Agent reporting on bids received January 28, 1955 for paving and otherwise improving Alleys in Blocks 222 through 233, et al., Mission Beach, was presented.

The Councilman made a finding that bids had been opened as reported, and that A. W. Thorpe was the low bidder.

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

Communication from the Purchasing Agent reporting on bids received January 28, 1955 for paving and otherwise improving Alley in Block 255 Pacific Beach, was presented.

The Council made a finding that bids had been opened as reported, and that A. W. Thorpe was the low bidder.

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

Communication from the Purchasing Agent reporting on bids received January 28, 1955 for sewers in 47th Street, Aurora Street, Uvas Street, Market Street, et al., was presented.

The Council made a finding that bids had been opened as reported, and that W. V. Hutchison Co. was the low bidder.

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

The Mayor requested that the next item be taken up out of order.

Meeting convened  
Minutes approved  
Communications - Bids reports referred

Communication from the City Manager stating that report has been made by Director of Water Department relating to necessary expansions, extensions, replacement of parts of, and betterment of water impounding, treating and distribution system, that he has examined the report and operations of the Water Department, was presented. It finds a need for and recommends that Council provide for expansion, extension, replacement of parts of, and betterment of water impounding, treating and distribution system of the City, and finds need for and recommends that to provide for payment of the cost revenue bonds in principal sum of \$6,000,000 be issued and sold under and pursuant to Section 90.1 of Charter, bonds to be payable in whole from revenues derived from waterworks system of The City and to be payable only from special fund which shall consist of such revenues of the Water Department as are in excess of amount needed to operate and maintain Water Department. It finds need for and recommends that the Council exercise power provided in Section 90.1 and proceed under said section to provide for such public improvements and for issuance and sale of the revenue bonds.

RESOLUTION NO. 122375, recorded on Microfilm Roll No. 90, finding need for expansion, extension, replacement of parts of, and betterment of water impounding, treating and distribution system of the City; that there exists, and the Council finds a need to provide for payment of the cost of such improvements by issuance and sale of revenue bonds in the principal sum of \$6,000,000 under and pursuant to Section 90.1 of Charter of the City, bonds to be payable in whole from revenues derived from waterworks system of the City and to be payable only from special fund which shall consist of such revenues of the Water Department as are in excess of amount needed to operate and maintain the Water Department; that there exists, and the Council finds a need for the exercise of the power provided in Section 90.1 and for an ordinance under said section to provide for such public improvements and for issuance and sale of said revenue bonds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance providing for expansion, extension, replacements of parts of, and betterment of the waterworks system of the City of San Diego and to pay the cost thereof authorizing and providing for issuance and sale of \$6,000,000 of Revenue Bonds payable from such revenues of said Waterworks System as are in excess of the amount needed to operate and maintain the Water Department; the ordinance not to take effect until approved by a majority vote of the Electors of the City, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street - continued from the meeting of January 25, 1955 - the Clerk reported that no written protests had been received.

The City Engineer said that he understood that the Council wanted to have Mr. Evans, who had spoken on the subject earlier, at this hearing.

The Mayor said that it was a minority petition.

Sidney G. Evans stated that he did not file a petition of protest. He said that the project concerns a number of streets. He spoke about Harney paving past a barricade, and other areas. He said that 100 feet are a part of a City plan 14 in connection with future highway. Mr. Evans told the Council that he owns 100-foot wide strip for several blocks, adjoining the Santa Fe. He said that he would hate to see the street improved with buildings on his property, if it were to be used for a right of way. He told of having a standing offer to exchange his property for property owned by the City. He spoke of the controversy over where the highway in Old Town is to go. Mr. Evans told the Council that Rick (Glenn A. Rick, City Planning Director) says that No. 14 is on the City plan. He stated that he is not concerned with which route is taken; does not care which way it goes. According to Mr. Evans the cul de sac would have to be torn up, if used for highway right of way. He told of having gone to Mr. Rick and to City Engineer A. K. Fogg. He said that he understood the City Engineer would recommend elimination of the cul de sac from the improvement. He said that it would be sensible to cut out 100 feet, but that the City Engineer wants to finish a block when started. He told of being concerned only as a citizen, not as a property owner. He said that he would use the property on either side, to advantage. He said that he was protesting, as a property owner, but not as an adjoining property owner. Mr. Evans said that the Fogg family (not the City Engineer) is living in the Harney house, and is

Communication from Mgr. re  
Revenue bonds - by U.C.  
Ord re Revenue bonds introduced  
- by U.C.  
122375  
Hearing



favor of paving. He spoke of coming without any petition. Mr. Evans maintained that it should be decided where the highway is to go. He said that if it is decided to pave, he wants to feel free that that end of town has been rejected. Mr. Evans said that the property is on Santa Fe trackage, and real estate people have approached him regarding his 500 feet.

Councilman Schneider told of being impressed with the attitude of a citizen. He asked about width of the property to be paved.

The City Engineer said that the paving would be curb to curb - 30 feet.

Councilman Schneider spoke to Mr. Evans, and Mr. Evans, in turn, talked to Councilman Schneider about distances.

The City Engineer said that he does not care what is done; it is a side street.

Councilman Schneider said that it is not fair to Mr. Evans to chop off, and let it sit for the rest of its life.

Councilman Burgener asked what the status is.

Councilman Kerrigan said that it is regarding the major street plan.

Councilman Schneider said that Mr. Evans wants to play fair with the City.

The City Engineer told of having a certain amount of water. He said that if it is chopped off, drain would have extend the drain back 100 feet.

Mr. Evans agreed with Councilman Wincote that he has the right to develop. He felt that he was in not too good a position; it was like boasting.

Mrs. T. E. Fogg, 3877 Harney Street, told the Council that she agrees with Mr. Evans on the moral issue. She said that there are about 60 cars per month, and that there is ample room to turn around. Mrs. Fogg said that she said she does not want Harney, so it does not make any difference if the paving goes down the hill or not. She said that paving could be done to the barricade. She said that an adobe wall, which would not come down, could be built.

Councilman Godfrey referred to there being several things involved. He asked if the City Manager has analyzed the situation, regarding change in the future. He asked who decides, and when (regarding future highway). He said that it may or may not be changed.

The City Manager stated that he is not too familiar with the situation, and the City Engineer is more informed.

The City Engineer suggested "chopping off at the barricade".

The City Manager stated that no one knows precisely what the situation will be. He told about hearings that will be held, etc., and that the situation has not been resolved. He stated that there is also the North-South traffic situation regarding traffic into Highway 101 and Morena Boulevard. He spoke of bottle neck. The Manager said that something is going to have to be done regarding 101. He told the Council that future plan in that connection may affect this project under hearing today. He said that, however, may not be known for 6 months, or a year.

Councilman Wincote spoke to the City Manager regarding a trade of property "to get Evans off the hook".

The City Manager replied that he has not looked at it. He said that Mr. Evans does not know if it is needed, that he is free to do whatever he wants.

Mr. Evans said that 2 of the blocks had been improved 10 years ago.

Councilman Schneider said that it is M-1 Zone.

Mr. Evans answered that 1 block was changed to R. He spoke of Moore Street not being paved, but that it should be. He said that property owners don't want to pave, on account of the City going through the property. He said that they would like to include paving, if they know that the City is not going to take the property.

Councilman Burgener asked about delay.

The City Engineer said that it would be about 4 months (if proceedings are abandoned, and plans changed.)

Councilman Kerrigan spoke about the drainage problem, and pointed out that if work is abandoned it would be in the fact of petition for the work.

Mrs. Fogg said that there was a minority petition; it was not cleared up who would pay; it was just thrown in.

Councilman Schneider commented that this deals with an unknowable future. He said that the City should make Mr. Evans free, or make the exchange

Councilman Kerrigan said that the City can't deny Mr. Evans his legal rights. He pointed out that "something may happen to Evans in 6 months".

Councilman Wincote stated that Mr. Evans has the right to go ahead.

Councilman Burgener spoke to the City Engineer regarding cost of drainage, if cut off at the cul de sac.

The City Engineer pointed out the property on a map, for the benefit of Councilman Burgener.

Hearing



Councilman Schneider declared that there will be a battle regarding destroying the pitch and putt course. He continued to present a plan, and reassurance to Mr. Evans about being released from feeling of responsibility.

Councilman Dail said that people on F Street (not this project) will be left without improvement - in connection with a future freeway - although they are in need of improvement.

Councilman Wincote spoke in favor of coming up with a decision. He said that if it would be in 3 to 5 year period buildings on the property would not be wanted.

Councilman Dail said that there is the same situation all over town.

Councilman Kerrigan spoke to Mr. Evans over ownership. He said that if the Evans' property were acquired, that owned by others would have to be acquired, also.

Councilman Burgener said that the Planning Commission has not acted.

Mrs. Fogg spoke of having sat in on many meetings regarding new road. She said that the Nolan plan is still used as an excuse.

Councilman Kerrigan said that the City has major street plans.

Councilman Schneider spoke of having to take 2 steps, including Planning deletion from the major street plan.

Councilman Kerrigan spoke of having to have a substitute, if this is taken out of the major street plan.

Councilman Burgener said that he would not speculate.

Councilman Schneider spoke to Mr. Rick.

Mr. Rick said that property is on easterly side of Santa Fe, in major street plan. He said that there are 3 proposals, none of 3 has received Planning approval and recommendation. He said that discussion of the highway plan has been held up regarding 101 and the new 18th Street plan. He referred to throwing traffic on 101. Mr. Rick said that the Planning Commission does not want to recommend until there is further study by the State.

Councilman Kerrigan repeated that the City has a petition by a majority (for the improvement).

RESOLUTION NO. 122376, recorded on Microfilm Roll No. 90, overruling and denying verbal protests of Sidney G. Evans and Mrs. T. E. Fogg against improvement of Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Intention No. 121776, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 121977 of Preliminary Determination for improvement of Wawona Drive, the Clerk reported that no written protests had been received.

The Mayor inquired if any one was present to be heard.

Mr. Yarick spoke to the City Engineer about sidewalks.

Mr. Yarick was told about the plans by the City Engineer.

RESOLUTION NO. 122377, recorded on Microfilm Roll No. 90, determining that improvement of Wawona Drive under Resolution No. 121977 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 Street Superintendent's Assessment No. 2315 made to cover expenses of sewer in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, under Resolution of Intention No. 118862, the Clerk reported that written appeals had been received from Harry L. Cain and from Harry Rigby. The appeals were presented to the Council.

The Mayor asked if anyone was present to be heard.

Willard Olson, of the City Engineer's office, reported a 6.6% appeal.

Councilman Kerrigan was excused

Mr. Olson continued, and explained from the plat. He discussed the situation with Mr. Cain.

Councilman Kerrigan returned

Mr. Olson told the Council that there is no record of a sewer permit (The Cain appeal was regarding his property being connected)

Asked about time house was built, Mr. Cain replied "in 1926".

Councilman Schneider said that Mr. Cain does have a sewer.

Mr. Olson told the Council that the assessment roll can be modified, and that "on the other one" it has been modified.

RESOLUTION NO. 122378, recorded on Microfilm Roll No. 90, sustaining appeal of Harry L. Cain from Street Superintendent's Assessment No. 2315 made to cover expenses of installing sewer main in Myrtle Avenue and in Alley Block 8 Bungalow Park Addition, under Resolution of Intention No. 118862; directing Street Superintendent to modify and correct the assessment; continuing hearing until 10:00 o'clock A.M., Thursday, February 3, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Dail was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in Kensington Manor Lighting District No. 1, for 1 year from and including May 1, 1955, the Clerk reported that no written protests had been received.

The Mayor inquired if any one was present to be heard.

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

RESOLUTION NO. 122379, recorded on Microfilm Roll No. 90, confirming and adopting as a whole Engineer's Report and Assessment for Kensington Manor Lighting District No. 1 filed in office of City Clerk December 17, 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 Mission Beach Lighting District No. 1 for 11 months and 16 days from and including May 15, 1955, the Clerk reported that no written protests had been received.

The Mayor inquired if any one was present to be heard.

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

RESOLUTION NO. 122380, recorded on Microfilm Roll No. 90, confirming and adopting as a whole Engineer's Report and Assessment for Mission Beach Lighting District No. 1 filed in office of City Clerk December 17, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of residents requesting that name of Alamo Place (formerly Toledo Dr.) be changed to Toledo Drive, was presented.

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

Petition of residents requesting that name of Vantage Drive be changed to the original name of Valencia Drive, was presented.

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

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids for furnishing 12,000 lineal feet of 3/4" copper tubing, was presented. It states 6 bids were received, and recommends award to Mission Pipe & Supply Company at \$0.34285 per ft., terms 1/2 of 1% plus State Sales Tax.

RESOLUTION NO. 122381, recorded on Microfilm Roll No. 90, accepting bid of Mission Pipe & Supply Co. for furnishing 12,000 lineal feet of Copper Tubing; 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 Burgener, seconded by Councilman Schneider, adopted.

Report on bids for furnishing Fuel Oil for public housing at Levant Street and Presidio Housing Units, for period of 5 months commencing February 1, 1955 - approximately 20,000 gallons - was presented. It recommends award to Hercules Oil Company of San Diego, Inc., at \$0.108 per gallon plus State Sales Tax.

RESOLUTION NO. 122382, recorded on Microfilm Roll No. 90, accepting bid of Hercules Oil Company of San Diego, Inc., for furnishing Fuel Oil for 5

months commencing February 1, 1955; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids received for furnishing 1 Heavy Duty Ripper, and 1 3/8 Cu. Yd. Clamshell Bucket, was presented. It recommends acceptance of low bid of Shaw Sales & Service Company at \$3,245.00 plus State Sales Tax, terms 2% - 30 days; also rejecting bids for furnishing Clamshell Bucket. There were 5 bids.

RESOLUTION NO. 122383, recorded on Microfilm Roll No. 90, accepting bid of Shaw Sales & Service Company for furnishing 1 Heavy Duty Ripper; 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 Burgener, adopted.

RESOLUTION NO. 122384, recorded on Microfilm Roll No. 90, rejecting bids received January 12, 1955 for furnishing 1 3/8 Cu. Yd. Clamshell Bucket, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Report from Purchasing Agent, with Assistant to City Manager's stamp of approval, on bids for furnishing 16 Metal Crew Truck Bodies, was presented. It recommends acceptance of low bid of Ace Welding & Trailer Works for \$18,120.25. There were 10 bids.

RESOLUTION NO. 122385, recorded on Microfilm Roll No. 90, accepting bid of Ace Welding & Trailer Works for 16 Metal Crew Truck Bodies; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent with Assistant to City Manager's stamp of approval, on bids for furnishing Patrol Boat for Mission Bay Life Guard, was presented. It recommends acceptance of low bid of Kettenburg Boat Works at \$2,750.00 plus State Sales Tax. There were 2 bids.

RESOLUTION NO. 122386, recorded on Microfilm Roll No. 90, accepting bid of Kettenburg Boat Works for furnishing 1 Life Guard Patrol Boat; 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 Wincote, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval reporting on furnishing 137 Boulevard "Stop" Signs with posts, installed, was presented. It recommends authorizing Purchasing Agent to buy them from Automobile Club of Southern California, without bids at total price of \$1,211.08 incl. Sales Tax (\$8.84 each, net, including Sales Tax).

RESOLUTION NO. 122388, recorded on Microfilm Roll No. 90, authorizing and directing Purchasing Agent to purchase from Automobile Club of Southern California 137 Boulevard Stop Signs, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122387, recorded on Microfilm Roll No. 90, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Aerial Ladder in accordance with Document No. 505147, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with Assistant to City Manager's stamp of approval for purchase of Repair Parts for Sewage Pump: 1 1/2 P.H. Stage Bowl Unit \$1,631.00; 1 set Line Shaft Bearings, Bronze and rubber combination \$145.50; terms 2% plus State Sales Tax - for Peerless Pump Serial #15072 - was presented.

RESOLUTION NO. 122389, recorded on Microfilm Roll No. 90, authorizing and directing Purchasing Agent to purchase from B & R Pump & Supply repair parts for Peerless pump Serial #15072, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Clairemont Unit No. 16 Annex, subject to required improvements being assured under bond posted.

RESOLUTION NO. 122390, recorded on Microfilm Roll No. 90, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, contract with subdividers of Clairemont Unit No. 16 Subdivision and Clairemont Unit No. 16 Annex and Maryland Casualty Company, whereby it is agreed that resubdivision of portion Clairemont Unit No. 16, as Clairemont Unit No. 16 Annex, will not relieve subdividers of any of obligations which arose under original contract, Document No. 500026, and that all obligations for installation of public improvements in that portion of Clairemont Unit No. 16, now being resubdivided as Clairemont Unit No. 16 Annex, are supported by the original agreement and bond, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted. The Resolution refers to the bond between The City of San Diego and Alef Homes, Inc., Carter Homes, Inc., Macbeth Homes, Inc., Gemmel Homes, Inc., Baze Homes, Inc., Wafer Homes, Inc., Oasis Homes, Inc., and Prospect Realty Co., subdividers of Clairemont Unit No. 16 subdivision, City Clerk's Document No. 500026. It says that it was discovered by the subdividers that their engineer made a drafting error in dimensions of Lots 3435, 3436, 3437 and 3438 on Map of Clairemont Unit No. 16, and it was deemed necessary to file resubdivision to correct the error, and resubdivision is to be known as Clairemont Unit No. 16.

RESOLUTION NO. 122391, recorded on Microfilm Roll No. 90, adopting map of Clairemont Unit No. 16 - Annex, a resubdivision of portion Clairemont Unit No. 16 being all Lots 3435 to 3438 both inclusive of Clairemont Unit No. 16, and being portions of Kamloop Avenue and Moraga Avenue; accepting on behalf of the public portions of public streets and unnamed easements: portion of Moraga Avenue and Kamloop; declaring them to be portions of public streets and unnamed easements and dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that 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.

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 Unit No. 5, was presented.

RESOLUTION NO. 122392, recorded on Microfilm Roll No. 90, suspending Sections 102.07-5 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Villas Unit No. 5 (resubdivision of portion Clairemont Villas), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Villas Unit No. 5 (Revision of Clairemont Villas), subject to 11 conditions, was presented.

RESOLUTION NO. 122393, recorded on Microfilm Roll No. 90, approving Tentative Map of Clairemont Villas Unit No. 5, subject to conditions of 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 Inspiration Point, was presented.

RESOLUTION NO. 122394, recorded on Microfilm Roll No. 90, suspending Sections 102.07-2 and 102.17-c of San Diego Municipal Code in connection with



Tentative Map of Inspiration Point, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Inspiration Point, a 5-lot subdivision of portion of Pueblo Lot 1773, located on southerly side of Inspiration Drive easterly of and adjacent to subdivision of Muirlands Point - approximately 190 feet frontage on Inspiration Drive, approximately 400 feet deep - on 10 conditions.

RESOLUTION NO. 122395, recorded on Microfilm Roll No. 90, approving Tentative Map of Inspiration Point, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 122396, recorded on Microfilm Roll No. 90, suspending Sections 102.09 1 & 2, 102.11-1, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Clifford Heights, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Clifford Heights, 79-lot subdivision of portion of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and portion of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 33, T16S, R2W, SBBM, portion of Rancho Ex-Mission located on northerly side of Euclid Avenue adjacent to subdivision of Delta Heights, subject to 12 conditions, was presented.

RESOLUTION NO. 122397, recorded on Microfilm Roll No. 90, approving Tentative Map of Clifford Heights, subject to conditions of the 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 Rodefer Hills (Westward-Ho Division), was presented.

RESOLUTION NO. 122398, recorded on Microfilm Roll No. 90, suspending Sections 102.09 1 & 2, 102.18-5 and 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Rodefer Hills (Westward-Ho Division), 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 Rodefer Hills (Westward-Ho Division), 10-lot subdivision, 8 of which front upon Linwood Street and 2 with access from unimproved portion of Witherby Street at West California - in zones R-1 and R-4 - subject to 9 conditions, was presented. It says that in that usability of Lots 64 and 65 on Witherby is questionable and requires further study, Planning Commission has recommended approval of the 8-lot portion fronting on Linwood. It states that Mr. Rodefer was assured by City Engineer and Planning Commission that any necessary drainage work in those portions would be approved although not included in the subdivision.

RESOLUTION NO. 122399, recorded on Microfilm Roll no. 90, approving Tentative Map of Rodefer Hills (Westward-Ho Division) for 10-lot subdivision, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of residents relative to name Lorca Drive, which was changed to Logrono Drive and Lambeth Drive, was presented. It states that the Commission voted 5-0 that names remain as they are now.

Councilman Kerrigan said that petition was referred to the Planning Commission, which recommended that it be not changed, and there was a report on the procedure. He said that he wanted a report from Mr. Rick.

Glenn A. Rick, Planning Director, told of several interested City

Communications  
122395 - 122399



getting together. He spoke of hearing, although property owners apparently did not have a hearing. He said that people of the City (this is regarding the Rolando area, annexed) have a right in relation to the existing streets.

The Mayor read the report to which reference was made by Mr. Kerrigan.

Councilman Kerrigan said that there are other petitions out.

Councilman Schneider spoke of there being a North and a South Mt. View Drive. He wondered if the same can't be done on Lorca.

Councilman Kerrigan said that Lograno is legal, but residents now want Lorca back. He spoke of the right procedure-wise. Mr. Kerrigan said that the situation does not occur often where there is annexation, with street names already indicated. He referred to the telephone directories having a name for a year.

Councilman Schneider asked to have Harry Haelsig (Asst. Planning Director) here.

Councilman Kerrigan moved to continue the item a week - until all the other petitions come in.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the subject was continued 30 days until the Planning Commission has opportunity to study and recommend. (Since there is no meeting in 30 days, the Clerk indicated March 3, 1955 for consideration).

Communication from Planning Commission, signed by P. Q. Burton, recommending change in name of Soria Drive - in Rolando to Marraco Way, in as much as there is already a Soria north of Adams and west of College.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was continued 30 days - Clerk indicated March 3, 1955 for consideration.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition to change name of Zero Road to Wireless Road, was presented. It says that petition bears names and addresses of 4 people, all of which seem to have been written by the same person. It says that there is not a valid reason for changing the name, and recommends that name be not changed.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was continued 30 days - Clerk indicated March 3, 1955 for consideration.

RESOLUTION NO. 122400 will be found at the end of these minutes.

RESOLUTION NO. 122401, recorded on Microfilm Roll No. 90, authorizing and empowering Street Superintendent to destroy, pursuant to provisions of Section 34090 of Government Code of State of California, and subject to consent in writing of City Attorney, to destroy following records in his office, which have served their purpose and are valueless and are no longer required: duplicate contracts, duplicate lighting assessment rolls, cancellation of lien certificate books for 1911 Improvement Act, and also such Street Superintendent Records of street improvements by the City as Street Superintendent determines useless and valueless and no longer required, provided all such records contemplated, except duplicate street lighting records, are at least 14 years old as of date of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from C. H. Metzger, 1116 West Redwood Street, San Diego 1, dated January 26, 1955, objecting to decision of Board of Zoning Adjustment on application of Cecelia Christman, owner and V. K. Heilman, contractor relative to location of house on east 50 feet of Lots 5 and 6 Block 123 Middletown, was presented.

Councilman Kerrigan was excused

Mr. Heilman was in the Council Chamber but left, so the item was held temporarily.

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, dated January 26, 1955, signed by Archie W. O'Neal, president, was presented.

Communications  
122400 = 122401

It refers to increasing disregard re traffic on San Diego Ave., and makes suggestions for control.

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

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, dated January 26, 1955, signed by Archie W. O'Neal, was presented. It refers to American flag being not displayed, even on holidays - at the Plaza where the American flag was raised July 29, 1846.

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

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, dated January 26, 1955, signed by Archie W. O'Neal, was presented. It refers to advice that portions of Twigg St., Jefferson St., Trias St. are excluded "from the plans", and asks why.

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

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, dated January 26, 1955, signed by Archie W. O'Neal, was presented. It refers to the Old Spanish Cemetery (El Campo Santo) and asks for keeping the place presentable and interesting to the tourists, and asks for repairs at an early date.

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

#### Councilman Kerrigan returned

Communication from San Diego College for Women, Alcala Park, San Diego 11, dated January 24, 1955, signed by Reverend Mother Hill, S.V., was presented. It opposes application of R. E. Hazard for rezoning near horse stables in Mission Valley.

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

Communication from United Jewish Fund of San Diego, 333 Plaza, San Diego 1, dated January 26, 1955, signed by Albert A. Hutler, Executive Director, was presented. It requests permission to use billboards in the Plaza during money-raising campaign.

Councilman Kerrigan stated that use of the Plaza will be a continuing situation.

Councilman Burgener said that he wants to deny the application as a matter of consistency.

The Mayor said that the City is now getting into a complicated problem on use of the Plaza.

Councilman Kerrigan said that it revolves around the past policy of not using the Plaza for signs, but that the Council has been permitting such use.

The Mayor asked that the communication (and the item, generally) be referred to Conference.

Councilman Burgener contended that all requests should be denied.

Councilman Wincote spoke about the request which has been made for beautification of the Plaza.

Councilman Godfrey stated that there are rare exceptions to justification for the Plaza's use. He said that the first was the Korean situation, re blood donations; others followed. He said that the door was opened for worthy things, and that the Council should go back to the original thing (denial of permits).

RESOLUTION NO. 122402, recorded on Microfilm Roll No. 90, referring to Council Conference communication from United Jewish Fund of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Council returned to the C. H. Metzger communication re property at 1132 Redwood Street.

The Mayor asked that it be referred back to the Planning Commission.

Councilman Schneider requested reference back to Planning.

Councilman Wincote said that it has to do with the petition.

Glenn A. Rick spoke of being not pertinent to the matter, and referred to "one filed".

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the Board of Zoning Adjustment (Planning).

Communication from Herbert Hoover High School, by Ronald Moe, Commissioner General, in behalf of the Board of Commissioners, was presented. It expresses gratitude for courtesy extended during visit to Civic Center.

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

Communication from San Diego Highway Development Association, 225 Broadway, San Diego, dated January 27, 1955, signed by Dominic C. DiGregorio, endorsing Harbor Development bond on April 19, 1955, ballot, was presented.

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

Communication from La Jolla-San Diego County Theatre and Arts Foundation, Bank of America Building, dated January 27, 1955, signed by Marian Longstreth, president, was presented. It expresses appreciation for Council vote to make gift of land withheld from public sale to their theatre building project.

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

RESOLUTION NO. 122403, recorded on Microfilm Roll No. 90, directing notice of assessment and of time and place of hearing thereof, made to cover costs and expenses of work done upon paving and otherwise improving 44th Street and Olive Street, Assessment No. 2331, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122404, recorded on Microfilm Roll No. 90, directing notice of assessment and of time and place of hearing thereof, made to cover costs and expenses of work done upon paving and otherwise improving Haines Street, Assessment No. 2330, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 122405, recorded on Microfilm Roll No. 90, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving and otherwise improving Alley Block 3 La Mesa Colony, under Resolution of Intention No. 121183, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported in writing that low bid is 17.0% below estimate.

RESOLUTION OF AWARD NO. 122406, recorded on Microfilm Roll No. 90, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Carleton Street, Plum Street and Dickens Street, under Resolution of Intention No. 121184, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported in writing that low bid is 37.1% below estimate.

RESOLUTION NO. 122407, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 113 Pacific Beach - approving plans, drawings, typical cross-sections, profiles and specifications; approving Plat No. 2694 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Dail returned

RESOLUTION NO. 122408, recorded on Microfilm Roll No. 90, for sewers in Inez Street and Gage Drive - approving plans, drawings, typical cross-sections, profiles and specifications; approving Plat No. 2674 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122409, recorded on Microfilm Roll No. 90, for paving and otherwise improving Shafter Street, Upshur Street and Scott Street - approving plans, drawings, typical cross-sections, profiles and specifications; approving Plat No. 2663 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122410, recorded on Microfilm Roll No. 90, for sewers in Alley Block 16 La Mesa Colony, 73rd Street, Public Right of Way Lot 40 La Mesa Colony, under Resolution of Intention No. 121772, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122411, recorded on Microfilm Roll No. 90, 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, under Resolution of Intention No. 121774, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122412, recorded on Microfilm Roll No. 90, for paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, under Resolution of Intention No. 121777, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122413, recorded on Microfilm Roll No. 90, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in Hermosa Lighting District No. 1, for 1 year from and including May 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122414, recorded on Microfilm Roll No. 90, for paving and otherwise improving Alley Block 113 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122415, recorded on Microfilm Roll No. 90, for sewer in Inez Street and Gage Drive, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122416, recorded on

Microfilm Roll No. 90, for paving and otherwise improving Shafter Street, Upshur Street and Scott Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122417, recorded on Microfilm Roll No. 90, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Lot 7 Block 13 La Jolla Park, and La Jolla Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122418, recorded on Microfilm Roll No. 90, ascertaining and declaring wage scale for paving and otherwise improving Taft Avenue and Bellevue Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122419, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block L Altadena, under Resolution of Intention No. 117901, and to be assessed to pay expenses thereof; 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. 122420, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 14 F. T. Scripps Addition to La Jolla Park, portion Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision, and Draper Avenue, under Resolution of Intention No. 119498 and to be assessed to pay expenses thereof; 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. 122421, recorded on Microfilm Roll No. 90, approving diagram of property affected or benefited by work of improvement to be done on sewer mains in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, under Resolution of Intention No. 117467 and to be assessed to pay expenses thereof; 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. 122422, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 255 Hoel's Subdivision, as described in Resolution of Intention No. 120265 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122423, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alleys Block 4 Ocean View, and Block 2 Sunset Grove, as described in Resolution of Intention No. 120266 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122424, recorded on Microfilm Roll No. 90, directing



City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving F Street, as described in Resolution of Intention No. 120269 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122425, recorded on Microfilm Roll No. 90, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue and Public Rights of Way in Lots 4, 5, 6 Block 28 Fairmount Addition to City Heights, under Resolution of Intention No. 120271 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122426, recorded on Microfilm Roll No. 90, adopting recommendation of City Engineer, filed in office of City Clerk January 25, 1955 under Document No. 504910; authorizing City Engineer to amend proceedings for improvement of portion of Electric Avenue in accordance with the recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122427, recorded on Microfilm Roll No. 90, adopting recommendation of City Engineer, filed in office of City Clerk January 25, 1955, under Document No. 504911; authorizing City Engineer to amend proceedings for improvement of portions of 33rd Street, Steel Street, Gillette Street and Durant Street in accordance with the recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122428, recorded on Microfilm Roll No. 90, granting Marie E. Carter permission to grade and construct drainage channel in portion of Commercial Street under Document No. 503294, and upon conditions of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122429, recorded on Microfilm Roll No. 90, giving notice of proposed annexation to The City of San Diego of uninhabited territory in the County of San Diego, State of California, to be known and designated as "Western Salt Company Tract" - setting hearing for Tuesday, March 15, 1955, at 10:00 o'clock A.M. in the Council Chamber, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution provides for the uninhabited territory to be subject to taxation the same as other property in the City, and calls for publication of notice and mailing of notice, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122430, recorded on Microfilm Roll No. 90, declaring the following streets to be through highways:  
 E Street, between east line of India Street and west line of 16th Street, except at its intersections with State Street and First Avenue;  
 F Street between east line of India Street and west line of 16th Street, except at its intersection with State Street, First Avenue, Seventh Avenue, Ninth Avenue and Twelfth Avenue;  
 G Street between east line of India Street and west line of 16th Street, except at its intersections with State Street, First Avenue, Eighth Avenue and Twelfth Avenue;  
 28th Street from north line of B Street to south line of Beech Street;  
 Beech Street from east line of 28th Street to west line of 30th Street;  
 30th Street from north line of Beech Street to south line of Juniper Street;  
 Declaring the following to be Intersection Stops:  
 6th Avenue and Beech Street, affecting Beech Street;  
 6th Avenue and Cedar Street, affecting Cedar Street;  
 6th Avenue and Juniper Street, affecting Juniper Street;

C Street and Columbia Street, affecting Columbia Street;  
 C Street and Union Street, affecting Union Street;  
 C Street and Front Street, affecting Front Street;  
 A Street and Second Avenue, affecting Second Avenue;  
 A Street and Third Avenue, affecting Third Avenue;  
 A Street and Fifth Avenue, affecting A Street;  
 Beech Street and 28th Street, affecting all southbound traffic and northbound traffic on 28th Street;  
 Beech Street and 30th Street, affecting all northbound and westbound traffic and southbound through traffic on 30th Street;  
 30th Street and Juniper Street, affecting all eastbound traffic and northbound left-turning traffic;  
 McKinley Street-Thorn Street and Boundary Street, affecting Boundary Street;  
 authorizing and directing installation of necessary signs and markings to be made on said streets, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122431, recorded on Microfilm Roll No. 90, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:  
 Both sides of Kansas Street between Howard Avenue and El Cajon Boulevard;  
 Both sides of Howard Avenue between Kansas Street and Ohio Street;  
 Both sides of 30th Street between Polk Avenue and Howard Avenue;  
 establishing parking meter zones on each of the streets; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated on each of the streets; authorizing installation of necessary signs and markings to be made, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122432, recorded on Microfilm Roll No. 90, authorizing City Manager to employ H. C. Dennis to remove 18 lineal feet of 6" berm and 16' feet of guard fence, and replace 132 square feet of 2" A.C. paving on 6" cement treated base, in connection with improvement of Juniper Street, 39th Street, Pepper Drive, et al, at not to exceed \$93.80, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution says that The City has entered into contract with Dennis, that Drawing 1183-L shows work to be done by City forces, and Dennis has offered to do work for said sum and City Manager has recommended offer be accepted and work be done.

RESOLUTION NO. 122433, recorded on Microfilm Roll No. 90, authorizing City Manager to employ Griffith Company to construct 20.95 lineal feet of Type G curb and 45 square feet of sidewalk at intersection of Castelar Street and Seaside Street, in connection with improvement of portions of Soto Street and Castelar Street; cost not to exceed \$92.50, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution says that The City has entered into contract with Griffith Company, that Drawing 11427-L shows work to be done by City forces, and Griffith Company has offered to do work for said sum and City Manager has recommended offer be accepted and work be done.

RESOLUTION NO. 122434, recorded on Microfilm Roll No. 90, granting, pursuant to 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 March 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution says that Council is advised by Director of Water Department, with approval of City Manager, that the Company is unable to complete its well prior to March 1, 1955, and is dependent on supply of water to operate its asphalt plant now being served by The City of San Diego.

RESOLUTION NO. 122435, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of San Diego County, State of California, requesting that all taxes against property in easterly 10.0 feet of the northerly 100.0 feet Lot 18 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; and authorizing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122436, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of San Diego County, State of California, requesting that all taxes against portion of Lot 23 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; and authorizing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122437, recorded on Microfilm Roll No. 90, directing Property Supervisor to file petition with Board of Supervisors of San Diego County, State of California, requesting that all taxes against portion of Lot 256 of Pueblo Lands of San Diego, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; and authorizing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122438, recorded on Microfilm Roll No. 90, granting revocable permit to Frank Albino, 4406 Lorca Drive, San Diego 15, to install and maintain a 4" cast iron sewer line from structure located on Gregory Street (N 1/2 Lot 3 Block C Home Gardens) to run in southerly direction on Gregory Street to point of intersection with public sewer on Webster Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122439, recorded on Microfilm Roll No. 90, granting revocable permit to Leland O. Bacon and Eileen Bacon, 3616 Central Avenue, to install and maintain private temporary 1" galvanized iron water line in Rex Avenue to City Water Main on 52nd Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122440, recorded on Microfilm Roll No. 90, granting revocable permit to David Jones, 587-A Elder Drive, Chula Vista, California, to install and maintain private sewer line and private water line in Pardee Street from sewer main in L Street and water main in L Street to serve Lot 5 Block 73 San Diego Homestead Union, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122441, recorded on Microfilm Roll No. 90, granting Frank Mancini, owner, permission to connect 2 houses, under 1 ownerwhip, on Lot 1 Block 427 Old San Diego, to house sewer presently installed; subject to approval of Chief Plumbing Inspector and City Manager and upon conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122442, recorded on Microfilm Roll No. 90, granting permission to Republic Development Co., 10418 Garland Road, Dalls, Texas,

to install 54-foot driveway on northwesterly side of Jamacha Road between points 15 and 69 feet northeast of end of radius return at northeasterly corner of Cardiff Street and Jamacha Road; one each 30 and 36 foot driveway on south side of Carlisle Drive between points 0 and 30 feet and 95.68 and 131.68 feet east of end of radius return at southeast corner of Cardiff Street and Carlisle Drive; and 1 36-foot driveway on east side of Cardiff Street between points 20-1/2 and 56-1/2 feet south of end of radius return last above-named, adjacent to Lots 900 and 901 Lomita Village Unit No. 5, subject to conditions of the resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122443, recorded on Microfilm Roll No. 90, granting permission to Social Service League of La Jolla, Inc., care Selby C. Scott, 538 Westbourne Street, La Jolla, to install and maintain a 6" sewer line in Pearl Street from main on west side of Olivetas to 7644 Olivetas to serve Lots 1, 2, 3, 4 La Jolla Park, subject to conditions of the resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122444, recorded on Microfilm Roll No. 90, granting permission to Standard Oil Company of California, Bank of America Building, San Diego 1, to install 2 35-foot driveways on southerly side of University Avenue, between points 12 and 47 feet, and 99 and 134 feet east of easterly line of College Avenue; also to install 2 35-foot driveways on easterly side of College Avenue between points 8 and 43 feet, and 85 and 120 feet south of southerly line of University Avenue, adjacent to portion of Parcel "00" Lot 19 Rancho Mission, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122445, recorded on Microfilm Roll No. 90, granting permission to Union Title Insurance and Trust Company, 1028 2nd Ave., San Diego 1, to install 1 16-foot, 1 40-foot and 1 20-foot driveway on southerly side of Littlefield Street, easterly of Morena Boulevard, adjacent to Lots 1 to 4 Block 4 Asher's Clover Leaf Terrace, to provide access to off-street parking, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122446, recorded on Microfilm Roll No. 90, granting permission to United States Holding Company, Rm 200 U.S. National Bank Building, San Diego 1, to install and maintain flagpole at northeast corner of 32nd Street and El Cajon Boulevard, on revocable basis, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122447, recorded on Microfilm Roll No. 90, granting revocable permit to Western Mutual Corp., Box 269 Alhambra, Calif., to install and maintain 4-foot safety lane on each side of Reo Drive (Lots 1 to 10 Block 20, Lots 11 to 20 Blk 19 Paradise Hills) over public right of way, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122448, recorded on Microfilm Roll No. 90, granting revocable permit to Joseph Zager, 7980 Linda Vista Road, San Diego, to install and maintain 4" vitrified clay pipe sewer line along northwest side of Linda Vista Rd. running 100' southwest to existing sewer in Baltic Street to serve property described as Lot 4 of East 1/2 Pueblo Lot 1215, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122449, recorded on Microfilm Roll No. 90, authorizing Leo B. Calland, Park and Recreation Director; Hack Hoxsey, Assistant Recreation Superintendent; Miss Pauline Langston, General Recreation Supervisor, to



attend California Recreation Conference in Santa Cruz, California, February 13 through February 16, 1955; authorizing incurring all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122450, recorded on Microfilm Roll No. 90, approving claim of George L. Baldwin on file in office of City Clerk under Document No. 504605 in amount of \$41.68; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122451, recorded on Microfilm Roll No. 90, approving claim of Commander A. A. Brown on file in office of City Clerk under Document No. 504526 in amount of \$51.56; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122452, recorded on Microfilm Roll No. 90, approving claim of Girolomo Di Vito on file in office of City Clerk under Document No. 502312 in amount of \$54.37; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122453, recorded on Microfilm Roll No. 90, approving claim of Herman Henderson on file in office of City Clerk under Document No. 499906 in amount of \$74.00; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122454, recorded on Microfilm Roll No. 90, approving claim of Alfred J. Testus on file in office of City Clerk under Document No. 503573 in amount of \$31.85; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122455, recorded on Microfilm Roll No. 90, approving claim of Oswood Partnership on file in office of City Clerk under Document No. 501259 in amount of \$15.00; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122456, recorded on Microfilm Roll No. 90, approving claim of Robert H. Thing on file in office of City Clerk under Document No. 504199 in amount of \$69.95; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122457, recorded on Microfilm Roll No. 90, authorizing City Attorney to settle \$3,780 claim of Bayview Village Inc. #2 and Centex Construction Corporation on file in office of City Clerk under Document No. 498605 for \$1,890.; directing City Auditor and Comptroller to draw warrant in full payment of the settlement, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION NO. 122458, recorded on Microfilm Roll No. 90, denying claim of Ernest F. Otto and Miss Myrtle F. Otto on file in office of City Clerk under Document No. 504364, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122459, recorded on Microfilm Roll No. 90, authorizing and empowering City Attorney to enter into and execute with United States of America a stipulation disclaiming on behalf of The City any right in or to compensation payable by the United States of America for condemnation and taking of Parcel in condemnation action filed in United States District Court, Southern District of California, Southern Division, No. 1546-SD Civil, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution refers to action re acquisition of easements and rights of way for construction and maintenance of underground oil pipe line across lands in The City; that City owns easements and rights of way in Parcel 4 described in the action, not affected by construction and maintenance.

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 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. 6390 (New Series), recorded on Microfilm Roll No. 90, appropriating \$3,000.00 from Unappropriated Balance Fund, transferring same to Park and Department Fund, 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 Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6391 (New Series), establishing grade of 52nd Street between northerly boundary line of O. D. Arnold's Westwood Hills Unit No. 1, and radial line drawn westerly from intersection of easterly line of 52nd Street with southeasterly line of Pirotte Drive, 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 Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6392 (New Series), recorded on Microfilm Roll No. 90, establishing grade of Peck Place between easterly line of College Avenue and easterly line of Gilcher Tract, 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 Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6393 (New Series), recorded on Microfilm Roll No. 90, establishing grade of Pirotte Drive, between northerly prolongation of westerly line Lot 178 O. D. Arnold's Westwood Hills Unit No. 3 and westerly line of 52nd 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 Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6394 (New Series), recorded on Microfilm Roll No. 90, establishing grade of 61st Street, between westerly prolongation of northerly line of Benson Street and line parallel to and distant 260 feet southerly from said westerly prolongation, 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.

The Mayor requested, and was granted unanimous consent to present the following:

RESOLUTION NO. 122400, recorded on Microfilm Roll No. 90, appointing Walter Trevor as member of Board of Architectural Review to succeed Roscoe Hazard, Jr., whose term has expired; and Alpha L. Montgomery as member of Board of Architectural Review to succeed Paul Kelly, whose term has expired, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The Mayor requested, and was granted unanimous consent to present the following:

RESOLUTION NO. 122460, recorded on Microfilm Roll No. 90, authorizing Mayor John D. Butler to attend meeting of American Municipal Association's Airport Sponsors Committee, in Washington, D.C., Monday, February 7, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Mayor said that he is the only west coast mayor as an aircraft representative.

The City Manager requested, and was granted unanimous consent to present the following:

RESOLUTION NO. 122461, recorded on Microfilm Roll No. 90, releasing the Motor Car Dealers Association of San Diego from liability for loss from perils insured against under which Willis H. Fletcher Co. of San Diego acts, re international automobile show to be held in Electric Building in Balboa Park from February 2, 1955 through February 6, 1955, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Resolution gives details re waiving rights of subrogation in City's Balboa Park blanket fire insurance policy.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:14 A.M. He announced that a Council conference would be held immediately.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom* Deputy

*James B. Wincote*  
Vice Mayor of The City of San Diego, California

122440 - (out of order)  
122460 - 122461  
Adjournment

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, February 3, 1955

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

Absent---None

Clerk----Fred W. Sick

The Mayor recognized a group representing the "Build San Diego Better Committee".

B. M. Pettit spoke regarding Mr. Fletcher's presentation (apparently having been presented to the Mayor at an earlier date). He wondered what effect declining values (of property) are having in San Diego. He spoke about the dilapidated conditions in San Diego. Mr. Pettit said that he had looked into problem of the aging in connection with living conditions. He referred to having begun a series of studies. He told the Council of having had a report from many organizations and agencies - to which he referred. He said that City and County attention are needed regarding bad housing which is not concentrated in slum area but is scattered throughout the City. He told of completing study by the City and County which he requested. He said that a city like San Diego should know the facts. Mr. Pettit stated that no preconceived program is to be followed. He spoke regarding needed protection, from various aspects. He told of supporting committee headed by Mr. Fletcher. (Mr. Pettit is with the Community Welfare Council).

D. K. Friday told the Council that after a study of the report it was learned that program reflected many times over in tax receipts. He stated that one of the wealthiest in San Diego is a woman born here, who owns many run-down San Diego dwellings. He said that she is getting "blood out of the people". He stated that he was the first secretary of the FHA in San Diego. Mr. Friday said that some funds may come from Health Department inspection (apparently for the program advocated). He contended that there should be a continuous inspection program. He said that it will have the support of the Real Estate Board. Mr. Friday said that newspapers can make, or build, a separate, regarding those individuals who have improved their properties. He spoke of having been trying to get over the idea, but the City of San Diego is way behind other cities.

The Mayor said that he does not know if it is necessary to put heat on the Council. He pointed out that the proposal is regarding a \$75,000 to \$100,000 project per year. He spoke of need to consider the question in Budget Conference. The Mayor acknowledged that this is a fine approach to voluntary improvement. He repeated there need for study in Conference.

Mr. Friday said that expenditure would be reflected back in the (increased) money collected.

Councilman Dail spoke to Mr. Friday about Kraft's (State Senator) thinking on slum clearance. He said that it should have the cooperation of the Council. He said that he had been asked by Mr. Friday, on the television, what had happened to the previous letter, and that he had answered it was in Conference. He declared that the Council's intentions are good. Councilman Dail referred to this group as being the first that had ever appeared before the Council. (Mr. Friday is with San Diego Realty Board).

Charles K. Fletcher told the Council that the committee had not come before it, in that there was no point in doing so until there was a program. He stated that the heat is on him, but that he is offering no criticism, but is offering a concrete program. He spoke of having an additional report.

The Mayor asked that each member of the Council be furnished a copy of the report.

Mr. Fletcher said that it is a modern program.

RESOLUTION NO. 122462, recorded on Microfilm Roll No. 91, referring communication from Build San Diego Better Committee to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Street Superintendent's Assessment No. 2315 made to cover

Discussion by Build San Diego Better Committee - under U.C. .  
122462  
Hearing

expenses of installing sewer in Myrtle Avenue and Alley Block 8 Bungalow Park Addition,

RESOLUTION NO. 122463, recorded on Microfilm Roll No. 91, overruling and denying appeal of Harry Rigby from Street Superintendent's Assessment No. 2315 made to cover expenses of installing sewer main in Myrtle Avenue and in Alley Block 8 Bungalow Park Addition, under Resolution of Intention No. 118862; confirming and approving Street Superintendent's modified and corrected Assessment No. 2315; 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 ordinance incorporating Lots 496 through 505 Allied Gardens Unit No. 4 into RC, CP and C Zones, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Dail, seconded by Councilman Kerrigan, reading of 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. 6395 (New Series), recorded on Microfilm Roll No. 91, incorporating Lots 496 through 505 Allied Gardens Unit No. 4 into RC, CP and C Zones, as defined by Sections 101.0409, 101.0410 and 101.0411 respectively of San Diego Municipal Code, repealing Ordinance No. 5132 (New Series) insofar as same conflicts, was on motion of Councilman Dail, 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.

Petition of Quintin Whelan, attorney, in behalf of Elizabeth Goodwin, for permission to use sewer which crosses her property in Lot 17 Rancho Ex-Mission - continued from January 27, together with City Manager's report, at request of Mr. Whelan - was presented again.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was continued on request of Mr. Whelan until Tuesday, February 28, 1955

Communication from Victor Equipment Company, by Herbert Maynard - in the form of a petition - requesting that all of Nutmeg Street between east line of Kettner Blvd. and west line of India St. be not continued as a proposed street, was presented.

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

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for improvement of Camino de la Costa and La Canada at Electric Avenue and Via del Norte, in La Jolla Hermosa Units A and No. 2 - 2 bids - was presented. It recommends acceptance of low bid of T. B. Penick & Sons, \$9,838.00.

RESOLUTION NO. 122464, recorded on Microfilm Roll No. 90, accepting bid of T. B. Penick & Sons for improvement of Camino de la Costa and La Canada at Electric Avenue, and Via del Norte (including grading, preparation of subgrade and paving portion, construction of curb, sidewalk, concrete pipe storm drain and wing for existing inlet); 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 Wincote, adopted.

Report of Purchasing Agent with City Manager's stamp of approval, on bids for construction of Grand Avenue between point 270.08 feet westerly

Communications  
122463 - 122464  
6395 N.S.

of Pico Street and Pacific Highway - 6 bids - was presented. It recommends award to R. E. Hazard Contracting Company and W. F. Maxwell Company, a joint venture, at \$220,033.30; low bidder.

RESOLUTION NO. 122465, recorded on Microfilm Roll No. 91, accepting bid of R. E. Hazard Contracting Company and W. F. Maxwell Company, a joint venture; 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.

In connection with the next item, Councilman Schneider asked if improvement is to be on harbor land, and if the Harbor Department is paying. The Mayor said that it is being split between the City and the County.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for improvement of Grade Street between Pacific and entrance to County Parking Lot (south side only) - 9 bids - was presented. It recommends award to T. B. Penick & Sons, at \$1,365.41; low bidder.

RESOLUTION NO. 122466, recorded on Microfilm Roll No. 91, accepting bid of T. B. Penick & Sons for improvement on Grape Street; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for construction of sanitary sewer in Ingraham Street at Felspar Street, Pacific Beach - 6 bids - was presented. It recommends award to Pace Construction Company, at \$2,646.00; low bidder.

RESOLUTION NO. 122467, recorded on Microfilm Roll No. 91, accepting bid of Pace Construction Company for construction of sanitary sewer in Ingraham Street; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent reporting on sale pursuant to Resolution No. 122028 - sold at auction January 15, 1955 to 9 bidders. There were 15 Pickups and Trucks for which \$3,670. was received, and deposited with City Treasurer.

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

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

RESOLUTION NO. 122468, recorded on Microfilm Roll No. 91, suspending Sections 102.09 1 & 2, 102.1102, 102.16-8 of San Diego Municipal Code in connection with Tentative Subdivision Map of Loma 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 Loma Mar Vista for 20-lot subdivision of portion Pueblo Lot 145 located easterly of Azure Vista Housing Project and on southeasterly continuation of Casita Street in Amantea Mar Vists; subject to all conditions, was presented. It says that subdivision is in extremely rough topography and will produce sightly view lots, and upon further study may be possible to provide better street alignments and reduce some of proposed grades.

RESOLUTION NO. 122469, recorded on Microfilm Roll No. 91, approving Tentative Map of Loma Mar Vista, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Loma Valley Unit No. 2, as it is in essential accord with Tentative Map approved by Resolution 121252, was presented.

RESOLUTION NO. 122470, recorded on Microfilm Roll No. 91, adopting Map of Loma Valley Unit No. 2, being subdivision of Lots 7, 8, 9 Block 1 Loma Valley; accepting easements shown for public purposes, declaring them to be public easements and dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of Council, that easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, reporting on communications from William F. Reed in respect to difficulties which have arisen in regard to future streets at rear of proposed Lots 21 to 24, 49, 51 and 54 Muirlands Crest, was presented. It says that at present a Gas & Electric Company pole line runs over and across rear of the proposed lots and across property proposed to be reserved for future streets. It reports that Attorney's office has required that Gas Company sign the map in order to subordinate its easements to proposed future streets, and the Gas Company is unwilling. Communication says that it is desirable to have reservations for future streets in and through portions of the subdivision to gain access to canyon areas, that in original consideration of Tentative Map there were 2 possible locations, only 1 of which was shown on Tentative Map. It reports that upon recommendation of Planning Department, Planning Commission has recommended that reservations for future streets be deleted and in lieu thereof reservations for future streets shown across and adjacent to sidelines of Lots 40 and 41. It states that will provide access to canyon on approximately 9 or 10 percent grade which should be satisfactory. It recommends approval, and says that new proposed reservations for future streets will eliminate difficulty of conflict with policies of the City and the Gas Company.

RESOLUTION NO. 122471, recorded on Microfilm Roll No. 91, re-approving Tentative Map of Muirlands Crest, under conditions set forth in Resolution 118209, with an amendment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Sears Heights, subject to suspension of portions of San Diego Municipal Code, was presented.

RESOLUTION NO. 122472, recorded on Microfilm Roll No. 91, suspending Sections 102.05, 102.07-2, 102.11-3, 102.17-c of San Diego Municipal Code, in connection with reapproval of Tentative Map of Sears Heights, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Sears Heights, a 40-lot subdivision of portion of Lot 64 Horton's Purchase, located on westerly side of Euclid Avenue opposite subdivision of Donna Estates and just northerly of City limits of National City, was presented; subject to 12 conditions.

RESOLUTION NO. 122473, recorded on Microfilm Roll No. 91, approving Tentative Map of Sears Heights, subject to conditions of the Resolution, 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 10-foot strip on south side of Ash Street between Bancroft and Gregory Street, and on petition to close northerly 10 feet of Ash Street between Bancroft and 33rd Streets adjacent to Lots 1 and 24 Block 27 San Diego Property Union, was presented. It reports in detail on the petitions, and recommends that both petitions be denied.

RESOLUTION NO. 122474, recorded on Microfilm Roll No. 91, denying petitions requesting closing portions of Ash Street as recommended by Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from State of California Department of Public Works, Division of Highways, District XI, 4075 Taylor Street, San Diego 12, dated January 31, 1955, signed by E. E. Wallace, District Engineer, was presented. It refers to consideration of relocation and improvement as freeway of portion of State Highway Route 2 in the cities of National City and San Diego, between 18th Street in National City and Washington Street in San Diego, was presented. It says that the State Highway Engineer has recommended to the Commission that route be relocated in accordance with map attached. It asks whether in the Council's opinion a public hearing is necessary.

The Mayor said that this had been discussed in Conference.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a hearing was set for February 24, 1955, at 2:00 P.M. - Thursday, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Dail. Absent--Councilmen None.

(The City Manager's office notified the State Office of the hearing).

Communication from Robert R. Braun, Box 142 Carswell Air Force Base, Fort Worth, Texas, dated 1 February 1955, was presented. It protests proposed plan of subdivision known as Arnold's Knolls located in south half of Pueblo Lot 1138, particularly regarding street and setback.

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

Communication from Dominic A. DeSanto, M.D., Mercy Hospital, San Diego 3, dated January 27, 1955, protesting petition of R. Hazard and associates to industrialize Mission Valley. It speaks of residential areas above the Valley, as well as fine improvements in the Valley.

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

Communication from The First National Bank of Chicago, dated January 26, 1955, signed by G. T. Shearer, Trust Officer, requesting appointment as paying agent in Chicago for City of San Diego (Harbor) bonds which are expected to be issued.

The City Manager told the Council that the City designates paying agents.

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

Communication from (Mrs. G. H.) Florence Fletcher, 146 East Mariposa Ave., Altadena, Calif., dated Jan. 31, 1955, was presented. It tells of interest in buying property in Del Mar Terrace, and asks the property would be supplied with City water.

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

Communication from Mrs. W. W. Goodman, 5651 Taft Ave., La Jolla, dated Jan. 26 '55, was presented. It opposes off-shore oil drilling on man-made islands. It also asks if the Council never acknowledges letters sent in by citizens.

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

Communication from Ocean Beach Post 433 The American Legion, dated January 31, 1955, signed by Roy W. Orrick, post adjutant, 4542 Bermuda Ave., San Diego 7, was presented.

Councilman Dail moved to refer the communication to Conference. Motion was seconded by Councilman Kerrigan.

Councilman Dail said that the condition is known regarding need to cut down - over the city.

RESOLUTION NO. 122475, recorded on Microfilm Roll No. 91, referring

to Council Conference communication from Ocean Beach Post 433 The American Legion, by Roy W. Orrick, Document No. 505355, requesting no reduction in personnel at Ocean Beach Community Center, was on motion of Councilman Dail, seconded by Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from Richard L. Parsons, 2660 E St., San Diego, dated Jan 31, 1955, was presented. It refers to the 10th Street Pier, which is to go before the voters as a bond issue, was presented. It tells of the \$8000,000 dock in Los Angeles built by the Matson Line. It says that the cotton piled outside is to fool someone; that he want by Broadway and B Street piers and found them not busy.

Mr. Parsons spoke to the Council about the \$8,000,000 dock built in Los Angeles. He contended that cotton can be stored in the B Street Pier and that the Union-Tribune can store paper up town. He spoke about running cars down on the water front. He maintained that he knows about water fronts, docks, and ships.

Councilman Dail spoke directly to Mr. Parsons about competition with other cities.

Mr. Parsons said that the bond issue is going to be put on the ballot, and he is going to see that the bonds don't pass. He said that "banks are busting at the seems with money, same as the Bus Company", and that it is the banks that want the bonds.

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

Communication from Cecil D. Hardesty, Superintendent of Schools and Secretary, San Diego County Committee on School District Organization of the County of San Diego, dated January 28, 1955, was presented. It refers to proposal to annex territory owned by Western Sale Company. Communication says that after review and discussion it was unanimous recommendation of San Diego County Committee that the territory should not be annexed to the San Diego Unified School District.

The Mayor stated that it has been resolved that the property will not be annexed to San Diego Unified School District (even if annexed to City of San Diego); that it will stay in Chula Vista.

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

Communication Patrick Smith, chairman of Teen-Age Traffic Safety Conference to be held in Balboa Park Conference Building March 25, was presented. Communication dated January 29, 1955, is on stationery of San Diego County Traffic Safety Council, 435 West Broadway. It tells of participation and of those invited to attend. Communication asks that again this year it be proclaimed "San Diego Teen-Age Traffic Safety Day" by the City Council.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was referred to the Mayor for a proclamation.

Communication from F. E. Young, 2141 Main St., P.O. Box 2872 San Diego 12, dated February, 1, was presented. It asks if the Council will be kind enough to act on submittal of Plaza Associates for Parking Garage at Horton Plaza, was presented.

RESOLUTION NO. 122476, recorded on Microfilm Roll No. 91, referring to Council Conference communication from F. E. Young, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Councilman Schneider asked about the next Resolution.

The City Manager replied that he does not know what it is.

The City Attorney read the Resolution, stating that it would take less time than to explain the situation.

RESOLUTION NO. 122477, recorded on Microfilm Roll No. 91, stating that by condemnation the United States of America is seeking to acquire title to use and occupancy of land in vicinity of Witherby Street and Pacific Coast

Highway, in which area the City owns land containing booster pumping plant and appurtenances; U.S. does not require and did not intend to take use of plant and appurtenances; U.S. is desirous of revesting and City is desirous of receiving right, title and interest to parcel of land and booster pumping plant; U.S.A. and City should execute and enter into stipulation authorizing U.S. District Court to make judgment revesting title in the City - authorizing and empowering City Attorney to execute for and on behalf of the City a stipulation including right to use and occupancy of portion Lots 13, 14, 15 West Atlantic Street Addition, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next Resolution, Councilman Schneider asked what it is. He asked if there is any estimate regarding the bus stops.

The City Manager said estimate for reconstruction is \$11,000; the City is getting \$15,000 contribution (from San Diego Transit System).

Richard L. Parsons spoke on this item. He said that when the company had street cars it kept the streets in repair. He contended that the taxpayers should not do this work.

Councilman Dail pointed out that the company is participating.

Councilman Schneider stated that it has agreed to share up to \$15,000 per year.

RESOLUTION NO. 122478, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to do all work in connection with repair and reconstruction with concrete of deteriorated surfaces of streets at 11 bus stop locations, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 122479, recorded on Microfilm Roll No. 91, authorizing and directing City Manager to employ law firm of O'Melveny & Myers, Los Angeles, for passing upon proposed waterworks revenue bond issue of The City of San Diego, to be submitted at municipal primary election March 8, 1955, upon terms and conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122480, recorded on Microfilm Roll No. 91, authorizing City Manager to execute contract with Coates, Herfurth and England of San Diego, for actuarial study concerning problems of benefits that may be gained both to the City and to employees of the City in event City employees elect to join Social Security System; cost of study not to exceed \$3500.00; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122481, recorded on Microfilm Roll No. 91, authorizing City Manager to accept work on behalf of The City of San Diego in Spindrift Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Resolution says City Engineer has certified that public work and improvement required (Plans and specifications Document No. 482192) has been completed to satisfaction and approval of City Engineer.

In connection with the next Resolution, Councilman Schneider asked about the proposition.

The City Manager said that it is a by-pass, increases flow and pressure from Colorado River.

RESOLUTION NO. 122482, recorded on Microfilm Roll No. 91, authorizing City Manager to permit Rogers Construction Company to allow its employees and laborers engaged in performance of work of public improvement in connection with San Vicente Reservoir to work in excess of 8 hours in any one calendar day, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Resolution says that Director of Water Department, with approval of City Manager, has recommended that Rogers Construction Company be authorized to allow its employees to work, as stated, in execution of contract with The City of



San Diego for additional improvement, upon theory that work should be completed before contractor may be forced to desist and stop work on account of floods or unusual runoff in watershed of San Vicente River, which constitutes public emergency of the character authorized by Section 196 of the Charter, insofar as the reservoir is used for storage and deliver of water to United States Government for its military forces.

In connection with the next Resolution, Councilman Schneider asked what it is.

The City Manager said that the Daley Corporation has a contract to acquire the City's garbage. He stated that the Department of Agriculture has ruled that raw garbage cannot be fed to hogs, and that Daley has put in equipment to cook the garbage. The Manager stated that Daley wants 5 years on his contract to amortize his investment on account of the new requirement.

RESOLUTION NO. 122483, recorded on Microfilm Roll No. 91, authorizing and directing City Manager to execute for and on behalf of The City of San Diego an amendment to contract for disposal of garbage, between the City and Daley Corporation, under form of agreement on file in office of City Clerk under Document No. 505400, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, Councilman Schneider asked about percentage.

The City Manager said that he had forgotten the details. He read a report, and said that it is "basically the same".

RESOLUTION NO. 122484, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with San Diego Civic Light Opera Association, Inc. of Balboa Park Bowl for light opera and musical comedy productions and rehearsals, for 5 years beginning June 15, 1955, at \$50.00 times number of performances or percentage, whichever is greater, as set forth in form of lease agreement filed in office of City Clerk as Document No. 505402, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122485, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute for and on behalf of the City lease agreement with Dick Mitchell and Carl Loveday of portion of Municipal Gymnasium Building in Balboa Park for operation of concession at Badminton Courts, for 3 years at flat monthly rental of \$40.00, as set forth in form of lease agreement filed in office of City Clerk as Document No. 505404, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, Councilman Schneider asked for information.

The City Manager replied that it is a building purchased about a year ago, in connection with proposed freeway, and that it will be purchased by the State.

RESOLUTION NO. 122486, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with Jack Redmon and May Redmon of Lot B Block 214 Horton's Addition (residence at 1655 Fifth Avenue), together with building thereon, for 5 years at monthly rental of \$125.00, as set forth in form of filed in office of City Clerk under Document No. 505463; property has value of \$35,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122487, recorded on Microfilm Roll No. 91, 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 in Pueblo Lot 1782, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State of California for delinquent taxes be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on



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

RESOLUTION NO. 122488, recorded on Microfilm Roll No. 91, 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 Lot 1 Block 6 Homeland Villas, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State of California for delinquent taxes be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122489, recorded on Microfilm Roll No. 91, authorizing and directing City Clerk to forward to E. E. Wallace, District Engineer District XI Division of Highways, Department of Public Works, State of California copy of this resolution which has to do with connection of Del Cerro Street to State Highway Road XI-SD-12-SD, A, LMSA, Alvarado Canyon Freeway, and requests that at-grade connection be provided at that point (Station 129+25 as established on Route XI-SD-12-SD, A, LMSA) as temporary expedient until route is fully developed as freeway with interchange in the vicinity, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted. It says that The City of San Diego will hold the State of California harmless against claims of subdividers and/or property owners when temporary connection to State Highway is closed.

In connection with the next Resolution, Councilman Schneider asked if the City is getting a decent deal.

The City Manager stated that the City is getting property at acreage prices - about what current price is.

Councilman Schneider pointed out that the area will be getting a tremendous improvement.

The City Manager said that the schools and the City are purchasing the land - on an acreage basis.

Councilman Schneider said that there is no participation (apparently by the schools) in the actual cost.

RESOLUTION NO. 122490, recorded on Microfilm Roll No. 91, authorizing expenditure of \$9,503.00 from Ordinance No. 5900 (New Series) for purchase of 4.12 acres of land in Lot 66 Rancho Mission as park and playground site to serve Allied Gardens area; authorizing Property Supervisor to issue requisition for said amount, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122491, recorded on Microfilm Roll No. 91, granting permission to Roger D. Fuller, 1650 La Jolla Rancho Road, La Jolla, to install 74-foot driveway, measured at top of full-height curb, on southerly side of Peck Place, on conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122492, recorded on Microfilm Roll No. 91, granting permission to Anthony Jedlick, 2979 "C" Street, to install and maintain private 4" sewer line in 30th Street, from house being constructed at 1011 - 30th Street (por Ls 25 to 28 incl Blk 94 E. W. Morse's Sub) to sewer main in alley between Broadway and "C" Street, on conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122493, recorded on Microfilm Roll No. 91, confirming appointment by the Mayor of Louis J. Rice, Jr., Frank A. Frye, Jr., and Thomas F. O'Connell, as members of Funds Commission for 4 years, to succeed themselves, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.  
(There was discussion on this, later).

RESOLUTION NO. 122494, recorded on Microfilm Roll No. 91, 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 United States of America Housing and Home Finance Agency, Public Housing Administration, all real property situated in The City of San Diego: easement and right of way for public use dedicated by Map No. 3139 Linda Vista Subdivision #3 - Wly 4 ft of Nly 96 ft Lot 93 Linda Vista Subdivision Unit 3 - authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to Grantee when he shall have received deed to easement required by The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that subdivision established easement for public use along Wly line Lot 93; it has not been used for purpose acquired; City is desirous of acquiring the easement for public use in Lot 94; and U.S.A., Public Housing and Home Finance Agency owner of Lot 94 has agreed to convey easement across another portion of the lot to the City in exchange for quitclaim from City; value of easements are equal as determined by qualified real estate appraiser and by last report of City Auditor and Comptroller; and City Manager has recommended the exchange.

RESOLUTION NO. 122495, recorded on Microfilm Roll No. 91, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of City of San Diego easement and right of way for storm drain in portion Southwest Quarter Lot 14 Ex-Mission Lands of San Diego; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that same be delivered to Grantee upon receipt by City of deed conveying property required by City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that City is desirous of acquiring portion of SW $\frac{1}{4}$ , that San Diego Unified School District, owner of the land, is willing deed to City in exchange for quitclaim deed from the City of portion said Lot; values are equal as determined by qualified real estate appraiser and by last report of City Auditor and Comptroller; that City is owner of portion of Lot 14 which is no longer required by City; and City Manager has recommended the exchange.

RESOLUTION NO. 122496, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed 18th day of January, 1955 by Russell Segel and Stephanie Segal, to all water mains and appurtenant structures constructed for use, located in public streets, rights of way, highways and public places, either within or without subdivision named Chester Square Annex, being portion of Lot 16 of portion Ex-Mission Lands of San Diego (commonly known as Horton's Purchase); authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122497, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed 20th day of January, 1955 by Russell Segel and Stephanie Segal, Lowell A. DeWeese and Bernadine A. DeWeese, to all water mains and appurtenant structures constructed for use, located in public streets, rights of way, highways, and public places, either within or without, subdivision named Chester Square, being portion Lot 16 Horton's Purchase of Ex-Mission Lands of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122498, recorded on Microfilm Roll No. 91, accepting deed of Joseph Rizzo and Mary Rizzo, bearing date January 17, 1955, conveying portion Lots 8 and 9 Block 1 Berkley Heights; 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. 122499, recorded on Microfilm Roll No. 91, accepting deed of Irving Louis Pressman and Hilda Lucille Pressman, Mildred B. Pressman,

bearing date January 14, 1955, conveying portion of Northwest Quarter of Northeast Quarter Section 31 Township 12 South Range 1 West S.B.M., according to U. S. Government Survey approved June 6, 1872; 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. 122500, recorded on Microfilm Roll No. 91, accepting deed of Lucile Strachan, bearing date October 19, 1954, conveying portion Lot 28 Eureka Lemon Tract; setting aside land and dedicating it 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. 122501, recorded on Microfilm Roll No. 91, accepting deed of George J. Rodgers and Rhey W. Rodgers, bearing date January 4, 1955, conveying portion Lots 1, 2, 3, 4 Block 2 Loma Alta No. 1; setting aside land and dedicating it to public use as and for public street and naming it Wabaska Drive; 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. 122502, recorded on Microfilm Roll No. 91, accepting Carl J. Ackerman and Agnes C. Ackerman, Fred B. Waters and Elizabeth W. Waters deed, bearing date January 29, 1955, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 145; 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. 122503, recorded on Microfilm Roll No. 91, accepting deed of United States of America Housing and Home Finance Agency, Public Housing Administration, bearing date December 30, 1954, conveying easement and right of way for public use purposes in portion Lot 94 Block 68 Linda Vista Subdivision Unit No. 3; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Wincote referred back to Resolution No. 122493. He wanted to check about Thomas F. O'Connell, whose appointment by the Mayor as member of the Funds Commission, was confirmed. He stated that Mr. O'Connell is very elderly.

The Mayor said that he is very active.

City Attorney J. F. DuPaul stated that he has worked with Mr. O'Connell, that he understands the investment field, and is sharp.

There was no action beyond the previous adoption of the Resolution.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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. 6396 (New Series), amending Section 22.0902 of The San Diego Municipal Code concerning procedure for sale of City-owned Real Property to permit combination of sale by public auction and by sealed bids, 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.

In connection with the next item, Councilman Schneider asked if it is on a 50-50 basis.

The City Manager replied that "it is part of a program".

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

On motion of Councilman Schneider, 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. 6397 (New Series), recorded on Microfilm Roll No. 91 appropriating \$31,210.32 from Storm Drain Bond Fund, 1952, for purpose of providing funds for construction of Storm Drain in Gerard Avenue area between the approximate limits of Virginia Way, Genter Street, High Avenue, and Alley westerly of Girard Avenue, 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--Councilman None.

In connection with the next item, Councilman Schneider asked if there is a division of costs.

The City Manager said that there is a revolving fund; it is mostly City property; once in a while it involves a Federal housing project.

The City Attorney said that under 1911 Act Street Improvement, the schools pay; in many instances the Federal and State governments do not.

Councilman Schneider asked why there should not be a separate appropriation ordinance on each job.

The City Attorney replied that it would increase the work to do that.

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading in full 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. 6398 (New Series), recorded on Microfilm Roll No. 91, appropriating \$17,500. from Capital Outlay Fund for additional funds to pay improvement assessments against property owned by the Federal Government, State of California, County of San Diego, City of San Diego, or San Diego Unified School District, 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.

In connection with the next item, Councilman Schneider asked "what is the dope"?

The City Manager replied that it is a City job regarding humps in the old railroad (former electric railway that ran to La Jolla from San Diego).

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

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

ORDINANCE NO. 6399 (New Series), recorded on Microfilm Roll No. 91, appropriating \$10,800.00 from Capital Outlay Fund for improvement of Camino de la Costa and La Canada at Electric Avenue, and Via del Norte in La Jolla Hermosa Units A and No. 2, was on motion of Councilman Kerrigan, 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 Kerrigan, the next ordinance was introduced.

On motion of Councilman Godfrey, 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. 6400 (New Series), recorded on Microfilm Roll No. 91, approving \$3,000 from Capital Outlay Fund for construction of sanitary sewer

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

On motion of Councilman 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. 6401 (New Series), recorded on Microfilm Roll No. 91, appropriating \$1,000. from Capital Outlay Fund for providing additional funds for acquisition of land for permanent public improvements, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance amending San Diego Municipal Code by adding to Chapter X, Article I, Division 4 two new sections to be numbered Section 101.0409.2 and Section 101.0411.1, providing for establishment of an RC-1A Zone and a C-1A Zone respectively, and relating to Zoning therein, 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 incorporating portion of N.E. 1/4 Lot 16 Ex-Mission Lands into "C" Zone as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance 35 (New Series) insofar as it conflicts, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

John Milan presented a petition signed by C. L. Risinger, requesting permission to connect 2 buildings on portion Lot 26 East Redlands. It says that sewer on the property now serves 1 store, 1 residence is served by cesspool, and petitioner wants to build a new store on the property and connect it with the residence on the house sewer now on the property.

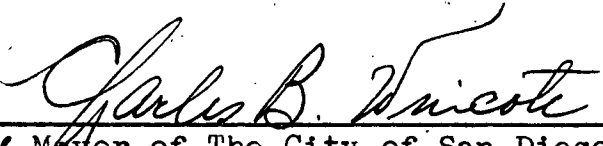
At the request of Councilman Dail, the petition was read to the Council by the Clerk.

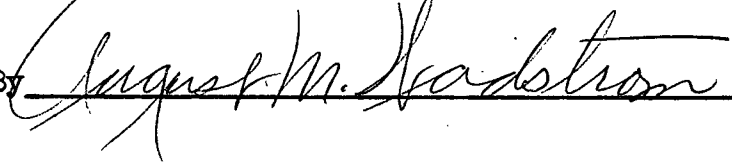
On motion of Councilman Dail, seconded by Councilman Kerrigan, it was referred to the City Manager.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:58 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

  
Vice Mayor of The City of San Diego, California

By 

6401 N.S.  
Ords introduced  
Pet. under U.C.



## REGULAR MEETING

Chamber of the Council of The City of San Diego  
California, Tuesday, February  
8, 1955

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey  
Absent---Mayor Butler (on City business)  
Clerk----Fred W. Sick

Vice Mayor Charles B. Wincote called the meeting to order at  
10:07 o'clock A.M.

The Vice Mayor asked all present to arise for the invocation,  
which was given by Rev. Charles M. Benson, Pacific Beach Church of God

Boy Scouts were present to act as "officials of the City". Each  
of the boys introduced himself, at the request of the Vice Mayor, giving his  
Scout rating, and the position to be filled.

The Mayor thanked them for their cooperation.

On motion of Councilman Burgener, seconded by Councilman Kerrigan,  
Minutes of the Regular Meetings of Tuesday, February 1, 1955, and of Thursday,  
February 3, 1955, were approved without reading. They were signed by the Vice  
Mayor.

On motion of Councilman Kerrigan, seconded by Councilman  
Schneider, 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. 6402 (New Series), recorded on Microfilm Roll No.  
91, providing for expansion, extension, replacement of parts of, and betterment  
of the waterworks system of The City of San Diego and to pay cost thereof;  
authorizing and providing for issuance and sale of \$6,000,000 of Revenue Bonds  
payable from such revenues of said waterworks system as are in excess of amount  
needed to operate and maintain water department; ordinance not to take effect  
until approved by majority vote of electors of the City, was on motion of Coun-  
cilman Kerrigan, seconded by Councilman Schneider, 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 Schneider,  
the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Schneider,  
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. 6403 (New Series), recorded on Microfilm Roll No.  
91, ordering, calling, providing for and giving notice of Special Municipal  
Election to be held March 8, 1955, for submitting to qualified voters a prop-  
osition to approve Ordinance No. 6402 (New Series) adopted February 8, 1955,  
providing for improvements to City Water System and issuance of \$6,000,000  
Waterworks Revenue Bonds, bonds to be payable only from water revenues, and con-  
solidating special municipal election with City of San Diego Municipal Primary  
Election to be held said date, was on motion of Councilman Kerrigan, seconded  
by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen  
Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None.  
Absent--Mayor Butler.

Meeting convened  
Invocation  
Visiting Boy Scouts  
6402 N.S. - 6403 N.S.

The Purchasing Agent reported in writing that bids had been received February 4, 1955 for improvements in Alley Block 14 City Heights from 4 bidders, was presented. It recommends award to Al E. Riley, Inc., low bidder, at \$4,621.05;

The Purchasing Agent reported in writing that bids had been received February 4, 1955 for improvement of Alley Block A Sunset Crest from 4 bidders, was presented. It recommended award to T. B. Penick & Sons, low bidder, at \$4,064.73;

The Purchasing Agent reported in writing that bids had been received February 4, 1955 for improvements in 40th Street, from 6 bidders. It recommends award to Griffith Company, low bidder, at \$11,155.46;

The Purchasing Agent reported in writing that bids had been received February 4, 1955 for improvements in Tipton, Rincon and Ewing Streets, from 6 bidders. It recommends award to Al E. Riley, Inc., low bidder at \$6,988.09.

The Council made a finding that bids had been opened and declared, as reported; and that they be referred to the City Manager and to the City Attorney, on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current for lighting ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for 11 months and 25 days from and including March 5, 1955, the Clerk reported that 1 bid had been received.

On motion of Councilman Schneider, seconded by Councilman Dail, it was publicly opened and declared.

It was as follows:

Bid of San Diego Gas & Electric Company, accompanied by check written by San Diego Trust and Savings Bank in sum of \$63.89.

On motion of Councilman Schneider, seconded by Councilman Dail, it was referred to City Manager and to City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 2, for 11 months and 14 days from and including March 16, 1955, the Clerk reported that 1 bid had been received.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was publicly opened and declared.

It was as follows:

Bid of San Diego Gas & Electric Company, accompanied by check written by San Diego Trust and Savings Bank in sum of \$198.99.

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

For the benefit of the Boy Scouts, Councilman Kerrigan made an explanation of the hearings, to follow, on the 1911 Act proceedings.

Councilman Schneider amplified Councilman Kerrigan's comments.

Councilman Burgener spoke on the same matter.

A question was asked about change in size of pipe on one project. The Boy Scout who spoke, represented the 5th District. He said that he has a paper route, that he has learned from many who live on one of the streets involved don't want to be charged for a larger pipe.

The City Manager said that 2" pipe, installed in many of the older sections of the city, is inadequate; 6" pipe is needed.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 122091 of Preliminary Determination for paving and otherwise improving Alley Block 19 North Shore Highlands, the Clerk reported that no written protests had been received.

The Vice Mayor inquired if any interested affected persons were

Reports on 1911 Bids

Hearings

Comments to Boy Scouts re 1911 St. Proceedings

present to be heard.

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

RESOLUTION NO. 122504, recorded on Microfilm Roll No. 91, on Resolution No. 122091 of Preliminary Determination for improvement of Alley Block 19 North Shore Highlands, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 122092 of Preliminary Determination for improvement of Linwood Street, the Clerk reported that no written protests had been received.

The Vice Mayor inquired if any one was present to be heard.

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

RESOLUTION NO. 122505, recorded on Microfilm Roll No. 91, on Resolution No. 122092 of Preliminary Determination for improvement of Linwood Street, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements 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. 122093 of Preliminary Determination for improvement of 70th Street, the Clerk reported that no written protests had been received.

The Vice Mayor inquired if any one was present to be heard.

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

RESOLUTION NO. 122506, recorded on Microfilm Roll No. 91, on Resolution No. 122093 of Preliminary Determination for improvement of 70th Street, if feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2316 for improving Alleys Blocks 3 and 4 Ocean Front under Resolution No. 118394, the Clerk reported that written appeals had been received from Vivian Allec, Mrs. Edna T. Fields. They were presented to the Council, and were read by the Clerk by request.

There was also presented a communication from the Street Superintendent recommending that Assessment No. 2316 be ordered corrected and modified in order that a mistake found in the manner of assessing alleys may be corrected.

The City Engineer reported 5.5% appeal. He asked for sustaining appeal regarding split in an assessment, and modification of the roll.

RESOLUTION NO. 122507, recorded on Microfilm Roll No. 91, sustaining appeal of Mrs. Edna T. Fields from Street Superintendent's Assessment No. 2316 made to cover expenses of paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front under Resolution of Intention No. 118394; overruling and denying appeal of Vivian Allec from Assessment No. 2316; directing Street Superintendent to modify and correct Assessment No. 2316; continuing hearing until 10:00 o'clock A.M. Thursday February 10, 1955, 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. 2317 made to cover cost and expenses of paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484, the Clerk reported that no written appeals had been received.

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

Hearings  
122504 - 122507

No one appeared to be heard, and no written appeals were presented. RESOLUTION NO. 122508, recorded on Microfilm Roll No. 91, confirming and approving Assessment No. 2317 made to cover cost and expenses of paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2318 made to cover cost and expenses of paving and otherwise improving Alley Block 56 Ocean Beach under Resolution of Intention No. 118554, the Clerk reported that no written appeals had been received.

The Vice Mayor inquired if any one was present to be heard.

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

RESOLUTION NO. 122509, recorded on Microfilm Roll No. 91, confirming and approving Assessment No. 2318 made to cover cost and expenses of paving and otherwise improving Alley Block 56 Ocean Beach, under Resolution of Intention No. 118554; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing 1,100 gallons Latex Base Paint for Municipal Housing, was presented. It recommends accepting low bid of S. R. Frazee Company @ \$2.13 per gal., total price of \$2,343.00 plus State Sales Tax, Terms 2% - 7 bids

RESOLUTION NO. 122512, recorded on Microfilm Roll No. 91, accepting bid of S. R. Frazee Company for furnishing Latex Base Paint; awarding contract, authorizing and instructing City Manager to enter into and execute same on behalf of The City of San Diego pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2319 made to cover costs and expenses of paving and otherwise improving Alley Block I Montecello, the Clerk reported written appeal from W. D. Buffat. It was presented.

Mr. Buffat spoke of his neighbor having requested Daley Corp. to put in a ramp from the alley to his garage. Mr. Buffat told of having gone within a foot of the door and having broken concrete with a hammer. He said that the neighbor's work in the alley has interfered with his tenant getting in and out.

Pictures showing the situation were passed around.

Mr. Buffat told the Council he was referring to the work, not the assessment. He said that he wants the area accessible for his tenants to get in and out, and wants a good alley. He spoke of his neighbor having encroached, without a permit.

Councilman Schneider showed a photo to Mr. Buffat.

Vice Mayor Wincote said that, according to the City Attorney, it is a legitimate protest. He asked that it be overruled, and referred to the City Manager for correction, or checking.

Councilman Godfrey spoke to Mr. Buffat from the picture.

Mr. Buffat said that there is a 5" obstruction.

Councilman Godfrey said that there is no danger on account of the obstruction.

The City Manager said that the pictures are self-evident, and it is a minor situation. He said that this is a situation opposite to most, that it does not affect the grade of the alley, or the drainage.

Councilman Schneider asked if this had been done after the work was done.

Mr. Buffat contended that this was done illegally. He stated that one of his tenants moved out on account of it (but he agreed, later, that was not the reason; the tenant had bought a place and was moving anyway). He said that it extends 31".

Councilman Schneider said he wants to see it.

Councilman Dail moved to overrule protests, and adopt the assessment.

#### Hearings

122508 - 122509

122512 (out of order)

Motion was seconded by Councilman Schneider.

Councilman Dail moved to refer the complaint of W. D. Buffat to the City Manager, for a report back to the Council next week. Motion was seconded by Councilman Schneider.

Councilman Godfrey said that the City Manager is already familiar with the condition, and that he will be glad to help if there is any real problem. He contended that the tenant would have to work hard to hit the incline.

Mr. Buffat said that it could have been tapered off.

Councilman Godfrey said that the City Manager has seen it. He stated that it does not adversely affect anyone. He felt it should be left.

Mr. Buffat said that it is unsightly, and that he is "losing \$600.00 the first 10 years.

Councilman Dail observed that the matter is within the purview of the City Manager.

Councilman Schneider spoke of Mr. Buffat having broken his paving; and asked who put it in.

Mr. Buffat said that he (Buffat) bought pre-mixed concrete, and put it in.

Councilman Dail said that arguing here will not settle the question. He said that the City Manager should work it out.

RESOLUTION NO. 122510, recorded on Microfilm Roll No. 91, overruling and denying appeal of W. D. Buffat from Street Superintendent's Assessment No. 2319 made to cover costs and expenses of work of paving and otherwise improving Alley Block I Montecello under Resolution of Intention No. 118154; overruling and denying all other appeals; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach warrant thereto and issue it in manner and form provided by law, directing Street Superintendent to record same in his office, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122511, recorded on Microfilm Roll No. 91, referring to the City Manager written protest of W. D. Buffat, 4528 Altadena Ave., San Diego 15, re "black top" ramp installed at rear of property at 4512 Altadena Avenue - in the Alley Block I Montecello, for report back to the Council next week, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilman Dail. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on annexation to The City of San Diego of lands to be known and designated "Federal Boulevard Tract", the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance approving annexation to The City of San Diego, State of California, lands known and designated as "Federal Boulevard Tract", was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Communication from Quintin Whelan, attorney, 524 San Diego Trust & Savings Building, San Diego 1, dated December 10th, 1954, which had been continued from the meetings of January 27, 1955, and February 3, 1955, was presented again. It asks permission for Elizabeth Goodwin to use public sewer line which crosses her property in portion of Lot 17 Rancho Ex-Mission.

Mr. Whelan said he is optimistic over the Council's permission, but that he may be deluding himself. He told the Council that the San Diego Boundary Commission has approved petition for annexation to the City, and that he has it ready to file with the City. Mr. Whelan described the property as a large parcel east of Federal and Euclid, and that it ties to the City on 3 sides.

The City Manager said that he would like to have the petition referred to him.

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

The City Manager stated that he wants to know the property is going to be annexed, before granting permit to connect.

Hearings  
122510 - 122511  
Ord introduced



Communication from San Diego County Heart Association, dated February 3, 1955, signed by Melvin N. Wilson, was presented. It asks for participation in street corner solicitation during hours of 11 A.M. and 4 P.M., Saturday, February 19, by a group of students. It states it is same activity carried on last year with Council permission.

Asked for a verbal report, the City Manager stated that there are poppy sales, etc., now.

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

Report from Purchasing Agent, with City Manager's stamp of approval, on bids for improvement of park roads known as Pepper Drive and Tulip Street in Azalea Park - 6 bids - was presented. It recommends acceptance of low bid of M. H. Golden Construction Company at \$7,642.80.

RESOLUTION NO. 122513, recorded on Microfilm Roll No. 91, accepting bid of M. H. Golden Construction Company for improvement of Park Roads known as Pepper Drive and Tulip Street in Azalea Park; awarding contract; authorizing City Manager to enter into and execute on behalf of The City a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Report from Purchasing Agent, with City Manager's stamp of approval, on bids for construction of storm drain from Third Avenue and "K" Street southwesterly across Navy Field to U.S. Bulkhead Line - 6 bids - was presented. It recommends acceptance of low bid of Charles J. Dorfman at \$48,330.00.

RESOLUTION NO. 122514, recorded on Microfilm Roll No. 91, accepting bid of Charles J. Dorfman for storm drain from Third Avenue and "K" Street southwesterly across Navy Field to U.S. Bulkhead Line; awarding contract; authorizing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report from Purchasing Agent, with City Manager's stamp of approval, recommending purchase of Sectional Cement Bureau Boxes for period of one year from 3/1/55 - approximately 600 - was presented.

RESOLUTION NO. 122515, recorded on Microfilm Roll No. 91, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Sectional Cement Bureau Boxes for 1 year, beginning March 1, in accordance with Document No. 505596 on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122516, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in 52nd Street from Oak Park Drive to Kalmia Street, and in Pirotte Drive westerly from 52nd Street, Document No. 505541; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, reporting that in connection with Tentative Map of College Ranch Unit No. 1, there is the problem of closing certain old paper streets located in Lot 69 Rancho Mission, one of which is Flume Road along southerly boundary of subdivision and adjacent to present developments in La Mesa, was presented.

Concluding the lengthy report, it recommends amendment to conditions on the map - No. 13 - re Flume Road.

RESOLUTION NO. 122517, recorded on Microfilm Roll No. 91, amending Resolution 121687 adopted December 14, 1954, approving Tentative Map of College Ranch Unit No. 1, 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 Fleetridge Units 4 & 5, was presented.

RESOLUTION NO. 122518, recorded on Microfilm Roll No. 91, suspending Sections 102.09 1 & 2, 102.07-5, 102.11-2, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Fleetridge Units 4 & 5, 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 Fleetridge Units - as modified - for 64-lot subdivision of portion Pueblo Lot 197, located westerly of Fleetridge Units 1 and 2 near Canon Street, subject to 12 conditions, was presented.

RESOLUTION NO. 122519, recorded on Microfilm Roll No. 91, approving Tentative Map of Fleetridge Units 4 & 5, subject to conditions of the 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 for Resubdivision of Lots 13 through 18 Block 6 Golden Park, was presented.

RESOLUTION NO. 122520, recorded on Microfilm Roll No. 91, suspending Sections 102.05 and 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lots 13 through 18 Block 6 Golden Park, 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 for resubdivision of portion Lots 13 through 18 Block 6 Golden Park, located on southerly side of Talbot Street westerly of Harbor View, subject to 8 conditions, was presented.

RESOLUTION NO. 122521, recorded on Microfilm Roll No. 91, approving Tentative Map for resubdivision of portion Lots 13 through 18 Block 6 Golden Park - 4 lots - subject to conditions of the 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 Marine View Terrace, subdivision of portions of Lots 124 and 125 Morena, was presented.

RESOLUTION NO. 122522, recorded on Microfilm Roll No. 91, suspending Sections 102.09 1 & 2, 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map of Marine View Terrace, 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 Marine View Terrace, a 24-lot subdivision of portions Lots 124 and 125 Morena, located on Galveston Street easterly of Bay Park Village, subject to 12 conditions, was presented.

RESOLUTION NO. 122523, recorded on Microfilm Roll No. 91, approving Tentative Map of Marine View Terrace, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Sears Heights, a 40-lot subdivision of portion of Lot 64 Horton's Purchase, subject to final map being covered by the posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 122524, recorded on Microfilm Roll No. 91, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Solomon Building Company, a corporation, for installation

and completion of unfinished improvements and setting of monuments required for Sears Heights Subdivision; directing City Engineer to present ordinance establish official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122525, recorded on Microfilm Roll No. 91, adopting Map of Sears Heights, subdivision of portion Lot 64 Ex-Mission Lands of San Diego, known as Horton's Purchase; accepting on behalf of the public Cervantes Avenue, Peulsa Street, portion 50th Street, portion of Euclid Avenue and unnamed easements shown for public purposes; declaring them to be public streets and unnamed easements; authorizing and directing Clerk of the City to endorse upon the map, as and for act of 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 Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, with City Manager's stamp of approval, reporting on protest of 83.3% of property fronting on Alley Block 253 University Heights, and recommending abandoning of proceedings, was presented.

RESOLUTION NO. 122526, recorded on Microfilm Roll No. 91, abandoning proceedings heretofore taken for paving and otherwise improving Alley Block 253 University Heights, as recommended by City Engineer under Document No. 505366, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication reporting on Resolution No. 113778 which ordered district formed for paving and otherwise improving Grand Avenue between Pico Street and Pacific Highway, was presented. It states that job has been changed to a Gas Tax job (instead of a 1911 Act proceeding), and recommends that the Resolution be rescinded.

RESOLUTION NO. 122527, recorded on Microfilm Roll No. 91, repealing Resolution No. 133778 for paving and otherwise improving Grand Avenue; abandoning proceedings taken for the improvement, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 2021 of the City of El Cajon, urging Board of Supervisors to support League of California Cities uniform sales tax, submitted by Delight V. Swain, City Clerk, was presented.

RESOLUTION NO. 122528, recorded on Microfilm Roll No. 91, referring to Council Conference Resolution of City Council of City of El Cajon, urging support of uniform sales tax in State of California of 4%, with 1% returned to cities and counties on sales within their respective areas, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from (Miss) Mary R. Clifford, 2164 Albatross St., San Diego 1, dated 1 February 1955 relative to the No Smoking regulations on buses, and suggesting remedy, was presented.

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

Communication from Exposition-Recreation Commission of The City of Portland, Oregon, dated January 31, 1955, signed by James H. Polhemus, was presented. It submits copy of letter written to Supervisor Jessup of Los Angeles. The letter to Mr. Jessup was read to the Council by the Clerk at the request of Councilman Schneider. It asks about plans for San Diego, and about a trip here to talk over the situation.

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

Communication from San Diego Highway Development Association, 225 Broadway, San Diego 1, dated February 3, 1955, signed by Dominic C. DiGregorio, secretary, was presented. It tells of need for special representative from the County of San Diego at State Legislature regarding highways and highway problems.

Communications  
122525 - 122528

The City Manager told the Council of wanting "to hire someone".

Councilman Dail said that the Council used to send the City Manager to the meetings, but that the City now has been making its needs known. He said he does not know if it is valuable, or just a gesture, to send representations. He said that making needs known on projects such as freeways is valuable.

The City Manager reminded the Council that it has authorized a traffic plan survey. He stated that this falls within the province of one who makes such a survey. He agreed that there are some worth while meetings. The Manager said that the organization has proposed for several years City and County representation at the Highway meetings.

Councilman Dail referred to an item in the paper which said that the City is losing highway funds regarding bids which were over the estimates. He told about the article having said that money is returned to funds from which appropriated. He contended that the City is actually not losing projects.

Councilman Godfrey said that this is in the form of a suggestion. He said he has had the impression that it has been done the proper way. He wanted the City Manager to report on the subject to Conference. He spoke of the Association trying to assist the City.

RESOLUTION NO. 122529, recorded on Microfilm Roll No. 91, referring communication from San Diego Highway Development Association to Council Conference, and requesting City Manager to make a report to the Council in Conference, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from San Diego Transit System, 235 Broadway, San Diego 1, dated February 2, 1955, signed by J. D. Haugh, president, was presented.

It outlines accomplishments and activities for the year 1954, and expresses appreciation in action to clear Fifth Avenue downtown of all parking of automobiles between 4 and 6 P.M., which speeds mass transportation. It also offers to answer questions and receive suggestions.

Councilman Schneider moved to refer the communication to the City Manager.

RESOLUTION NO. 122530, recorded on Microfilm Roll No. 91, referring communication from San Diego Transit System to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from M. N. Puerales, 9527 Poole St., La Jolla, dated Jan. 28, 1955, opposing extending permits or rezoning in Mission Valley, and smog in the upper end of the Valley, etc., was presented.

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

RESOLUTION NO. 122531, recorded on Microfilm Roll No. 91, directing notice of filing assessment and of time and place of hearing thereof - Assessment No. 2332 made to cover costs and expenses of work done upon sewers in Maple Street, Laurel Street, 44th Street, Alleys Blocks 19, 14, 15 Swan's Addition, et al, under Resolution of Intention No. 117468, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 122532, recorded on Microfilm Roll No. 91, accepting bid of Al E. Riley, Inc., and awarding contract for paving and otherwise improving Alley Block 18 La Mesa Colony, under Resolution of Intention No. 121324, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 11.1% below estimate.

RESOLUTION OF AWARD NO. 122533, recorded on Microfilm Roll No. 91, accepting bid of A. W. Thorpe, and awarding contract for paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 235 and 236 Mission Beach, under Resolution of Intention No. 121326, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 22.7% below estimate.

RESOLUTION OF AWARD NO. 122534, recorded on Microfilm Roll No. 91, accepting bid of A. W. Thorpe, and awarding contract, for paving and otherwise improving Alley Block 255 Pacific Beach, under Resolution of Intention No. 121325, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 15.3% below estimate.

RESOLUTION OF AWARD NO. 122535, recorded on Microfilm Roll No. 91, accepting bid of W. V. Hutchison Co., a co-partnership, and awarding contract, for sewers in 47th Street, Aurora Street, Uvas Street, Market Street, and Public Right of Way, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 26.5% below estimate.

RESOLUTION NO. 122536, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 40th Street; approving Plat No. 2672 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 Dail, adopted.

RESOLUTION NO. 122537, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in La Jolla Rancho Road; approving Plat No. 2665 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 Dail, adopted.

RESOLUTION NO. 122538, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving E Street, 28th Street, 29th Street; approving Plat No. 2692 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 Dail, adopted.

RESOLUTION ORDERING WORK NO. 122539, recorded on Microfilm Roll No. 91, for paving and otherwise improving Alley Block 2 Ocean View and Block 5 5 Ocean Beach Park, under Resolution of Intention No. 121773, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 122540, recorded on Microfilm Roll No. 91, for paving and otherwise improving Franklin Avenue and 28th Street, under Resolution of Intention No. 121775, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 122541, recorded on Microfilm Roll No. 91, for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, under Resolution of Intention No. 121776, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122542, recorded on Microfilm Roll No. 91, for furnishing electric current for lighting ornamental street lights located in Kensington Manor Lighting District No. 1, for 1 year from and including May 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



RESOLUTION ORDERING WORK NO. 122543, recorded on Microfilm Roll No. 91, for furnishing electric current for lighting street lamps on mast arms attached to poles in Mission Beach, together with maintenance, for 11 months and 16 days from and including May 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122544, recorded on Microfilm Roll No. 91, for closing portion of 6th Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 122545, recorded on Microfilm Roll No. 91, for paving and otherwise improving Taft Avenue and Bellevue Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122546, recorded on Microfilm Roll No. 91, for paving and otherwise improving 40th Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122547, recorded on Microfilm Roll No. 91, for sewer in La Jolla Rancho Road, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122548, recorded on Microfilm Roll No. 91, for paving and otherwise improving 29th Street, E Street and 28th Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122549, recorded on Microfilm Roll No. 91, ascertaining and declaring wage scale for paving and otherwise improving Wawona Drive, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122550, recorded on Microfilm Roll No. 91, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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, under Resolution of Intention No. 120426 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122551, recorded on Microfilm Roll No. 91, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alleys Block 20 Ocean Beach Park, and Block 9 Ocean Bay Beach, under Resolution of Intention No. 120005, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for paving and otherwise improving Alleys Block 262 Pacific Beach, be amended to include construction of special curb as required, was presented.

RESOLUTION NO. 122552, recorded on Microfilm Roll No. 91, adopting recommendation of City Engineer filed under Document No. 505226; authorizing City Engineer to amend proceedings for improvement of Alleys Block 262 Pacific Beach, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122553, recorded on Microfilm Roll No. 91, adopting recommendation of City Engineer filed under Document No. 505367; authorizing City Engineer to amend proceedings for improvement of Alley Block 10 Normal Heights in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122554, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 503736 for paving and otherwise improving Alley Block 128 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122555, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 502693 for paving and otherwise improving Alley Block K Montecello; 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122556, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 503735 for paving and otherwise improving Alley Block 13 Ocean Beach and Block 97 Point Loma Heights, and petition contained in Document No. 504497 for paving and otherwise improving Alley Block 16 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122557, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 505361 for paving and otherwise improving Alley Block 29 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, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122558, recorded on Microfilm Roll No. 91, granting petition for paving and otherwise improving Alley Block 49 Ocean Beach, Document No. 504701; 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122559, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 503905 for paving and otherwise improving Alley Block 23 Ocean Beach Park; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122560, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 503723 for paving and otherwise improving Alley Block 217 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Councilman Kerrigan, adopted.

RESOLUTION NO. 122561, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 504986 for paving and otherwise improving Alley Block 274 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 Kerrigan, adopted.

RESOLUTION NO. 122562, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 502692 for paving and otherwise improving Alley Block 281 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 Kerrigan, adopted.

RESOLUTION NO. 122563, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 504987 for paving and otherwise improving Alley Block 9 Wilshire Place; directing City Engineer to furnish Council with description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122564, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 504052 for paving and otherwise improving Altadena Avenue; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 116415 for improvement of Rex Avenue, Landis Street, et al., was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122565, recorded on Microfilm Roll No. 91, granting petitions contained in Documents Nos. 503292 and 502863 for paving and otherwise improving Frankford Street, Kane Street, Lister 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122566, recorded on Microfilm Roll No. 91, granting petition for paving and otherwise improving Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Bond 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 additional improvements if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122567, recorded on Microfilm Roll No. 91, granting petition for paving and otherwise improving Franklin Avenue; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122568, recorded on Microfilm Roll No. 91, granting

petition for paving and otherwise improving Hartford 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, and other improvements as required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122569, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 505145 for paving and otherwise improving Myrtle 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 additional improvements as required; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 119370 for improvement of portions of 46th and Thorn Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122570, recorded on Microfilm Roll No. 91, granting petition for paving and otherwise improving Poe Street, under Document No. 504499; 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, and including portion of Plum Street if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122571, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 504051 for paving and otherwise improving Revere 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; directing City Engineer to consolidate assessment district with assessment heretofore ordered by Resolution No. 119528 for improvement of Del Rey Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122572, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 505295 for paving and otherwise improving Santa Margarita 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 other improvements as required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122573, recorded on Microfilm Roll No. 91, granting petition contained in Document No. 503059 for paving and otherwise improving Thomas 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122574, recorded on Microfilm Roll No. 91, granting petition for installation of sidewalks on Vista Grande Drive; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses for sidewalks on Vista Grande Drive, and on portions of Hoffman Avenue, Margaret Avenue and Radio Road, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122575, recorded on Microfilm Roll No. 91, authorizing

San Diego Gas & Electric Company to install 17 6000 lumen overhead street lights, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122576, recorded on Microfilm Roll No. 91, accepting plat and approving allocation of costs of easterly Muirlands Outfall Sewer District - as set out in detail in the Resolution - was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122577, recorded on Microfilm Roll No. 91, authorizing City Manager to accept work on behalf of The City of San Diego in Allied Gardens Unit No. 2 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that City Engineer has certified that public work and improvement required to be done under Document No. 482193 has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 122578, recorded on Microfilm Roll No. 91, authorizing City Manager to employ John B. Henry to do replacement work at termination of Alley Block 95 Ocean Bay Beach, at Abbott, at not to exceed \$29.00 payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122579, recorded on Microfilm Roll No. 91, authorizing City Manager to employ T. B. Penick & Sons to do replacement work at street terminations of Alleys in Block 66 Normal Heights; cost not to exceed \$519.75, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122580, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, service contract between The City of San Diego and Armored Transport, Inc., providing for collection of sealed packages containing property of the City, at 3350 Vultee Street, and delivery and deposit of same at City Treasurer's Office, or other depository in The City of San Diego to be designated by the City, daily, Sundays and holidays excepted, for 1 year commencing January 5, 1955, for which services City agrees to pay \$3.00 per trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122581, recorded on Microfilm Roll No. 91, authorizing City Manager to execute, for and on behalf of The City an agreement with City of La Mesa, providing service connection rate of \$.050 per connection per month for all sewage transported, treated and disposed of by The City of San Diego which has not been metered, in accordance with Document No. 505840, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The following discussion took place preceding Resolution No. 122581, but applies to the following resolution, so it is shown related to the question being discussed.

The City Manager told the Council that Mr. Pomeroy has completed his check in connection with the sewers. He said that this is regarding off-shore testing.

Councilman Dail pointed out that these tests, as proposed, are thorough, including regarding the current.

The City Manager said that in this operation participants in the work walk the bottom.

RESOLUTION NO. 122582, recorded on Microfilm Roll No. 91, authorizing City Manager to execute agreement with Geological Diving Consultants, a co-partnership, Box 6571 San Diego 6, whereby they shall make 3 surveys of ocean currents at points in Point Loma and Imperial Beach, to be designated by City Engineer,



for total cost of \$2780.00, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122583, recorded on Microfilm Roll No. 91, approving request of Royal Pipeline Construction Company, dated January 25, 1955, contained in Change Order No. 2, for extension of 30 days to and including February 28, 1955, heretofore filed with City Clerk as Document No. 505739, in which to complete contract for installation of small water main replacements, Group No. 12, contract contained in Document No. 491666; extending completion time to February 28, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122584, recorded on Microfilm Roll No. 91, authorizing Paul Beermann, director of Water Department, and Aaron W. Reese, Deputy City Attorney, to attend California Municipal Utilities Association meeting and Board of Governors' review of legislation, to be held in Sacramento, California, February 21 to 25, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122585, recorded on Microfilm Roll No. 91, authorizing Ralph Campbell, Assistant Director of Finance, to attend California Municipal Utilities Association meeting in Sacramento February 23 to 25; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122586, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed on 28th day of January, 1955, by Country Club Homes, a corporation, 1150 Silverado, La Jolla, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use in public streets, rights of way, highways and public places, either within or without subdivision named Muirlands Terrace Unit No. 2 Subdivision, being subdivision of portion Pueblo Lots 1257 and 1262; 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 Burgener, adopted.

RESOLUTION NO. 122587, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed on 21st day of January, 1955, by Rand-Powell Construction Co. S.N.C., a corporation, 3830 West Camino del Rio, San Diego 10, 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 Catalina Estates Subdivision, being subdivision of portion Lot 44 Point Loma Terrace Unit No. 1; 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 Burgener, adopted.

In connection with the next item, Councilman Godfrey asked upon work is to be done.

The City Manager replied "they" are paying portion; doing this directly.

The City Engineer replied that this is part of the downtown storm drain system.

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. 6404 (New Series), recorded on Microfilm Roll No.

91, appropriating \$53,200.00 from 1952 Storm Drain Bond Fund for construction of storm drain from 3rd Avenue and "K" Street southwesterly across Navy Field to U. S. Bulkhead 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 Godfrey, seconded by Councilman Kerrigan, the next Ordinance was introduced.

On motion of Councilman Godfrey, 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. 6405 (New Series), recorded on Microfilm Roll No. 91, appropriating \$8,400.00 from Capital Outlay Fund for improvement of Pepper Drive and Tulip 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.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the next Ordinance was introduced.

On motion of Councilman Godfrey, 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. 6406 (New Series), recorded on Microfilm Roll No. 91, establishing grade of Alley Block 23 La Jolla Park, between southerly line of Kline Street and northwesterly line of Torrey Pines Road, 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 Godfrey, the next Ordinance was introduced.

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

ORDINANCE NO. 6407 (New Series), recorded on Microfilm Roll No. 91, establishing grade of 53rd Street, between westerly prolongation of line parallel to and distant 40.00 feet southerly from northerly line Lot 18 Country Paradise Subdivision, and northerly termination of Trojan Avenue, 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 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. 6408 (New Series), recorded on Microfilm Roll No. 91, establishing grade of Malden Street, between easterly line of Collingwood Drive and westerly line of Jewell Street, 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 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.

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

ORDINANCE NO. 6409 (New Series), recorded on Microfilm Roll No. 91, establishing grade of Mandalay Road, between northerly prolongation of easterly line of Manchester Road and line parallel to and distant 325.00 feet westerly from said northerly prolongation, 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.

The Ordinance listed next on the agenda, approving annexation of lands designated as "Federal Boulevard Tract", was handled at the beginning of the meeting.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance dedicating portions Lot 67 Rancho Mission for street purposes, and naming it 55th Street and Remington Road, introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

RESOLUTION NO. 122588, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting systems on "G" Street, between 12th Avenue and Kettner Boulevard; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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

The City Manager said that there has been worked out some kind of agreement, answering a question.

The City Engineer told the Council that the subdivision is paying up to the right of way line; the State is paying the other. He stated that there is a plan for overpass eventually.

RESOLUTION NO. 122589, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of intersection of Waring Road and Alvarado Canyon Road (including widening of Alvarado Canyon Road and construction of center islands and left turn land, and construction of approach to Waring Road, under Document No. 505769; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids for work, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

The City Attorney recommended adoption of the Resolution.

RESOLUTION NO. 122590, recorded on Microfilm Roll No. 91, requesting the Senator and Assemblymen from this district to take action and use efforts to result in having Legislature adopt act appropriating money to be expended by Toll Bridge Authority in determining feasibility of construction, operation and maintenance of vehicular tunnel underneath waters of Bay of San Diego connecting City of Coronado with The City of San Diego; requesting Toll Bridge Authority of State of California to take necessary action and proceedings which will result in survey being made to determine feasibility of constructing such vehicular tunnel connecting the 2 cities if the Legislature appropriates necessary moneys therefor, and, further, if such construction and maintenance of such tunnel is feasible, to construct same and thereafter maintain and operate it as part of arterial highways of State of California; directing City Clerk to send certified copies to Senator and Assemblymen representing this district in the Legislature and to the Toll Bridge Authority of the State of California, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned by the Vice Mayor at 10:58 o'clock A.M. He announced that Council would go into Conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

*Charles B. Wincote*  
Vice Mayor of City of San Diego, California

122588

122589 - 122590 by U.C.

6409 N.S.

Ord introduced

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, February  
10, 1955

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey  
Absent---Councilman Dail; Mayor Butler (on City business)  
Clerk----Fred W. Sick

The Vice Mayor presented a Resolution regarding the passing of Morey S. Levenson, former Deputy in office of City Attorney, in Cleveland yesterday. It speaks of the splendid reputation earned and deserved as council for The City of San Diego from 1936 to 1941 and again from 1945 to 1947, and as a member of the local bar of attorneys. The resolution expresses sorrow and respect at Mr. Levenson's passing, and sympathetic condolences to the sorrowing widow and children. It directs the City Clerk to forward certified copy of the Resolution to Mrs. Levenson.

At the request of the Vice Mayor all stood while the Resolution was being read by the Clerk. The Resolution, 122591, recorded on Microfilm Roll No. 91, was adopted unanimously by those present.

The first item on the agenda was held, awaiting arrival of a representative of the City Engineer.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing - which had been continued from time to time for some months - regarding food handlers' ordinance, and request of members of Chiropractic profession being permitted to make physical examinations required, based on request from Francis J. Maher, Mr. Maher appeared. He asked for another continuance. He pointed out that 2 members of the Council were not present, and he had been informed that others would not vote on his favor. He stated that in the meantime he will obtain for each member of the Council of requirements and copy of Attorney General's ruling re practice of chiropractors.

The Vice said that "reasons are not too good".

On motion of Councilman Kerrigan, seconded by Councilman Schneider, hearing was continued 4 weeks - to March 10, 1955.

The Council returned to the first item on the agenda.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Assessment No. 2316 made to cover expenses of paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front under Resolution of Intention No. 118394 -

RESOLUTION NO. 122592, recorded on Microfilm Roll No. 91, confirming and approving Street Superintendent's modified and corrected Assessment No. 2316 made to cover expenses of paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, under Resolution of Intention No. 118394; 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 the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for cleaning, repairing and sterilizing mattresses, pillows, couches and cushions for Municipal Housing, as may be required during period Feb. 1, 1955 thru June 30, 1955, was presented. It states 3 bids were received, and recommends acceptance of low bid of Superior Mattress Company.

RESOLUTION NO. 122593, recorded on Microfilm Roll No. 91, accepting bid of Superior Mattress Company for cleaning, repairing and sterilizing mattresses, pillows, couches and cushions as may be required by The City of San Diego during period February 1, 1955 through June 30, 1955 - as set out in detail in the Resolution - awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to

U.C. - Res re Morey Levenson  
Hearing - cont.  
Communications  
122591 - 122593

specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on 9 bids for construction of Harbor Services Building, Shelter Island, received January 28, 1955, recommending acceptance of low bid of Raymond D. Haas for \$30,410.00, was presented.

RESOLUTION NO. 122594, recorded on Microfilm Roll No. 91, accepting bid of Raymond D. Haas for construction of Harbor Services Building on Shelter Island for Harbor Department; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, recommending purchase of Radio Tubes for 1 year, March 1, 1955 through February 29, 1956, was presented.

RESOLUTION NO. 122595, recorded on Microfilm Roll No. 91, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Radio Tubes for 1 year, under Document No. 505818, 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, was presented.

RESOLUTION NO. 122596, recorded on Microfilm Roll No. 91, suspending Sections 102.09-1 & 2, 102.05, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Arnold Knolls, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Dail entered

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Arnold Knolls, a 70-lot subdivision of portions of Pueblo Lot 1139 and 1140, on prolongation of Westland, Commonwealth and Pentuckett Avenues, southerly of Juniper Street, between subdivisions of Cullen's Westland Terrace and Ravenna Park, subject to 12 conditions, was presented.

Harry C. Haelsig, Asst. Planning Director, told the Council of having received protest from the City Manager regarding there being no dedication on Ivy Street. He showed the area on a plat, and explained about a hole, and about grade. Mr. Haelsig contended that it was not advisable to require dedication. He said that protestant wants a 15-foot setback, but Planning has recommended 10-foot setback. He said, further there is a "5-foot setback on the recommendation", and that 1/2 of the street is dedicated.

Councilman Kerrigan asked if it is a valid protest.

Mr. Haelsig's reply was that an error was made in the way the house was faced. He said that Mr. Arnold (the subdivider) did not protest the 10-foot setback.

RESOLUTION NO. 122597, recorded on Microfilm Roll No. 91, approving Tentative Map of Arnold Knolls, subject to 12 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted - with change for a 10-foot setback.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of Sections 102.09 1 & 2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Cabrillo Mesa, subdivision of portion Lots 37 and 40 Rancho Mission of San Diego, was presented.

RESOLUTION NO. 122598, recorded on Microfilm Roll No. 91, suspending Sections 102.09 1 & 2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Cabrillo Mesa, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig,



recommending approval of Cabrillo Mesa, for 100-lot subdivision on Kearny Mesa easterly of Rancho Cabrillo and Cabrillo Heights, which are south of Montgomery Airport, subject to 13, conditions, was presented.

RESOLUTION NO. 122599, recorded on Microfilm Roll No. 91, approving Tentative Map of Cabrillo Mesa, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Clairemont Regional Business Center, was presented.

RESOLUTION NO. 122600, recorded on Microfilm Roll No. 91, suspending Sections 102.07-5, 102.06-1, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Clairemont Regional Business Center, 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 for subdivision of 46.37 acre parcel of land in north Clairemont which is proposed to be developed as a regional business center, was presented. It refers to existing improvements, and proposed developments to be made, and recommends 3 conditions for approval.

RESOLUTION NO. 122601, recorded on Microfilm Roll No. 91, approving Tentative Map for Clairemont Regional Business Center, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Resubdivision of Lots 21, 22, 23 Block 26 La Jolla Park, was presented.

RESOLUTION NO. 122602, recorded on Microfilm Roll No. 91, suspending Sections 102.08-3, 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Resubdivision of Lots 21, 22, 23 Block 26 La Jolla Park, 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 for Resubdivision of Lots 21, 22, 23 Block 26 La Jolla Park, subject to 2 conditions, was presented.

RESOLUTION NO. 122603, recorded on Microfilm Roll No. 91, approving Tentative Map for resubdivision of Lots 21, 22, 23 Block 36 La Jolla Park, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Record of Survey Map, Lots 11 to 14 Block 87 Morena, was presented. It reports that the Commission has recommended that it be approved in lieu of final subdivision map.

RESOLUTION NO. 122604, recorded on Microfilm Roll No. 91, approving final map of Record of Survey in lieu of Final Subdivision Map, pursuant to provisions of Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Muirlands Crest, a subdivision of 54 lots, portion Pueblo Lots 1255 and 1775, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 122605, recorded on Microfilm Roll No. 91, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute contract with Muirlands Crest, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Crest Unit No. 1 subdivision, and providing that subdivider may make

payment for offsite sewer and water assessment district charges at time building permits are issued; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122606, recorded on Microfilm Roll No. 91, adopting Map of Muirlands Crest Unit No. 1, being subdivision of portion Pueblo Lots 1255 and 1775; accepting on behalf of the public La Jolla Scenic Drive, La Pintura Drive, Olite Court and Avila Court, and unnamed easements shown for public purposes; declaring them to be dedicated to public use; rejecting as dedication for public street land shown as "Reserved for Future Street"; 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; that Council rejects dedication of portion marked "Reserved for Future Street"; directing City Clerk to transmit the map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Director, stating that he has been advised by Assemblyman Luckel that he has introduced Assembly Bill 302 in compliance with request of The City, to amend Section 1 Chapter 142 Statutes of 1945, which law transferred Mission Bay to City of San Diego, was presented. It states that the bill, if approved by the Legislature, will eliminate clause which presently would prohibit State from participating in expense of improving the harbor and tidelands. It says, also, that Mr. Luckel has advised that he can have the bill set for hearing any time requested by the City, and suggests that it be early part of the session. The communication suggests that the Council authorize a representative of the City to contact Mr. Luckel and appear for the City at the committee hearing.

The letter was read to the Council by the Clerk.

Councilman Schneider moved to refer the communication to the Mayor and City Manager, for report to the Council. There was no second.

RESOLUTION NO. 122607, recorded on Microfilm Roll No. 91, referring to Council Conference communication from the City Planning Director, regarding Assembly Bill 302, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from The American Public Utilities Bureau, 146 Fairmount Ave., Chatham, N.J. and 280 Broadway, New York 7, signed by John Bauer, director, dated Jan. 31, 1955, was presented. It suggests a good look at the public utility situations to see whether all is done that can reasonably be done for direct benefit of consumers and for advantage of the community at large. The communication states that the Bureau exists primarily to help cities, and offers to submit an approach to the prevalent transit and street-traffic confusions. The communication suggests an exploratory survey and conference, and tells of willingness to come to San Diego for 3-day intensive study, to cost the City \$300.00, plus expenses of the trip.

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

Communication from Fred Hanson, 1230 Meade Avenue, San Diego 16, dated January 4, '55, was presented. (communication was filed with the Clerk February 7 '55). It requests installation of stop-sign posts on Maryland Street at intersection of Meade Avenue, also on Cleveland Avenue at intersection of Meade Avenue, in University Heights. The communication gives a detailed statement in support of the request.

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

Communication from Byron Harwell, 2120 San Diego Ave., San Diego 1, dated February 7, 1955, regarding 80th birthday on February 24, of Rev. John B. Osborn, was presented. It refers to Dr. Osborn, one of the ministers of All Saints Church as being a member of the City Council in 1905. It hopes that cognizance will be taken of the memorable milestone.

Councilman Schneider asked if the Council can have a Resolution.

Councilman Godfrey commented that lots of people have birthdays. He contended that if the Council recognizes one, it will have to recognize all.

Councilman Schneider pointed out that Father Osborn was a Councilman 50 years ago.

Councilman Godfrey said that if a kindly thing is done for 1, it will mean having to slight others.

Councilman Kerrigan moved to refer the letter to the Mayor.

By request, the Clerk read the letter.

The Vice Mayor said Councilman Godfrey said that statements are in keeping with the policy. He spoke of having passed the Resolution for Mr. Levenson at the beginning of this meeting, and expressed the belief that it would have been better to have told Mr. Levenson personally the things said in the resolution following his passing yesterday.

RESOLUTION NO. 122608, recorded on Microfilm Roll No. 91, requesting the Mayor to write a letter to the Reverend John B. Osborn, 212 Quince Street, San Diego 23, congratulating Dr. Osborn on his 80th birthday and taking note of his having been a Councilman 50 years ago - at the request of the Council - was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from San Diego Taxpayers' Association, 526 Spreckels Building, San Diego 1, dated February 4, 1955, with typed signature of Edward C. Hall, president, was presented. It refers to interest of possibility of offering Federal Social Security coverage to City employees, was presented. It states that in the past the Association has recommended that such a study be undertaken. It asks to be kept informed as to the scope and progress of the study, and requests that every possible consolidation of the 2 systems be fully investigated and documented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, it was referred to Conference.

Communication from Silver Terrace-Bay View Acres Improvement Association, Incorporated, 1070 Fresno St., San Diego, dated February 6, 1955, signed by Ed Antus, president, was presented. It protests change to an M-1 zone in the Association neighborhood. It speaks of industrial area having been created on Kearny Mesa, the nearby Mission Bay area and the University of San Diego, so it doubtless refers to Mission Valley although it does not so state.

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

Communication from Nellie L. Walker, Warren-Walker School, 4605 Point Loma Ave., Sunset Cliffs, San Diego 7, dated Feb. 7, 1955, was presented. It objects to any reduction in staff at Ocean Beach Community Center.

RESOLUTION NO. 122609, recorded on Microfilm Roll No. 91, referring to Council Conference communication from Nellie L. Walker, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication S. S. Sanger, 4493 Felton Street, San Diego 16, dated February 8, 1955, endorsing location for the Auditorium on Park Boulevard, east side, between Laurel Street and north border of the park, was presented.

Councilman Kerrigan moved to refer communication, seconded by Councilman Schneider, it was referred to the Planning Commission.

There was, however, another motion without the first one being withdrawn, to "place the communication in the file on the 'Master Plan'". The latter motion carried.

Communication from Harbor Commission, signed by John Bate, port director, submitting agreement which Harbor Commission proposed to enter into with George Halligan, Hollywood motion picture producer, was presented. It states that agreement is similar to the one entered into in 1950 with Rodney Gilliam covering production of "Harbor of the Sun". It states that under terms of the agreement, the Harbor Commission agrees to pay \$3,050.00, including furnishing 2 sound-color prints.

RESOLUTION NO. 122610, recorded on Microfilm Roll No. 91, ratifying, confirming and approving agreement, copy on file in Office of City Clerk bearing Document No. 505779 with George Halligan covering production of motion of

Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122611, recorded on Microfilm Roll No. 91, determining and finding from evidence presented and from reports resulting from investigations made by officers and employees of Department of Water of The City of San Diego that there has for sometime existed in County of San Diego, and particularly in that portion of the County providing the drainage area and watershed of San Dieguito River from which water is secured and supplied to San Dieguito Water System a period of continued drought of such character as to create an acute water shortage on the System, and as result The City will not be able to obtain sufficient water, either from that stored in Lake Hodges Reservoir or that which can be obtained from all other sources belonging to the City in said San Dieguito watershed, to supply maximum needs of San Dieguito Irrigation District, the Santa Fe Irrigation District and Del Mar Water, Light & Power Company, as provided under contracts heretofore assumed by the City, and that it will be necessary for the City in the immediate future to reduce amounts of water supplied to the 2 Districts, and the Del Mar Water, Light & Power Company; authorizing and directing City Clerk to serve or cause to be served on officers of the Districts and the Company a certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122612, recorded on Microfilm Roll No. 91, authorizing City Manager to employ John B. Henry to replace portion of curb and sidewalk at termination of Alley Block 2 Bartlett Estate Company's Subdivision in E Street; cost of work not to exceed \$64.18 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution says that City has entered into contract with Henry under 1911 Street Improvement Act proceeding; that it is necessary to replace portion, to provide proper drainage, in addition to work provided in proceeding; that Henry has offered to do work at and for said sum, and City Manager has recommended that offer be accepted and work done.

RESOLUTION NO. 122613, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Block 7 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 motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122614, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against Lot 2 Block 8 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 motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122615, recorded on Microfilm Roll No. 91, creating and establishing Taxicab Stand on north side of Broadway between points 26 feet and 47 feet east of east line of First Avenue; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122616, recorded on Microfilm Roll No. 91, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 7 locations shown in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122617, recorded on Microfilm Roll No. 91, granting revocable permit to Harry Apelman, 4979 Lucille Drive, San Diego 15, to install and maintain water line over, under and across Josephine and Mildred Streets (Legal Description: Lot 3 Block 10 Silver Terrace Addition) to obtain water from City main, subject to the resolution and the Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122618, recorded on Microfilm Roll No. 91, granting revocable permit to Chamco Construction Company (William S. Chamness) 2195 Moore Street, to install and maintain water line in Monmouth Drive (Lots 139, 140 and 141 Congress Heights), subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122619, recorded on Microfilm Roll No. 91, granting revocable permit to Baldomero del Toro, 2870 Cypress Street, Lemon Grove, California (Lots 25 and 26 Block 305 Boone Bros. Addition) to install and maintain water line from Acacia Street - north edge of Siva Street - to owner's property from City Water Main, subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122620, recorded on Microfilm Roll No. 91, granting revocable permit to J. R. Delatour, owner, 5861 Albermarle Street, San Diego 14, to install and maintain underground electrical conduit and telephone conduit at southeast corner of Albermarle and Rio Streets (Lots 1 and 2 Block 20 Paradise Hills), subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122621, recorded on Microfilm Roll No. 91, granting revocable permit to Denis L. Fox, 24 Discovery Way, La Jolla, to install and maintain private water line from property to City main in Hidden Valley Road, under Ardath Road, at intersection of Ardath Road and Torrey Pines Road, subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122622, recorded on Microfilm Roll No. 91, granting revocable permit to Robert Hayes, 2804 "K" Street, San Diego to install and maintain 3-foot high chain fence, over south 50 feet of northeast corner of 28th and K Streets, subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122623, recorded on Microfilm Roll No. 91, granting revocable permit to Linnie E. Kelly, 121 South Bancroft, San Diego, to install and maintain private water line in 29th Street, on So. Half Lot 1 Block 10 Reed & Hubbells Addition, subject to resolution and Revocable Permit Application on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122624, recorded on Microfilm Roll No. 91, granting revocable permit to Hoy T. Loftin, 3672 Indian Way, San Diego 17, to install and maintain private water line in Trenton Avenue, from Ticonderoga Street to Lots 27 and 26 Block 6 American Park Addition, subject to resolution and Revocable Permit Application on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.



RESOLUTION NO. 122625, recorded on Microfilm Roll No. 91, granting permission to Union Oil Company of California, Petroleum Building, Los Angeles 15, to install 2 35-foot driveways on north side of Lindo Paseo between points 10 and 45 feet and points 69 and 104 feet west of west line of College Avenue; also 1 32-foot driveway and 1 33-foot driveway on west side of College Avenue between points 13 and 45 feet and 67 and 100 feet north of north line of Lindo Paseo, adjacent to Lots 8 and 9 Block 1 College Park Unit No. 1, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122626, recorded on Microfilm Roll No. 91, granting Mrs. W. Miller Wisner, 1360 Rhoda Drive, La Jolla, revocable permit to install and maintain private sewer line over West 8 feet of southerly 230 feet of Pueblo Lot 1284 and west 8 feet of northerly 200 feet of Pueblo Lot 1263, in Par. 1-4-12A Beverly Heights, subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122627, recorded on Microfilm Roll No. 91, granting Max Zuest and Vivian Zuest, 3128 Garrison, San Diego, revocable permit to install and maintain private sewer line under Dudley Street halfway between Albion Street and Gage Street, Lot B Block 3 Magnolia Park, subject to resolution and Revocable Permit Application and Removal Agreement on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122628, recorded on Microfilm Roll No. 91, authorizing City Manager to send representative to attend conference on air pollution, called by California State Chamber of Commerce at request of the Governor, to be held in San Francisco Monday, February 21, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122629, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle case of Davis vs. The City of San Diego, Municipal Court Case No. 17610 in sum of \$212.10 and dismiss cross-complaint filed in the action; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Norman P. Davis and Charles B. Provence, his attorney, in amount of \$212.10 in full settlement of the case, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122630, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle case of Shafer vs. The City of San Diego, Municipal Court Case No. 20344, in sum of \$170.98 and dismiss cross-complaint filed in the action; authorizing and directing City Auditor and Comptroller to draw warrant in favor of William J. E. Shafer and Carol Shafer and Stickney & Stickney and Edward Strop, their attorneys, in amount of \$179.98 in full settlement of the case, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122631, recorded on Microfilm Roll No. 91, approving claim of Orlyn R. Baker, on file in Office of City Clerk under Document No. 505100, in amount of \$77.35; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Orlyn R. Baker in amount of \$77.35 in full payment of claim, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122632, recorded on Microfilm Roll No. 91, approving claim of Fred W. Hilton, on file in Office of City Clerk under Document No. 503309, in amount of \$199.93; authorizing and directing City Auditor and Comptroller to

draw warrant in favor of Fred W. Hilton in amount of \$199.93 in full payment of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122633, recorded on Microfilm Roll No. 91, approving claim of John J. Rohr on file in Office of City Clerk under Document No. 504902 in amount of \$22.51; authorizing and directing City Auditor and Comptroller to draw warrant in favor of John J. Rohr in amount of \$22.51 in full payment of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122634, recorded on Microfilm Roll No. 91, approving claim of Walter Raymond Waddell, Jr., on file in Office of City Clerk under Document No. 503338 in amount of \$7.00; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Walter Raymond Waddell, Jr. in amount of \$7.00 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122635, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle \$30.00 claim of Freda Dunham, on file in Office of City Clerk under Document No. 504459 for \$15.00; directing City Auditor to draw warrant in favor of Freda Dunham, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122636, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle \$44.69 claim of R. H. Hitchens, on file in Office of City Clerk under Document No. 504196 for \$35.00; directing City Auditor to draw warrant in favor of R. H. Hitchens, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122637, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle \$30.00 claim of Mrs. Comfort Roberts, on file in Office of City Clerk under Document No. 504692 for \$13.00; directing City Auditor to draw warrant in favor of Mrs. Comfort Roberts, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122638, recorded on Microfilm Roll No. 91, denying claim of Mrs. D. T. Marlor, on file in office of City Clerk under Document No. 504903, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122639, recorded on Microfilm Roll No. 91, accepting subordination agreement, executed by Richard E. Curtis and Charlotte A. Curtis, beneficiary, and The Chula Vista Investment Company, trustee, bearing date January 25, 1955, wherein they subordinate all their right, title and interest in and to portion of Pueblo Lot 1775, to right of way and easement for sewer purposes conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122640, recorded on Microfilm Roll No. 91, accepting deed of Joseph Rizzo and Mary Rizzo, bearing date January 17, 1955, Berkley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122641, recorded on Microfilm Roll No. 91, accepting deed of Edity Ladd Mentle and Evangeline Mentle conveying Lot 9 Block 22 Unit No. 2 of Campo Del Dios; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122642, recorded on Microfilm Roll No. 91, accepting deed of Antonina Tarrara, bearing date January 6, 1955, conveying Lot 2 Block 34 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. 122643, recorded on Microfilm Roll No. 91, accepting deed of Charles H. Walton, bearing date January 11, 1955, conveying Lot 6 Block 38 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. 122644, recorded on Microfilm Roll No. 91, accepting deed of Mary Wishart, bearing date January 4, 1955, conveying Lot 6 Block 38 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. 122645, recorded on Microfilm Roll No. 91, accepting release of The City of San Diego, executed by Larry M. and Pearl C. Smith, bearing date January 20, 1955, relating to portion of Lot 73 Rosemont Addition to Encanto Heights; authorizing and directing City Clerk to transmit release, together with certified copy of the Resolution, to Alan M. Firestone, City Attorney's Office, before recording, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122646, recorded on Microfilm Roll No. 91, accepting deed of A. B. Krom, Willie C. Harvison and Dorothy M. Harvison, Lowell R. Terry and Lois Terry, bearing date January 31, 1955, conveying easement and right of way for alley purposes in portion Lot 14 Block 87 Morena; setting aside the land and dedicating it to public use as and for public alley; 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. 122647, recorded on Microfilm Roll No. 91, accepting deed of H. J. Martino, bearing date January 24, 1955, conveying easement and right of way for alley purposes across portion of Ravina Street (closed) adjacent to Lot 15 Block 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 Schneider, adopted.

RESOLUTION NO. 122648, recorded on Microfilm Roll No. 91, accepting deed of Chairman, Board of Supervisors of County of San Diego, bearing date February 1, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 293 Middletown; setting aside and dedicating land to public use as and for public street and naming it Ash 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. 122649, recorded on Microfilm Roll No. 91, accepting deed of Beryl D. Phelps and Devereaux N. Phelps, conveying portion of Northwest Quarter Section 34 Township 16 South, Range 2 West, S.B.M.; setting aside the land for public use as public streets and dedicating it Chollas Parkway and 54th Street; 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. 122650, recorded on Microfilm Roll No. 91, accepting deed of Florence Scripps Kellogg, by Wm. S. Kellogg, attorney in fact, bearing date December 17, 1953, conveying easement and right of way for street purposes in portion Pueblo Lot 1297; setting aside and dedicating land to public use as and for public street and naming same El Paseo Grande; 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. 122651, recorded on Microfilm Roll No. 91, accepting deed of Frank G. Atkisson and Mary Pearl Atkisson, bearing date February 3, 1955, conveying easement and right of way for street purposes in portion Lot 15 Gardena Home Tract; setting aside and dedicating land to public use as and for public street and naming it Gardena Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122652, recorded on Microfilm Roll No. 91, accepting deed of Manuel Gonsalves and Mary W. Gonsalves, bearing date January 31, 1955, conveying easement and right of way for street purposes in portion Lot 11 Block 98 Roseville; setting aside and dedicating to public use as and for public street and naming it Lowell Street; 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. 122653, recorded on Microfilm Roll No. 91, accepting deed of Francis B. Botts and Aubrey H. Botts, bearing date January 6, 1955, conveying easement and right of way for street purposes in portion Lot 15 Acacia Park; setting aside and dedicating land to public use as and for 63rd Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122654, recorded on Microfilm Roll No. 91, accepting deed of Margaret Catherine Hambach and William August Hambach, and Mildred V. Hambach, bearing date December 10, 1954, conveying easement and right of way for street purposes in portion Lot 11 Acacia Park; setting aside and dedicating land as and for public street and naming it 63rd Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122655, recorded on Microfilm Roll No. 91, accepting deed of J. P. Helton and Ida Virginia Helton, bearing date January 6, 1955, conveying easement and right of way for street purposes in portion of Lot 10 La Mesa Colony setting aside and dedicating land to public use as and for public street and naming it 63rd Street; authorizing and directing City Clerk to file

Deed 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. 122656, recorded on Microfilm Roll No. 91, accepting deed of Earl E. Tomlinson and Anna Pauline Tomlinson, bearing date December 14, 1954, conveying easement and right of way for street purposes in portion Lot 16 Acacia Park; setting aside and dedicating land to public use as and for public street and naming it 63rd Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122657, recorded on Microfilm Roll No. 91, accepting deed of Ray Cecil Ballard and Doris Eileen Ballard, bearing date January 21, 1955, conveying easement and right of way for street purposes in portion Lot 3 Sullivan Tract; setting aside and dedicating land to public use as and for public street and naming it 68th 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. 122658, recorded on Microfilm Roll No. 91, accepting deed of Ina F. Klinger and Lyle K. Klinger, bearing date January 13, 1955, conveying easement and right of way for street purposes in portion Lot 2 Sullivan Tract; setting aside and dedicating land to public use as and for public street and naming it 68th 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. 122659, recorded on Microfilm Roll No. 91, accepting deed of Max Jay Perkins and Leva Perkins, bearing date February 2, 1955; setting aside and dedicating land to public use as and for public street and naming it 68th 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. - portion Lot 3 Sullivan Tract

RESOLUTION NO. 122660, recorded on Microfilm Roll No. 91, accepting deed of Bert C. Vaughan and Alpha A. Vaughan, bearing date January 21, 1955; conveying easement and right of way for street purposes in portion Lot 2 Sullivan Tract; setting aside and dedicating to public use the land as a public street and naming it 68th 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. 122661, recorded on Microfilm Roll No. 91, accepting deed of A. B. Krom, Willie C. Harvison and Dorothy M. Harvison, Lowell R. Terry and Lois Terry, conveying easement and right of way for public use in portion Lot 11 Block 87 Morena; 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. 122662, recorded on Microfilm Roll No. 91, accepting deed of Edward J. Balcer and Frances S. Balcer, William M. Loeltz and Luetta M. Loeltz, bearing date January 10, 1955, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1775; 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. 122663, recorded on Microfilm Roll No. 91, accepting deed of J. M. Banister and Helen G. Banister, bearing date January 10, 1955, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1775; 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. 122664, recorded on Microfilm Roll No. 91, accepting deed of Louise M. Richardson, bearing date January 20, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1209; 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, seconded by Councilman Godfrey, adopted.

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. 6410 (New Series), recorded on Microfilm Roll No. 91, amending San Diego Municipal Code by adding to Chapter X, Article I, Division 4, 2 new sections to be numbered Section 101.0409.2 and Section 101.0411.1 providing for establishment of an RC-1A Zone and a C-1A Zone respectively, and relating to zoning therein, 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 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. 6411 (New Series), recorded on Microfilm Roll No. 91, incorporating portion of N.E. 1/4 of Lot 16 Ex-Mission Lands into "C" Zone, as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series) insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

In connection with the next item, the City Manager stated that it is procedural.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance amending San Diego Municipal Code by adding Section 31.0142 giving additional powers to The City Treasurer and authorizing the City Treasurer to compromise license fee claims of less than \$100.00, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

In connection with the next item, the City Manager stated that has to do with insurance for rental cars.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending Section 33.2404 of The San Diego Municipal Code relating to amount of indemnity insurance required in the business of letting of the use of automobiles, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

122663 - 122664  
6410 N.S. - 6411 N.S.  
Ords. introduced

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance dedicating public land, being south 10 feet of Lot 9 Block "A" West Hollywood for portion of public highway and naming same Market Street, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

Mrs. Raymond E. Smith, 3565 Jennings Street, spoke about her previous letter (before the Council on January 20, 1955 at which time it was filed) on "City Beautiful". She told the Council that newspaper had announced that she was to be heard (although the Council had filed her communication without setting any hearing), but that she was given the "run-around". She related her interest in bringing people to San Diego. She stated that she is a friend of the first president of "City Beautiful". She told of wanting to give Councilmen a brochure, and of not knowing if expenses can be met. She passed around a brochure, which was not filed with the clerk.

Councilman Dail said that he was sorry that she got the run around, and that he is happy to hear her today. He said that the subject can be sent to Conference.

Councilman Burgener spoke to Mrs. Smith, and about his familiarity with the "Building San Diego Beautiful Committee".

Mrs. Smith said that the one she represents is an over-all program - every month.

The City Manager told the Council that 3 or 4 groups are working on some part of the program.

Mrs. Smith stated that she is working with San Diego regarding the tree planting committee, but that it is a long-range program.

Councilman Burgener told Mrs. Smith that the Mayor is the chairman of the anti-litter committee.

Mrs. Smith said that groups are working together.

Councilman Dail contended that the subject should be discussed in Conference, and that Mrs. Smith be there.

Mrs. Smith said that she would be glad to come to Council Conference.

Councilman Burgener pointed out to Mrs. Smith that it would better if her group is advised of what others are doing.

Councilman Dail said that Mrs. Smith should be notified of conference date.

Councilman Burgener pointed out that the Conference agenda is lengthy.

RESOLUTION NO. 122665, recorded on Microfilm Roll No. 91, setting Conference for 9:00 o'clock A.M., Thursday, February 24, 1955, the matter of "City Beautiful" presented by Mrs. Raymond E. Smith, 3565 Jennings Street, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

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

Communication from Southeastern Chamber of Commerce, dated Feb. 10, 1955, signed by Dan Rossi, Chairman, was presented. It invites members of the Council to a Freeway committee meeting to be held at 2157 Logan Avenue, 1:30 P.M., Friday, Feb. 11, 1955. It states that the purpose of the meeting is to acquaint the Council with desires of business people and other property owners of proposed change in route of Highway 101 passing through Logan Heights.

Councilman Wincote, who acted as Vice Mayor, spoke to Dan Rossi, and asked how long the meeting would be.

Mr. Rossi said "a few minutes".

Vice Mayor Wincote spoke of representing the Mayor.

Mr. Rossi said that meeting could be changed to 2:00 P.M., if the Council preferred. He told of having spoken to Mr. (Ralph B.) Luckenbach, of the State.

Councilman Dail said that the meeting is not called to "pressurize" the Council; it is just for its information.

The Vice Mayor said that if there is any argument, Mr. Luckenbach should be present.

There was discussion between Councilman Dail and the Vice Mayor about "pressure".

Council secretary was advised 2/10/55 of the meeting.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 10:45 o'clock A.M.

Ord. introduced.

Mrs. Raymond Smith discussion re "City Beautiful" under U.C.  
Southeastern C. of C. meeting 2/11/55 communication  
and discussion under U.C.

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, February  
 15, 1955

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

In the absence of the Mayor, Vice Mayor Charles B. Wincote acted  
 as Chairman.

Rabbi Baruch Stern was presented by the Vice Mayor. Rabbi Stern  
 gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Burgener,  
 the minutes of the Regular Meetings of Tuesday, February 8, and Thursday, February  
 10, 1955, were approved without reading, after which they were signed by the Vice  
 Mayor.

The Vice Mayor presented service awards to the following  
 employees, honoring their long-time service with the City of San Diego:  
 Herbert D. Blount, Construction & Maintenance Man I, Division of  
 Streets, Public Works Dept. - 20 years;  
 James W. Scott, Welder, Division of Equipment, Public Works, 25  
 years;  
 Arthur V. Thompson, Heavy Truck Driver, Division of Streets,  
 Public Works - 25 years;  
 O. A. Schroff, Assistant Production Superintendent, Division of  
 Water Production, Water Department - 25 years;  
 Frank C. Stevens, Construction & Maintenance Senior Foreman,  
 Division of Sewers, Public Works Department - 30 years. A scroll was presented;  
 Richard J. Osgood, Principal Clerk, General Services Division of  
 Department of Finance - 35 years. A scroll was presented.

Communication from Purchasing Agent reporting that 4 bids had  
 been received Friday, February 11, 1955, for improving Alley Block 35 Parish  
 & Loomis Subdivision, was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener,  
 a finding was made by the Council that bids were opened that day, and they were  
 referred to the City Attorney and City Manager for report and recommendation.

Communication from Purchasing Agent reporting that 6 bids had  
 been received Friday, February 11, 1955, for improvement of Everts Street, was  
 presented. On motion of Councilman Schneider, seconded by Councilman Burgener,  
 a finding was made by the Council that bids were opened that day, and they were  
 referred to the City Attorney and City Manager for report and recommendation.

Communication from Purchasing Agent reporting that 6 bids had  
 been received Friday, February 11, 1955, for improvement of 69th Street, was pre-  
 sented. On motion of Councilman Schneider, seconded by Councilman Burgener, a  
 finding was made by the Council that bids were opened that day, and they were  
 referred to the City Attorney and City Manager for report and recommendation.

Meeting convened  
 Invocation  
 Service awards  
 Report on 1911 Act Bids

Communication from Purchasing Agent reporting that 8 bids had been received Friday 11, 1955, for sewers in Winnett, Tooley, Tulmar, Republic, Oriole, Swan & Paradise Streets, was presented. On motion of Councilman Schneider, seconded by Councilman Burgener, a finding was made by the Council that bids were opened that day, and they were referred to the City Attorney and City Manager 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 in Talmadge Park Lighting District No. 4, the Clerk reported that 1 bid had been received.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was publicly opened and declared.

Bid was from San Diego Gas & Electric Co., accompanied by certified check in sum of \$136.68 written by San Diego Trust and Savings Bank.

On motion of Councilman Burgener, seconded by Councilman Schneider, 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. 122085, 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.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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. 122086, the Clerk reported that written protest had been received from Gilbert H. Fagley. It was presented to the Council.

Russell A. Hall, Asst. City Engineer showed a plat of the property, and explained the improvement.

Discussion was held between Mr. Fagley, Councilman Schneider, and Mr. Hall.

Mr. Hall told the Council that the Engineering Department is "trying to extend the improvement as far as practical".

Councilman Burgener stated that Mr. Fagley would pay an estimated \$35.00.

Mr. Fagley stated that he is willing to pay - if he has access.

Mr. Hall told of the steep grade, and said that Mr. Fagley might get easement across a lot, to reach his property.

Mr. Fagley told of having a fill made.

Councilman Kerrigan spoke to Mr. Fagley about there being no access.

Mr. Fagley told of the telephone pole which interferes.

Mr. Kerrigan said that when there is the improvement made, there will be 6 feet, and that an access can be developed.

Mr. Hall said that it is not too steep, and that it can be balanced.

There was discussion between Councilmen and Mr. Hall over the map.

Councilman Kerrigan stated that it is to Mr. Fagley's advantage to do the work. He said that it has been estimated that cost would be not over \$35.00.

RESOLUTION NO. 122666, recorded on Microfilm Roll No. 91, overruling and denying protest of Gilbert H. Fagley, against improvement of Alley Block 13 Swan's Addition, provided in Resolution of Intention No. 122086; overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Before the roll was called, although motion had been made and seconded, Mr. Fagley stated that he is withdrawing his protest. (The protest is in the file, however, so the Council clarified the record by overruling it).

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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. 122087 for paving and otherwise improving Akron Street, 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.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, proceedings were referred to City Attorney for Resolution Ordering Work.

The Vice Mayor observed that Waldo Malmberg, the Swedish Vice Consul, was present. He wondered if Mr. Malmberg would like to be heard.

Mr. Malmberg replied that he was here on an item scheduled for hearing (Resolution of Intention 122090 hearing on storm drain in Talbot Street, et al).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 122088 for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Ottilie Place, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 122089 for grading and sidewalks in Pacific Beach Drive, 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.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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. 122090 for installation of storm drains in Talbot Street and Gage Drive, the Clerk reported that written protests had been received from Rose L. Bishop, et al.; J. Waldo Malmberg, Kenneth C. Melville, Walter M. McKellar, Charlotta A. Stokes. They were presented to the Council.

The Vice Mayor reported that the City Engineer wants a continuance for 2 weeks.

Willard Olson, from the City Engineer's Office, reported a 5% protest "not counting the last protest".

Dan Anderson told the Council of having filed petition of protest. He stated that at least 64% of the property owners to be assessed in the district are protesting. He asked for a clue of possible results.

The Vice Mayor said that it has been the Council's custom to abandon proceedings on 64% protests. He asked for an evaluation (of the protest), and said that the City Engineer should notify property owners if it is in error.

Mr. Malmberg told the Council that he was here in the matter of good, fair government. He declared that many property owners did not get notices. He expressed surprise at the size of the assessment district. He asked to have the City Engineer run off sketches of Cabrillo Terrace, stating that property owners in that area may have no idea that they will be affected. He stated that the City Engineer has said that property "above" would be assessed the same as property "below".

RESOLUTION NO. 122667, recorded on Microfilm Roll No. 91, continuing hearing on proposed installation of storm drains in Talbot Street and Gage Drive, under Resolution of Intention No. 122090 until 10:00 o'clock A.M., Thursday, February 24, 1955 (Tuesday is a holiday, and no meeting is to be held on Wednesday), was on motion of Councilman Schneider, seconded by Councilman Dail, adopted. (The Council determined that hearing would be continued, at that time, for an additional week).



The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 122191 of Preliminary Determination for paving and otherwise improving Alley Block 9 Ocean Beach Park, the Clerk reported that no protests had been received.

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

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

RESOLUTION NO. 122668, recorded on Microfilm Roll No. 91, determining that paving and otherwise improving Alley Block 9 Ocean Beach Park, under Resolution No. 122191 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman 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. 122192 of Preliminary Determination for paving and otherwise improving Alcott Street and Clove Street, 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. 122669, recorded on Microfilm Roll No. 91, determining that paving and otherwise improving Alcott Street and Clove Street, under Resolution No. 122192 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for lighting College 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. 122670, recorded on Microfilm Roll No. 91, confirming and adopting as a whole Engineer's Report and Assessment for College Park Lighting District No. 1" filed in office of City Clerk January 7, 1955 = for furnishing current for 1 year from and including June 1, 1955 = 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 Street Superintendent's Assessment No. 2320 made to cover costs and expenses of paving and otherwise improving Wightman Street and Ogden Street under Resolution of Intention No. 117130, the Clerk reported that written protest had been received from R. S. Buck. It was presented to the Council, and was read.

Willard Olson, of the City Engineer's Office, said that appeal had come in late, and had not been evaluated.

Mr. Buck looked at the assessment plat with the Assistant City Engineer, et al.

Councilman Dail was excused

Then members of the Council, Mr. Hall, Mr. Olson from the Engineer's Office, Mr. Buck and an unidentified woman joined in general discussion, not through the Chair. None of it was heard by the Clerk.

RESOLUTION NO. 122671, recorded on Microfilm Roll No. 91, overruling and denying appeal of Ralph S. Buck from Street Superintendent's Assessment No. 2320 made to cover costs and expenses of paving and otherwise improving Wightman Street and Ogden Street, under Resolution of Intention No. 117130; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment No. 2320; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Hearings

122668 - 122671

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2321 made to cover costs and expenses of work of paving and otherwise improving Alley Block 3 Normal Heights, under Resolution of Intention No. 116054, the Clerk reported that written appeals had been received from Harold C. Gurling, et al.

The Vice Mayor said that the appellants had attached a map to their written appeal.

Russell A. Hall, Asst. City Engineer, told the Council that there were split lots involved, with no frontage on the alley. He said that it is the City policy to assess all the property within the block. He stated that it is on a basis of 70%-30%.

Mrs. Peterson and either Mrs. Gurling or Deatrick (there were 2 women, but 3 signed the appeal, together with 3 husbands). said that the amount of \$13.55 is correct. Other 2 amounts are \$23.51 and \$23.50.

Councilmen, Mr. Hall and Mr. Olson looked at the assessment plat.

Councilman Dail returned

RESOLUTION NO. 122672, recorded on Microfilm Roll No. 91, overruling and denying appeals filed under Document No. 506046 from Street Superintendent's Assessment No. 2321 made to cover costs and expenses of work of paving and otherwise improving Alley Block 3 Normal Heights, under Resolution of Intention No. 116054; confirming and approving the assessment; 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. 2322 made to cover cost and expenses of paving and otherwise improving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, the Clerk reported that no written appeals 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 appeals were presented.

RESOLUTION NO. 122673, recorded on Microfilm Roll No. 91, confirming and approving Street Superintendent's Assessment No. 2322 made to cover cost and expenses of paving and otherwise improving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977; 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2323 made to cover cost and expenses of paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485; the Clerk reported that no written appeals had been received.

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

RESOLUTION NO. 122674, recorded on Microfilm Roll No. 91, confirming and approving Street Superintendent's Assessment No. 2323 made to cover cost and expenses of paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485; 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 Burgener, adopted.

Communication from The Whitson Company, by R. D. Whitson, Vice President, 3937 Fifth Avenue, San Diego, dated February 7, 1955, was presented. It requests that petition - Document 501495 - for closing portion of 6th Avenue adjacent to Block 1 Hillcrest, be filed for the time being.

On motion of Councilman Schneider, seconded by Councilman Kerrigan the communication - together with other documents attached - were ordered filed.

Hearings  
122672 - 122674  
Communication

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing Regular and Ethyl Gasoline for 1 year beginning February 16, 1955 - 7 bids - was presented. It submits Resolution accepting bid of Standard Oil Company, lowest qualified bidder. - 7 bids

RESOLUTION NO. 122675, recorded on Microfilm Roll No. 91, accepting bid of Standard Oil Company for furnishing Ethyl Gasoline in truck-trailer deliveries @ \$0.1401 per gal., \$0.1434 per gal. in tank-truck deliveries; Regular gasoline in truck-trailer deliveries @ \$0.1184 per gal., and \$0.1234 per gal. in tank-truck deliveries; Posted tank-wagon price @ \$0.20 per gallon in 40 to 199 gallon deliveries; all other locations and deliveries as per bid of February 4, 1955; all plus applicable taxes; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract for furnishing gasoline for 1 year beginning February 16, 1955, pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for construction, glass fiber fabric covering, painting and outfitting 50 Plywood Skiffs - 4 bids - was presented. It recommends acceptance of low bid of Catalina Equipment Company of Los Angeles.

RESOLUTION NO. 122676, recorded on Microfilm Roll No. 91, accepting bid of Catalina Equipment Company for furnishing 25 12-foot Plywood Skiffs @ \$181.52 ea; 25 14-ft. Plywood Skiffs @ \$196.03 ea - total price \$9,438.75; 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 1 wheel type Tractor Skip Loader - 2 bids - was presented. It recommends acceptance of low bid of Tractor Supply @ \$2,630.00 plus State Sales Tax.

RESOLUTION NO. 122677, recorded on Microfilm Roll No. 91, accepting bid of Tractor Supply Company to furnish 1 wheel type Tractor Skip Loader; 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 Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for improvement of Beryl Street, and construction of Sanitary Sewers in Olney Street, closed, southerly of Beryl Street, was presented. It recommends acceptance of low bid of Al E. Riley - 7 bids - @ \$15,795.24.

RESOLUTION NO. 122678, recorded on Microfilm Roll No. 91, accepting bid of Al E. Riley, Incorporated, for improvement of Beryl Street and construction of Sanitary Sewers in Olney Street (closed) - including paving, installation of curb, sewer main, fence, manholes, cutoff walls and sidewalks - 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. 122679, recorded on Microfilm Roll No. 91, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 4 Rubbish Collection Units, under Document No. 506083, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, recommending purchase without bids, of 1 - #A30 Volute Complete for Fairbanks Morse Angle Flow Pump Figure 5710 - 24" #714846 through 714849 - @ \$1,869.00 plus State Sales Tax, was presented. It states Southern Machinery Company of El Cajon is sole source of supply of pump (for Sewage Treatment replacement parts).

RESOLUTION NO. 122680, recorded on Microfilm Roll No. 91, authorizing and directing Purchasing Agent to purchase from Southern Machinery Company 1 #A30 Volute Complete for Fairbanks Morse Angle Flow Pump at \$1,869.00 plus State Sales Tax, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122681, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Illion Street southerly of Orton Street (including grading, paving and curb and asphalt berm), under Document No. 505970; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122682, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for remodeling frame building or construction of new building at Linda Vista Recreational Area, 7048 1/2 Levant Street, under Document No. 505971; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122683, recorded on Microfilm Roll No. 91, 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. 18, under Document No. 505972; 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. 122684, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain from 47th Street and Franklin Avenue to South Chollas Creek, under Document No. 505969; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Vice Mayor Wincote said that the Talbot Street drain (considered under item 10 on today's agenda as Resolution of Intention No. 122090) should go to Conference. (It had been continued, under the hearing, for 2 weeks - 1 week at a time). There was no action on the suggestion.

Communication from Planning Commission, signed by P. Q. Burton, reporting on 3 petitions asking that City restore names of 3 streets as they were at time of annexation to City of San Diego - in Rolando area - was presented. The are: Vantage Drive to Valencia Drive, the original name; Alamo Place to Toledo Drive, the original name; Calvert Way to Casita Way, the original name. It states that Planning Commission was aware that complaints have been received regarding changing 22 street names in the area, December, 1954. Communication says that Commission considered that, if each petition were to be granted, a public hearing after notifying each property owner affected by postal card or otherwise, there would probably be 22 different hearings on the street names which were changed. The communication says that the Commission felt that the reasons given by the Planning Department and other agencies for the changes were sufficient to justify the changes made. The report says that the Commission voted 4-0 to recommend that the 3 petitions be denied, and that the names remain the same (as changed).

Alfred Chevvalley, 4544 Toledo Drive (the new street name), was heard. He spoke of having a petition of 100%. He told of having had no notice that the street name was to be changed.

Councilman Schneider stated that the subject has been discussed repeatedly, and that it has been considered in Conference. He said that legal notice had been given in the paper, in accordance with law. He added that there

Communication  
Hearing (unscheduled) re  
St. names in Rolando  
122680 - 122684

was good reason for the change.

Mr. Chevvalley denied that there was any reason for the change.

Councilman Schneider told Mr. Chevvalley that it has to do with similar names throughout the City.

Mr. Chevvalley said that there is no conflicting name in the City - only 1 in Lemon Grove.

Councilman Dail replied that even in Lemon Grove there is necessity for avoiding Post Office difficulty.

Mr. Chevvalley said that there are 3 Alamos (name to which his street had been changed) within 1/4 mile. He declared that there is more confusion now, instead of less. He said that the move to change the names was a mistake.

The Vice Mayor said that the move is wide spread, and that the City is trying to cooperate, within the County, with the various agencies affected. He said that in some instances it is not important, but that it is when there are needed services which do not arrive on account of name duplication. He asked for cooperation.

Mr. Chevvalley spoke about house numbers on Alamo Drive and Alamo Place, that they cross, and action was a big mistake. Mr. Chevvalley said that numbers "should be the other way". He repeated that it is a mistake, resulting in confusion.

The Vice Mayor said that the Council agrees regarding the confusion. He spoke of the report from the Planning Department.

Councilman Kerrigan commented that it "is an accomplished fact" - that the names had been changed.

Mr. Chevvalley said that there is no objection if there is a change in numbers - only in the changed name. He stated that it would be easy for the post master if the numbers were changed.

Councilman Kerrigan stated that it would be simple to change the numbers.

Mr. Chevvalley said that if there is a change in numbers in a year, that is confusing too.

Councilman Kerrigan said that the matter can be continued a couple of weeks.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the communication from the Planning Commission was continued 2 weeks.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to close Newton Street (Avenue, it should be) and Alley Block 7 San Diego Land & Town Company's South Chollas Addition, between westerly line of 36th Street and prolongation of westerly line of Lot 34 Block 7. It states that San Diego City Schools own property adjacent to proposed closings and use it in operation of Emerson Elementary School. In addition to a detailed report, communication recommends granting the closing.

RESOLUTION NO. 122685, recorded on Microfilm Roll No. 91, granting petition for closing portions of Newton Avenue and of Alley Block 7 San Diego Land and Town Company's South Chollas Addition, between westerly line of 36th Street and north and south prolongations of westerly line of Lot 7 Block 7 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 Godfrey, adopted.

Communication from San Diego & Coronado Ferry Company, 235 Broadway San Diego 1, dated February 9, 1955, signed by J. D. Haugh, opposing proposal to secure new laws to build tube under San Diego Bay connecting San Diego and Coronado, was presented.

Councilman Schneider moved to refer communication to Conference.

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

Communication from San Diego County and Municipal Employees, Local Number 127, Hillcrest Station Box 51, San Diego 3, signed by Otto W. Hahn, Business Representative, was presented. It submits salary and classification requests for fiscal year 1955-56.

RESOLUTION NO. 122686, recorded on Microfilm Roll No. 91, referring to Council Conference communication from San Diego County and Municipal Employees Local 127, submitting salary and classification requests for 1955-56, was on



motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Mrs. W. W. Grant, 3122 Herman Avenue, dated Feb. 8, 1955, protesting the continuous parking of an "old wreck of a car" in front of her residence, was presented.

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

Communication from Ocean Beach Junior Women's Club, Muir at Bacon Street, San Diego 7, dated 9 February 1955, signed by Mrs. Phil Meredith, corresponding secretary, was presented.

Communication from Trinity Episcopal Church, dated Feb. 9, 1955, signed by Mabel Webber, Church rep., was presented.

Communication from Ocean Beach Lions International Club, San Diego 7, dated Feb. 9th, 1955, signed by George Celeste, President, was presented.

Communication (a carbon copy) from Ocean Beach Friendly Club, dated Febr. 9, 1955, signed by Mrs. Myrtle McPheeters, president; Mrs. W. B. Henry, secretary; Heber H. Hartvigsen, chairman resolution committee, was presented.

All the communications, which protest proposed cut in personnel at Ocean Beach Community Center were, on motion of Councilman Schneider, seconded by Councilman Godfrey, referred to the City Manager for answer.

Before the action was taken, Councilman Schneider moved that they be referred to the City Manager.

Then Councilman Dail said that the Manager was to give a report on the subject to Conference.

Councilman Kerrigan moved to file the communications.

Councilman Schneider moved to refer them to Conference. Councilman Burgener seconded the motion.

The final action was as shown - to the Manager for reply.

RESOLUTION NO. 122687, recorded on Microfilm Roll No. 91, directing notice of filing assessment and of time and place of hearing thereof, for paving and otherwise improving Alley Block 46 Ocean Beach and Sunset Cliffs Boulevard - Assessment No. 2333 - under Resolution of Intention No. 118155, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122688, recorded on Microfilm Roll No. 91, directing notice of filing assessment and of time and place of hearing thereof, for paving and otherwise improving Alley Block 176 University Heights - Assessment No. 2334 - under Resolution of Intention No. 116283, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122689, recorded on Microfilm Roll No. 91, directing notice of filing assessment and of time and place of hearing thereof, for sewers in Roanoke Street, Rachael Avenue and Morningside Street - Assessment No. 2335 - under Resolution of Intention No. 115633, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122690, recorded on Microfilm Roll No. 91, directing notice of filing assessment and of time and place of hearing thereof, for paving and otherwise improving 29th Street - Assessment No. 2336 - under Resolution of Intention No. 119897, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 122691, recorded on Microfilm Roll No. 91, accepting bid of Al E. Riley, Inc., and awarding contract for paving and otherwise improving Alley Block 14 City Heights, under Resolution of Intention 121400, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, City Engineer reported low bid is 16.5% below estimate.

RESOLUTION OF AWARD NO. 122692, recorded on Microfilm Roll No. 91, accepting bid of T. B. Penick & Sons, and awarding contract for paving and otherwise improving Alley Block A Sunset Crest, under Resolution of Intention 121401, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid is 17.9% below estimate.

RESOLUTION OF AWARD NO. 122693, recorded on Microfilm Roll No. 91, accepting bid of Griffith Company, and awarding contract for paving and otherwise improving 40th Street, under Resolution of Intention 121402, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid is 15.8% below estimate.

RESOLUTION OF AWARD NO. 122694, recorded on Microfilm Roll No. 91, accepting bid of Al E. Riley, Inc., and awarding contract for grading and otherwise improving (sidewalks) Tipton Street, Rincon Street and Ewing Street, under Resolution of Intention 121403, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid is 25.1% below estimate.

RESOLUTION OF AWARD NO. 122695, recorded on Microfilm Roll No. 91, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 122696, recorded on Microfilm Roll No. 91, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights in University Avenue Lighting District No. 2, for 11 months and 14 days from and including March 16, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122697, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 80 Pacific Beach under Document No. 505581; approving Plat No. 2673 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122698, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Electric Avenue under Document No. 505808; approving Plat No. 2670 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, adopted.

RESOLUTION NO. 122699, recorded on Microfilm Roll No. 91, approving 33rd Street, Durant Street, Webster Avenue, Gillette Street, Steel Street and Public Right of Way in Lot G Central Homestead under Document No. 505583; approving Plat No. 2645 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122700, recorded on Microfilm Roll No. 91, directing notice inviting sealed proposals for furnishing electric current in Kensington Manor Lighting District No. 1 in accordance with Engineer's Report and Assessment filed December 17, 1954 in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122701, recorded on Microfilm Roll No. 1, directing notice inviting sealed proposals for furnishing electric current in Mission Beach Lighting District No. 1 in accordance with Engineer's Report and Assessment filed December 17, 1954 in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 122702, recorded on Microfilm Roll No. 91, for furnishing electric current for lighting Loma Portal Lighting District Number 1 for 11 months and 4 days from and including June 28, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122703, recorded on Microfilm Roll No. 91, for furnishing electric current for lighting San Diego Lighting District Number 1 for 11 months and 16 days from and including June 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 122704, recorded on Microfilm Roll No. 91, for paving and otherwise improving Wawona Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122705, recorded on Microfilm Roll No. 91, for paving and otherwise improving Alley Block 80 Pacific Beach, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122706, recorded on Microfilm Roll No. 91, for paving and otherwise improving Electric Avenue and Public Rights of Way in Lot 2 Pueblo Lot 1783, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122707, recorded on Microfilm Roll No. 91, for paving and otherwise improving 33rd Street, Durant Street, Webster Avenue, Gillette Street, Steel Street and Public Right of Way in Lot G Central Homestead, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122708, recorded on Microfilm Roll No. 91, ascertaining and declaring wage scale for paving and otherwise improving Block 19 North Shore Highlands, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122709, recorded on Microfilm Roll No. 91, ascertaining and declaring wage scale for paving and otherwise improving Linwood Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122710, recorded on Microfilm Roll No. 91, ascer-

taining and declaring wage scale for paving and otherwise improving 70th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122711, recorded on Microfilm Roll No. 91, approving diagram of property affected or benefited by paving Alley Block 255 Hoel's Subdivision, Resolution of Intention No. 120265, and to be assessed; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122712, recorded on Microfilm Roll No. 91, approving diagram of property affected or benefited by paving and otherwise improving Jewell Street, Resolution of Intention No. 118979, and to be assessed; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122713, recorded on Microfilm Roll No. 91, approving diagram of property affected or benefited by paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, Resolution of Intention No. 116494, and to be assessed; directing City Clerk at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122714, recorded on Microfilm Roll No. 91, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Dwight Street, Resolution of Intention No. 120268, and to be assessed to pay expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122715, recorded on Microfilm Roll No. 91, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving La Jolla Avenue, Resolution of Intention No. 120406, and to be assessed to pay expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122716, recorded on Microfilm Roll No. 91, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Oliver Avenue, Resolution of Intention No. 120580, and to be assessed to pay expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122717, recorded on Microfilm Roll No. 91, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of sewer main and appurtenances in Gregory Street, Resolution of Intention No. 120405, and to be assessed to pay expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122718, recorded on Microfilm Roll No. 91, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted: both sides of Island Avenue between 3rd & 4th Avenues; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

In connection with the next Resolution, Councilman Godfrey asks who decides how many lumens there shall be in overhead street lights.

Councilman Schneider and the City Manager both replied that it is the Traffic Engineer.

Councilman Godfrey said that he wants a report.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager was asked to make a report. (Mgr.'s secy. was so advised).

RESOLUTION NO. 122719, recorded on Microfilm Roll No. 91, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 32 locations, and 210,000 lumen center suspension overhead lights, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122720, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to do all work in connection with remodeling Civil Defense Building on Mt. Soledad, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution says City Manager had recommended the remodeling, has submitted estimates and indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 122721, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Vista Park Land Company, a corporation, 5506 University Avenue, San Diego, subdividers of Bayberry, providing for installation of mains and appurtenances larger than necessary on Chicago Street from north line of the subdivision to Crete Street, made at request of City, and for \$2289.05 for difference in cost of installation of mains and appurtenances required by City, upon execution and delivery to City of quitclaim deed conveying all right, title and interest of the subdividers in and to the water distribution system in Bayberry Subdivision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122722, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute for and on behalf of the City, a lease with Joe Ortiz of Lots 28, 31, 37, 40, 42 Encina de San Diego Addition 1, for 5 years, at annual rental of \$60.00; description of property and terms and conditions filed in Document 506232 on file in office of City Clerk; real property has value of \$2,500.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(Although Resolution does not state purpose, it is for cultivation of crops and/or agricultural purposes (no goats or hogs)).

RESOLUTION NO. 122723, recorded on Microfilm Roll No. 91, approving request of Ets-Hokin & Galvan, dated January 31, 1955, contained in Change Order No. 6, for extension of 60 days to and including April 1, 1955, filed with City Clerk as Document No. 506233, in which to complete contract for installation of traffic signals and safety lighting on Wabash Boulevard, Section "B", construction Unit 3; contract contained in Document No. 484528, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122724, recorded on Microfilm Roll No. 91, approving Change Order No. 6 filed with City Clerk as Document No. 506233, 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", contained in Document No. 484528 on file in office of City Clerk; amounting to increase in contract price of \$1,684.08, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122725, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of



San Diego, State of California, requesting that all taxes against Lots 14 and 15 Block 1 Berkley 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 on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122726, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 31 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122727, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 31 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122728, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisor of San Diego County, State of California, requesting that all taxes against portion Lot 35 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122729, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 31 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122730, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 35 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122731, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Ravina

Street Closed, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122732, recorded on Microfilm Roll No. 91, granting permission to Clairemont Shopping Center Inc., to connect building "G" in Clairemont Shopping Center to 6" house sewer serving Building "E"; subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122733, recorded on Microfilm Roll No. 91, granting revocable permit to Ramon O. Garcia, 1821 Market Street, San Diego, to install and maintain water line in Imperial Avenue, beginning at point 710 feet east of 54th Street on north side of Imperial and running westerly for 110 feet, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122734, recorded on Microfilm Roll No. 91, granting revocable permit to J. C. Gowing and E. J. Hornung, owners, Industrial Art & Engineering Co., 420 Third Ave., San Diego, to install and maintain over and under sidewalk, drain at northwest corner of Redwood Place and Reynard Way: Lots 157 and 158 Reynard Hills #2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122735, recorded on Microfilm Roll No. 91, granting revocable permit to Ellon Panas, owner, to connect second house sewer to private easement line presently operating to serve property at 332-27th Street: to serve south 36-1/2 feet of east 60 feet Lot 1 Block 41 and north 50 feet of east 50 feet Lot A Block 41 U.S. Grant's Hill Subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122736, recorded on Microfilm Roll No. 91, granting permission to C. L. Risinger, owner, to install private sewer line to connect new store and residence being constructed, to private sewer line presently serving 1 building, at 5933-5935 El Cajon Boulevard: Lot 26 E. Redlands, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122737, recorded on Microfilm Roll No. 91, granting permission to San Diego Unified School District to install island sink wastes on properly sized lines with foot or circulating vents; install either foot vented or indirectly connected to systems, at instructors' tables; equip center room tables with end sinks, either foot vented or circuit vented, at San Diego Junior College and Vocational School, 1425 Russ Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122738, recorded on Microfilm Roll No. 91, authorizing and directing City Auditor and Comptroller to transfer \$4,000. from Maintenance and Support, Civil Defense Fund (85.00) to Maintenance and Support, Department of Public Works Fund, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122739, recorded on Microfilm Roll No. 91, allowing bill of San Diego Convention and Tourist Bureau, dated February 10,

1955, in sum of \$8,175.95 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for 1954-1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122740, recorded on Microfilm Roll No. 91, allowing bill of San Diego Junior Chamber of Commerce, bearing date February 8, 1955, in sum of \$3,250.00 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for 1954-1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.  
(For Tournament of Roses entry).

RESOLUTION NO. 122741, recorded on Microfilm Roll No. 91, authorizing City Attorney to accept \$61.06 in full settlement of City Invoice 6172 issued September 8, 1953, against R. E. Hazard Construction Company in amount of \$122.12, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122742, recorded on Microfilm Roll No. 91, approving claim of W. F. Anderson on file in Office of City Clerk under Document No. 504255 in amount of \$77.80; directing City Auditor and Comptroller to draw warrant, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122743, recorded on Microfilm Roll No. 91, denying claims of Everett R. Shepherd and Illene Shepherd, on file in office of City Clerk under Documents 502318, 504206 and 505790, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122744, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed by George J. Lahoud and Elizabeth L. Lahoud, Arthur J. Wullich and Dorothy H. Wullich, all water mains and appurtenant structures constructed in public streets, rights of way, highways and public places, either within or without subdivision named Lahoud Terrace, a subdivision of Lots 17 to 32 inclusive Block 17 First Addition to Asher's Cloverleaf Terrace; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122745, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed on 7th day of February, 1955, by Vista Park Land Company, of all water mains and appurtenant structures constructed in public streets, rights of way, highways and public places, either within or without, subdivision named Bayberry, a subdivision of Lot 14 and portions Lots 13, 15, 16 Eureka Lemon Tract; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE NO. 6412 (New Series), recorded on Microfilm Roll No. 91, approving Annexation to The City of San Diego of lands in County of San Diego, known and designated as "Federal Boulevard Tract", was adopted, on motion of Councilman Burgener, seconded by Councilman Godfrey, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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. 6413 (New Series), recorded on Microfilm Roll No. 91, dedicating portions of Lot 67 Rancho Mission for street purposes and naming same 55th Street and Remington Road, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

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

ORDINANCE NO. 6414 (New Series), recorded on Microfilm Roll No. 91, appropriating \$17,400.00 from Capital Outlay Fund for improvement of Beryl Street and construction of sanitary sewers in Olney Street southerly of Beryl Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, 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 following ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Schneider, 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. 6415 (New Series), recorded on Microfilm Roll No. 91, appropriating \$4,450.00 from Unappropriated Balance Fund for actuarial study of City's Retirement System, 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.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance amending Sections 62.06 through 62.09 of The San Diego Municipal Code concerning Regulation of Driveways, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending San Diego Municipal Code by repealing Section 84.03 relating to Left Turns by Vehicles, and amending Section 86.06 relating to Early Morning and Consecutive Hours Parking, 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 matter, not listed on the agenda:

RESOLUTION NO. 122746, recorded on Microfilm Roll No. 91, appointing J. Francis Mergen to Board of Zoning Adjustment to succeed, and for unexpired term of office of Ray Jones, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

122746 by U.C.  
6413 N.S.-6415 N.S.  
Ords introduced

At the request of Councilman Kerrigan, the Council returned to the item reporting on bids for furnishing gasoline. He said that the Council should compliment the Purchasing Agent on the favorable bids.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the City Manager was requested to compliment the Purchasing Agent.

(The City Manager's secretary was advised on February 16, 1955, of the Council's request to the City Manager).

There being no further business to come before the Council at this time the Vice Mayor declared the meeting adjourned at 11:22 o'clock A.M.

He announced that the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstone  
Deputy

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

Mgr to compliment Pur Agt  
Adjournment



## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, February  
17, 1955

\*

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance zoning portion Lot 41 Ex-Mission Lands in vicinity of Euclid Avenue and Market Street from R-2 Zone to M-1A Zone - recommended for denial by the Planning Commission, the Vice Mayor observed that there was no one present on the subject. As a result, the item was continued to the end of this meeting. It was decided to hold it 1 week if no one appeared.

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

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

A majority of the members of the Council signed undertakings for street lighting with San Diego Gas & Electric Company, as follows:

Talmadge Park Lighting District No. 3;  
Talmadge Park Lighting District No. 2;  
Crown Point Lighting District No. 1.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for construction of storm drain in Bon Air Street, La Jolla Boulevard, Nautilus Street, Westbourne Street and Public Rights of Way in Blocks A and G Starkey's Prospect Park - 10 bidders - was presented. It recommends acceptance of low bid of Charles J. Dorfman @ \$77,458.00.

RESOLUTION NO. 122747, recorded on Microfilm Roll No. 91, accepting bid of Charles J. Dorfman for construction of storm drain in Bon Air Street, La Jolla Boulevard, Nautilus Street, Westbourne Street and Public Rights of Way in Blocks A and G Starkey's Prospect Park; 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 the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing new shades and installing new shade cloth on City-owned rollers at Municipal Housing during period from February 21, 1955 to June 30, 1955 - 2 bids - was presented. It recommends acceptance of low bid of University Window Shade Company at estimated price of \$1,776.00 net, plus State Sales Tax.

RESOLUTION NO. 122748, recorded on Microfilm Roll No. 91, accepting bid of University Window Shade Company for furnishing new shades and new shade cloth on City-owned rollers for Municipal Housing from February 21, 1955 to June 30, 1955; 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 Burgener, adopted.

RESOLUTION NO. 122749, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Brookline Street from Elm Street to Marilou Road, Elm Street from Brookline Street to Tilden Street, and Marilou Road from 48th Street to Brookline Street (including grading, paving, construction curb, sidewalk, fence & driveways), under Document No. 506231; authorizing and directing Purchasing Agent to publish

Meeting convened  
Hearing cont  
Purchasing Reports  
122747 - 122749

notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122750, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing South Muirlands 12" Feeder Main (Spec. No. 108), Document No. 506221; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122751, recorded on Microfilm Roll No. 91, authorizing and directing Purchasing Agent to advertise for sale and sell equipment (election) no longer desirable for use or retention by the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending denial of Tentative Map for division of Lots 29 & 30 & portion Lot 28 Block 23 Bird Rock Addition, in that it would create substandard lots and building sites in the area.

RESOLUTION NO. 122752, recorded on Microfilm Roll No. 91, denying Tentative Map for division of Lots 29 and 30 and portion Lot 28 Block 23 Bird Rock Addition, 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 for Redivision of portion of Lots 7 and 8 Encanto Heights, Empire Addition, in Encanto on Weaver Street, was presented.

RESOLUTION NO. 122753, recorded on Microfilm Roll No. 91, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for redivision of portion Lots 7 and 8 Encanto Heights, Empire Addition, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of portions of Lots 7 & 8 Empire Addition to Encanto Heights into 4 parcels fronting on Weaver Street, was presented.

RESOLUTION NO. 122754, recorded on Microfilm Roll No. 91, approving Tentative Map for redivision of portion Lots 7 & 8 Encanto Heights, subject to 3 conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Brooklyn P.T.A., Brooklyn School, 1337 - 30th Street, San Diego 2, dated February 8, 1955, signed by Mrs. Eugene M. Truitt, Secretary, and Mrs. Earl Bach, President, was presented. It commends the Council for passing legislation tending to control sale of comic books.

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

In connection with the next item, Councilman Schneider asked that communication be read.

Communication from Federated Sportsmen of San Diego County, dated February 15, 1955, signed by E. Werden Conway "For the Committee", was read to the Council by the Clerk.

It has to do with establishing a small bore shooting range within the City of San Diego for public use.

The Vice Mayor asked how one could get into a position so as not to shoot over a bank (communication says...."that when a shooter stands on the firing line in shooting position, it will be impossible for him to shoot above

the bank near where the targets are located.")

Councilman Schneider answered Vice Mayor Wincote.

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

Councilman Dail entered

Communication from W. L. Gibson, 104 - 16th Street, San Diego, dated Feb. 12, 1955, enclosing copy of letter addressed to Dr. Lauren B. Hitchcock, Los Angeles Air Pollution Foundation, re his method for controlling smoke and fumes from petroleum, was presented. It offers to demonstrate in the City garage how completely monoxide fumes and smoke can be overcome. He mentions hope that it would be useful in controlling smog in San Diego.

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

Stop Notice and Statement of claim, from Charles Fox Jr. on work by M. H. Golden Construction Company as general contractor, and RPM Electric as sub-contractor, on Transit Shed No. 2, B Street Pier, was presented.

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

Communication from John Hansen, 1489 Island Avenue, San Diego 2, dated February 12, 1955, was presented. It asks consideration of a situation considered very unfair. It tells of having purchased building and stored it in storage lot in the County, and that City has refused permission to bring it back in the City. It tells of time from January 17 to February 9 to get that decision.

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

Postal card from James Harrah, 3611 Utah St., stating "there must be no commercial use of our park such as ball park.....", was presented.

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

Communication from Robert Mosher, architect, 1262-1/2 Prospect Street, La Jolla, dated February 1, 1955, was presented. It speaks of farsighted courage, and offers congratulations and appreciation re retaining Stanford Research Institute in connection with study for civic theater, convention hall and sports arena.

At the request of Councilman Burgener, it was read to the Council.

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

Communication from E. Paynter, 3896 Bayside, Mission Beach, dated Feb. 9, 1955, was presented. It calls attention to obstruction at entrance to blind alley running between Lots B and C, E and F Block 225 Mission Beach, by Electric Company pole and guy wire and stake.

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

Communication from Mrs. Fern B. Redmond, 816 Redondo Court, San Diego 8, dated Feb. 10th, 55, was presented. It tells of conditions which exist at the Mission Beach Amusement Center, and treatment that concession people are enduring under the present management. It relates experiences in connection with lease in the Amusement Center.

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

Communication from Hazel Aker, 7660 Fay Ave., La Jolla, complaining of conditions found at the Mission Beach Amusement Center, and treatment of some of the people, was presented.

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

Several documents from Irving P. Roswell, 817 South Bonnie Brae St., Los Angeles 57, together with reproduction of news story, relative to new large undertakings, enlarging, amalgamations, new industries of various kinds, building construction, etc., were presented. It says that if there is any kind of propositions to offer for consideration, he will be glad to hear from the Council.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the City Manager. (the subject contained in the various documents which were clipped together in one file).

At this time, Councilman Schneider spoke to Mr. Conway, et al., re action taken on the Committee of Federated Sportsmen of San Diego County, inasmuch they had just entered the Council Chamber.

Communication from various individuals on a mimeographed form, favoring establishment of a Civic Festival Theatre, was presented.

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

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, dated February 10, 1955, signed by Carl P. Staal, president, was presented. It encloses copy of letter sent to State senators and assemblymen to give the Council a better understanding of the status of the oil royalty money. It states that it is believed extremely important that fund should remain in public resources code 6816 where placed in reserve for beaches and parks by State legislature several years ago. It asks, if the Council is in agreement, that it forward communication to senator and assemblymen asking them to oppose any bill which seeks to have any part of oil royalty money diverted for purposes other than beaches and parks. It says that letter should arrive at State Capital about March 3.

Councilman Schneider stated that it should be supported.

RESOLUTION NO. 122755, recorded on Microfilm Roll No. 91, referring to Council Conference communication from Shoreline Planning Association of California, Inc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Frank B. Durkee, Director of Public Works, State of California, dated February 11, 1955, was presented. It acknowledges receipt of letter of February 10, 1955, enclosing certified copy of Resolution 122590 re vehicular tunnel underneath waters of Bay of San Diego connecting Coronado and San Diego.

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

Communication from F. E. Young, 2141 Main St., P.O. Box 2872, San Diego 12, dated February 11, 1955, was presented. It states that The Convention Hall Associates have made several presentations of proposal to build Convention Hall at Sixth and Date. It says that plans, specifications, and perspective of facility have been supplied and are now at City Planning Commission. It asks for answer to the proposal.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to Vice Mayor Wincote.

Communications from Fred Daffer, Executive Board, Ocean Beach Community Center, dated Feb. 15, 1955, and communications from several others, were presented.

Communications  
122755

They all refer to "cut in personnel" in Ocean Beach Community Center. The one from the Executive Board, Ocean Beach Community Center asks for setting "Thursday Feb. 24, 1955 A.M. or P.M. as a tentative date for the sole purpose of the discussion with City Council in regards to our Community Center".

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the several documents were referred to the City Manager for reply.

Communication from Port Director submitting form of sublease agreement to be entered into between Sun Harbor Marina and Radiomarine Corporation of America, was presented. It states sublease covers one-story building approximately 150 feet square which is to be used for manufacture, sale and repair of marine electronic equipment; \$50.00 per month, \$10.00 of which will be remitted to Harbor Department.

RESOLUTION NO. 122756, recorded on Microfilm Roll No. 91, ratifying, confirming and approving Sublease, copy of which is on file in Office of City Clerk as Document No. 506248 between Sun Harbor Marina, sublessor, and Radiomarine Corporation of America, sublessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122757, recorded on Microfilm Roll No. 91, authorizing City Manager to accept work on behalf of The City of San Diego in Catoctin Tract Unit No. 4 Subdivision, and to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that City Engineer has certified that public work and improvement required under Plans and Specifications Document No. 498253, has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 122758, recorded on Microfilm Roll No. 91, authorizing City Manager to accept work on behalf of The City of San Diego in Lahoud Terrace Subdivision, and to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states that City Engineer has certified that public work and improvement required under Plans and Specifications Document No. 497820, has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 122759, recorded on Microfilm Roll No. 91, authorizing City Manager to employ Daley Corporation to remove 11.88 lineal feet of curb, install 12.53 lineal feet of Type G curb, remove 52 square feet of sidewalk, and install 55 square feet of sidewalk, at easterly corner of Poplar Street and Violet Street, at cost not to exceed \$57.58, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution says that City has entered into contract with Daley for improvement of portions of Manzanita Drive, et al, under 1911 Street Improvement Act proceedings, and that drawing 11193-L shows work to be done by City forces, that Daley has offered to do the work and City Manager has recommended that offer be accepted.

RESOLUTION NO. 122760, recorded on Microfilm Roll No. 91, authorizing City Manager to employ H. C. Dennis to replace 15.71 lineal feet of Type G curb at southeasterly corner of Polk Avenue and Winona Avenue, at not to exceed \$35.42, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution says that City has entered into contract with Dennis for improvement of Winona Avenue, et al., under 1911 Street Improvement Act proceedings, and that drawing 11326-L shows work to be done by City forces, that Dennis has offered to do the work and City Manager has recommended that offer be accepted.

RESOLUTION NO. 122761, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of the City, temporary license agreement with Atchison, Topeka and Santa Fe Railway Company for City's 51" concrete storm drain under Company's tracks near 3rd Avenue and K Street, under terms and conditions set out under Document No. 506261, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION NO. 122762, recorded on Microfilm Roll No. 91, consenting to termination of sublease agreement under Document No. 472499 between Benjamin L. Hansen, Lessee of The City, and Ernest E. Potts, sublessee, covering snack bar at Driftwood Dining Room, and authorizing City Manager to sign termination agreement, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122763, recorded on Microfilm Roll No. 91, approving Change Order No. 1 dated February 4, 1955, heretofore filed with City Clerk as Document No. 506264, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lighting on F Street, contained in Document No. 505369; changes amounting to decrease in contract price of \$60.16; and for extension of 30 days to and including May 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122764, recorded on Microfilm Roll No. 91, authorizing and directing City Treasurer to exchange \$1,000,000.00 par value of United States Treasury 1-5/8% Certificates of Indebtedness purchased from inactive funds in City Treasury, due February 15, 1955, for \$1,000,000.00 1-5/8% United States Treasury Certificates of Indebtedness, due March 15, 1956; authorizing and directing City Treasurer to purchase up to \$2,000,000.00 in United States Treasury Bills, due in 90 days, offering interest return of slightly above 1%, from inactive bank deposits; authorizing and directing City Treasurer to sell all or such amount of said investments whenever additional cash is required for purpose for which funds were originally accumulated and placed in Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122765, recorded on Microfilm Roll No. 91, granting revocable permit to Lynn I. Millburn, 4793 Narragansett Avenue, San Diego 7, to install and maintain additional flood lights (overhanging) over Sunset Cliffs Boulevard, in front of 1785 Sunset Cliffs Boulevard: Lots 47 and 48 to northwesterly 5 feet Lot 46 Block 35 Ocean Beach, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122766, recorded on Microfilm Roll No. 91, granting revocable permit to M. W. Morris, 3571 Moultrie Street, San Diego, to install and maintain water line in Princeton Street, Brandywine Street and Paul Jones Street to provide means of securing water service to 3474 Princeton Avenue; Lots 4, 5, 6 Block 7 American Park, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122767, recorded on Microfilm Roll No. 91, granting permission to County Heart Association to sell plastic hearts on public sidewalks in downtown, Hillcrest, East San Diego, North Park, Mission Beach and Pacific Beach areas, Saturday, February 19, 1955, between 1:00 A.M. and 4:00 P.M., for purpose of raising funds to promote research and development of methods of treatment and care of diseases of heart and cardiovascular system, was on motion of Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122768, recorded on Microfilm Roll No. 91, granting revocable permit to Henry L. Wheeler and Harry Phelps, owners, 3543 Fifth Avenue, San Diego, to install and maintain under-ground electrical and telephone service at professional building containing 11 dental and medical suites at 2302-2322 6th Avenue: East 10 feet of south half Lot D; East 10 feet Lots E and F; all Lots G & H; South half Lot I Block 261 Horton's Addition; subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122769, recorded on Microfilm Roll No. 91, approving claim of W. A. Newton, under Document No. 504365 in amount of \$60.52; authorizing

City Auditor and Comptroller to draw warrant, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122770, recorded on Microfilm Roll No. 91, approving claim (authorizing City Attorney to settle claim of \$475.00, Mrs. J. M. Shea, Doc. 503802) for \$175; was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122771, recorded on Microfilm Roll No. 91, accepting subordination agreement, executed by Mary R. Barry and Mary Jellife, beneficiaries, and Union Title Insurance & Trust Company, trustee, bearing date January 6, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 66 Block 3 First Addition to Pacific Beach Vista Tract, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122772, recorded on Microfilm Roll No. 91, accepting subordination agreement, executed by Theodore Bell and Helen Bell, beneficiary, and First National Trust & Savings Bank, trustee, bearing date January 31, 1955, wherein they subordinate all their right, title and interest in and to portion of Pueblo Lot 1255, to right of way and easement for street purposes conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122773, recorded on Microfilm Roll No. 91, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, beneficiaries, and The First National Trust and Savings Bank of San Diego, trustees, bearing date February 11, 1955, subordinating all their right, title and interest in and to portion Lot 11 Block 99 Roseville, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; 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. 122774, recorded on Microfilm Roll No. 91, accepting subordination agreement, executed by Marie K. Jordan, beneficiary, and Bank of America National Trust and Savings Association, trustee, bearing date February 1, 1955, subordinating all right, title and interest in and to portion Lot 40 La Mesa Colony, to right of way and easement for utility 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122775, recorded on Microfilm Roll No. 91, accepting Deed of Alice M. Dutton, bearing date January 26, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1255; setting aside and dedicating land to public use as and for public street and naming it La Jolla Scenic Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122776, recorded on Microfilm Roll No. 91, accept-

ing deed of Kesling Modern Structures, Inc., bearing date January 31, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1255; setting aside and dedicating land to public use as and for La Jolla Scenic Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122777, recorded on Microfilm Roll No. 91, accepting Deed of Antonio Brown Perreira, Jr. and Mary B. Perreira, bearing date February 11, 1955, conveying easement and right of way for street purposes in portion Lot 11 Block 99 Roseville; setting aside and dedicating land to public use as and for Lowell 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. 122778, recorded on Microfilm Roll No. 91, accepting Deed of John R. Eggleston, bearing date February 3, 1955, conveying Lots 16 and 17 Block 12 American Park; setting aside and dedicating land to public use as and for Morena Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122779, recorded on Microfilm Roll No. 91, accepting Deed of Percy U. Tucker and Annabelle Tucker, bearing date February 8, 1955, conveying Lots 10, 11, 12, 13 Block 12 American Park; 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 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. 122780, recorded on Microfilm Roll No. 91, accepting deed of Louis L. Kelton and Elsa G. Kelton, Walter Bollenbacher and Grace Bollenbacher, bearing date January 19, 1955, conveying easement and right of way for access rights in portion of Lot 505 Allied Gardens Unit 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. 122781, recorded on Microfilm Roll No. 91, accepting deed of Isable Bedford, bearing date February 4, 1955, conveying easement and right of way for sewer purposes in portion Lots 25 and 26 Block 7 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122782, recorded on Microfilm Roll No. 91, accepting deed of Ruth Templeman and Margaret Templeman, bearing date January 5, 1955, conveying easement and right of way for storm drain purposes in portion Lot 66 Block 3 First Addition, Pacific Beach Vista Tract; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122783, recorded on Microfilm Roll No. 91, accepting deed of Pete Lombardo and Vitina Lombardo, bearing date January 31, 1955, conveying easement and right of way for utility purposes in Lot 40 La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of

San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, reading of 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 written or printed copy.

ORDINANCE NO. 6416 (New Series), recorded on Microfilm Roll No. 91, amending The San Diego Municipal Code by adding Section 31.0142 giving additional powers to City Treasurer, and authorizing City Treasurer to compromise license fee claims of less than \$100.00, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Absent--Councilman Godfrey, Mayor Butler. Nays--None.

On motion of Councilman Schneider, seconded by Councilman Burgener, reading of 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 written or printed copy.

ORDINANCE NO. 6417 (New Series), recorded on Microfilm Roll No. 91, amending Section 33.2404 of San Diego Municipal Code relating to amount of indemnity insurance required in business of letting use of Automobiles, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Absent--Councilman Godfrey, Mayor Butler. Nays--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, reading of 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 written or printed copy.

ORDINANCE NO. 6418 (New Series), recorded on Microfilm Roll No. 91, dedicating public land, being south 10 feet Lot 9 Block A West Hollywood; dedicating for public highway and naming it Market Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Absent--Councilman Godfrey, Mayor Butler. Nays--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 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. 6419 (New Series), recorded on Microfilm Roll No. 91, appropriating \$85,000.00 from Capital Outlay Fund, for construction of storm drain in Bon Air Street, La Jolla Boulevard, Nautilus Street, Westbourne Street and Public Rights of Way in Blocks A and G Starkey's Prospect Park, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Absent--Councilman Godfrey, Mayor Butler. Nays--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance amending Chapter VI Article 3 of San Diego Municipal Code by adding Sections 63.17.9 and 63.17.10, Regulating Use of Harbor of San Diego, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

The hearing which had been held from the beginning of this session, for rezoning West 397.62 feet of North one-half of North one-half Lot 41 Ex-Mission Lands, 1000 ft. more or less west of Euclid Avenue on the north side of Market Street from R-2 to M-1A - recommended for denial by 5 votes of Planning Commission -

6416 N.S. - 6419 N.S.  
Ord. introduced  
Hearing (cont)



was considered again.

On motion of Councilman Schneider, seconded by Councilman Burgener, hearing was continued 1 week - to February 24, 1955 at 10:00 A.M.

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

RESOLUTION NO. 122784, recorded on Microfilm Roll No. 91, urging Board of Supervisors of San Diego County to support the League of California Cities' proposed Uniform Sales Tax, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that the League at its annual conference voted overwhelmingly to propose adoption of uniform Sales Tax to State Legislature at 1955 session providing for uniform State Sales Tax of 4% with 1% returned to cities and counties; that adoption would facilitate accounting procedures of business men by making tax uniform throughout the State; adoption would authorize Counties to receive 1% of gross receipts from sales in unincorporated areas.

Resolution directs City Clerk to send certified copies to:

- (a) The board of Supervisors of San Diego County;
- (b) The Members of the State Legislature from San Diego;
- (c) The Council of the City of El Cajon.

The next item was not listed on the agenda:

Councilman Dail wanted to have an evening hearing regarding the freeway.

Vice Mayor Wincote pointed out that that hearing has been set by the Council for 2:00 P.M., Thursday, February 24.

Councilman Dail told of discussion after the hearing had been set. He said that the decision on the hearing can be modified.

The Vice Mayor stated that the City has little to say about the proposal. He referred to modification of route; if the State won't make it, it won't be made.

Councilman Dail told of wanting to pass on the subject to the City Manager to make renegotiations.

The Vice Mayor stated that 1 hearing should cover the issue. He declared that testimony should be covered in the hearing.

Councilman Dail said that the State is reasonable.

The City Manager said that it has to do with the State adopting the route. He stated that openings in the freeway, etc., can be worked out. He told the Council that the situation has to do with "adopting a general route".

Councilman Dail declared that many individuals are not advised. He said that he wants property owners to know that they have sufficient time for the State to negotiate.

The Vice Mayor stated that if the route is endorsed, negotiations should be directly with the State.

Councilman Dail said "definitely".

Councilman Wincote spoke about adopting the route, in general, at end of the hearing.

Councilman Dail said that it is just the procedure that confuses people. He stated that some think the State will go right out and take the property. Then, he spoke about not delaying the project.

Councilman Schneider said that it might be feasible; if all had not been heard, for the Council to return at 7:00 P.M.

The Vice Mayor asked "what if we get through at 2?"

Councilman Dail said that it is important that property owners have opportunity to be heard.

On motion of Councilman Dail, seconded by Councilman Schneider, it was determined to recess, after 2:00 P.M. hearing, until 7:00 P.M.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 10:28 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

Wednesday, February 23, 1955 (in lieu of the  
holiday, February 22, 1955)

122784

Hearing re 2/24/54 hearing -  
determination to have both  
2:00 & 7:00 P.M. hearings

Adjournment

The Mayor only, appeared at 3:35 o'clock P.M.  
and declared the meeting adjourned until February 24.

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

ATTEST:

By August M. Hadstrom  
Deputy

Meeting adjourned



## REGULAR MEETING

Chamber of the Council of The City of San  
 Diego, California, Thursday,  
 February 24, 1955

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

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

Clerk: There were returned from Council Conference, and filed by the

Undocumented documents on various subjects;  
 File of documents relative to proposed Liquid Petroleum Gas -  
 proposed Ordinance, miscellaneous communications on the subject;  
 East San Diego C. of C. request for sign across University  
 Ave. at Fairmount Ave - Doc 472397;  
 La Jolla Town Council communication re Tentative to Tentative  
 Subdivision Ruling - Doc 481834;  
 Petition for widening and paving of Morena Boulevard - Doc  
 493447;  
 Petition for widening and paving of Morena Boulevard - Doc  
 493722;  
 East San Diego C. of C. petition for sign at Fairmount and  
 University Avenues - Doc 494140;  
 Old San Diego C. of C. communication favoring proposed Morena  
 Avenue improvements - Doc 494205;  
 San Diego Public Safety Committee communication favoring  
 improvement of connection of San Diego Avenue with south entrance to Morena  
 Boulevard Bridge - Doc 485605;  
 San Diego Realty Board communication re ordinance regulating  
 Subdivisions - Doc 489391;  
 San Diego Council of Registered Civil Engineers and Licensed  
 Land Surveyors opposing Ordinance regulating Subdivisions - #489392;  
 Ordinance amending S.D. Municipal Code and adding sections  
 regulating Subdivisions - Doc 489528;  
 Coordinating Councils communication requesting steps to create  
 Board of Publications Review - Doc 492298;  
 State of California, Department of Education, communication  
 re special parking permits for disabled persons - Doc 494492;  
 Group of Handicapped people communication requesting all-  
 day parking permit - Doc 494593;  
 San Diego Sheltered Workshops, Inc. communication re special  
 parking privileges for physically handicapped persons - Doc 495096;  
 John Turrin and Mrs. E. O. Munsey communications favoring  
 special parking privileges for seriously handicapped persons - Doc 495334  
 Hillcrest Business Assn. communication re parking on University  
 Ave. bet 1st and 6th Aves. - Doc 495350-A  
 San Diego County Historical Days communication requesting  
 \$500. toward cost of Historical Cavalcade Oct. 9, 1954; Doc 495675;  
 City Attorney communication re final date for submitting  
 items for General Election Nov. 2, 1954 - Doc 495916;  
 Planning Director communication recommending amendments  
 to Yard Ordinance requirements - Doc 496902;  
 Dorothy Barron communication re legislation to prohibit sale  
 of objectionable "Comic Books" in San Diego - Doc 497065;  
 Assistant Planning Director communication re tentative clos-  
 ing on Dodson Street - Doc 497504;  
 Planning Director communication recommending repeal of archi-  
 tectural review provisions of Municipal Code - Doc 498038;  
 Resolution auth Roy E. Butler, Asst. Director of Civil Defense  
 to attend U.S. Civil Defense Conference, Memphis, Oct 28 thru 30, '54 - Doc 498506;  
 City Attorney memo re Housing Moving Ordinance - Doc 499371;  
 Planning Director communication re appointments of members of  
 Board of Zoning Adjustment - Doc 503677;

Convene  
 Minutes approved

Conference items returned and filed - continued

Cecil F. Holly communication requesting reconsiderations of Resolutions 121820 and 121821; re Resub Ls 11 & 12 Blk 148 Roseville re setbacks - Doc 503727;

F. E. Young construction Co. communication re building convention hall at 6th Ave and Date St - Doc 506020.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the Minutes of the Regular Meeting of Tuesday February 13, 1954, and of Thursday, February 15, 1954, were approved.

The Mayor stated that the Tuesday meeting should be adjourned.

On motion of Councilman Schneider, the meeting of Tuesday February 22, 1955 (not held), automatically held over until Wednesday and adjourned until this date by the Mayor, was formally adjourned.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom  
Deputy

Charles B. Wincote  
Vice Mayor of The City of San Diego,  
California

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Thursday, February 24, 1955

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

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the minutes were re-approved, inasmuch as the Mayor stated it would be necessary to do so.

The Mayor requested, and was granted, unanimous consent to present the next item, not listed on the agenda.

City Attorney J. F. DuPaul explained proposed Ordinance covering 2 election propositions, on the April 19, 1955, ballot. He said that they had been approved in Conference.

On motion of Councilman Schneider, seconded by Councilman Dail, the next Ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Dail, 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 or printed copy.

ORDINANCE NO. 6420 (New Series), recorded on Microfilm Roll 91, proposing and submitting to The Electors of The City of San Diego at Municipal General Election to be held Tuesday, 19th day of April, 1955, propositions to amend the Charter of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilman Burgener,

Meeting adjourned  
Minutes approved  
Meeting convened  
Minutes re-approved  
6420 N.S.

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

The Mayor requested, and was granted unanimous consent in connection with the next item, not on the agenda:

The Mayor recognized Mr. Crawford (first name or initials not given). He stated that the item was not to be considered today.

Mr. Crawford made a statement of the several organizations he represents. He told the Council that the plumbing code is not "uniform", in that there are many changes in various places. He stated that he has many proposed amendments to the ordinance under consideration by the Council.

RESOLUTION NO. 122785, recorded on Microfilm Roll No. 91, setting for Council Conference, at 9:00 A.M., consideration of proposed Plumbing Ordinance, on Tuesday, March 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, reporting on 3 bids received on Ornamental Lights, Broadway between 8th Avenue and 14th Street, was presented. It reports Fischbach & Moore, Inc., low bidder, at \$18,621.00.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Council made a finding that the bids had been publicly opened and declared, as reported.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Intention No. 122090 for installation of Storm Drain and appurtenances in Talbot Street and Gage Drive (to be continued until March 1, 1955, according to previous decision),

RESOLUTION NO. 122786, recorded on Microfilm Roll No. 91, continuing until 10:00 o'clock A.M., Tuesday, March 1, hearing on Resolution of Intention No. 122090 for storm drains in Talbot Street and Gage Street, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for proposed rezoning of portion Lot 1203 Clairemont Unit No. 7, from R-4 to RC Zone, Councilman Burgener announced that he wishes to abstain from voting (inasmuch as action would affect him).

The Clerk read report from the Planning Commission, signed by P. Q. Burton. It says that Lot 1203 was set aside in original design of Clairemont area for doctors' and dentists' offices, and for that reason was made quite large, containing approximately 5 acres, and was zoned R-4. It states that lot has approximately 700-foot street frontage on Clairemont Drive, and gives report on surrounding property. Report says that owners of land have stated that a pharmacy and a coffee shop are necessary in connection with large doctors' offices, and that pharmacy with outside entrance and advertising sign is necessary. Communication reports that Mr. Tavares has stated he now proposed that coffee shop which would have been located in northerly of 2 proposed RC Zones, be located entirely off the boulevard, possibly at rear of medical center buildings now under construction. It states that Planning Department objected to the rezoning, pointing out that no offstreet parking is required in R-4 zoning and none is required in RC, that petitioners already have a zone variance to permit pharmacy to be constructed and operated on the property. It says, further, that San Diego Unified School District has protested commercial zoning across street from their schools. It reported that the Planning Commission voted, however, 5-0 to recommend southerly of 2 proposed RC zones - the one measuring 50x70 feet, but that the northerly parcel be deleted from the proposed rezoning. It suggests forwarding to City Attorney's office for drafting of proper ordinance.

Mr. Burton showed the Council a map of the district.

San Diego City Schools letter, dated February 16, 1955, signed by Ralph Dailard, Superintendent, was read. It refers to property opposite Marston Junior High School and Whittier Elementary School sites, and overruling of protest of the schools. It registers opposition to proposed rezoning, although it does not

Communications  
Hearing  
122785 by U.C.  
122786

object to location of prescription type pharmacy opposite school sites, but feels strongly that it could be accomplished only through zone variance, which will protect long-term future of the neighborhood. It says that change of zone may well lead at future date to creation of undesirable type of business establishment adjacent to schools. It asks for notification as to time and place when any ordinance will be discussed, in order that school representative may be present.

Next, Mr. Burton read from the Planning Commission's minutes of February 9, 1955 - page 34 - and explained the objections of Planning Director Glenn Rick to the rezoning by the Planning Commission.

The Mayor said that hearing should be continued until Tuesday.

On motion of Councilman Schneider, seconded by Councilman Godfrey, hearing was continued 1 week - to March 1, 1955. (Dr. Dailard's office was notified of time and place of continued hearing on 2/25/55 by A.M.W.)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed rezoning Lots 1 to 4 Block 35; Lots 45 to 48 Block 36; Lots 25 to 28 Block 49; Lots 21 to 24 Block 50 Ocean Beach, from R-4 to C Zone, report from Planning Commission, signed by P. Q. Burton, was read.

It states that owner of land proposed to be rezoned has not signed the application (there are 9 owners). It says that the 1 owner represents only about 5% of total area: 56,000 sq. ft. sought to be rezoned. Report says that if granted, rezoning would extend existing C Zone on Sunset Cliffs Boulevard 100 feet deep on each side of the street, 1 block farther south. In addition to a detailed report, communication says that after hearing attorneys for both sides on the question, the Commission took the stand that public welfare, convenience and necessity do not require the rezoning, that it would be poor zoning practice to adopt the proposal, and would be detrimental to welfare of neighborhood from traffic standpoint. It states that Planning Commission voted 4-1 to deny proposed rezoning.

Mr. Burton told the Council that Asst. Planning Director, Harry C. Haelsig was going to have a map brought in showing the protests. He reviewed background of the petition for rezoning - both for and against. He told of the 4-1 vote of the Commission on denial.

Councilman Dail said that there had not been established a sufficient need for the rezoning.

George McClenahan, attorney representing petitioners, spoke. He said that he understood that fear of a tavern in the area has been used as an argument. He told of Sunset Cliffs Boulevard intersection being, for all practical purposes, commercial. He declared that heavy travel is against residences at that location. Parking area, according to Mr. McClenahan, is to be provided. He passed around pictures to Councilmen. They were not filed with the Clerk for the record.

The Mayor interrupted the hearing, asking for an explanation of the area to the south from Mr. Burton. He asked about wishes of those property owners.

Mr. Burton said that property has been C Zone for 23 years.

Mr. McClenahan spoke of the tremendous population increase. He told of need for C Zone expansion.

There was discussion between Councilman Burton and Mr. McClenahan.

Mr. McClenahan said that property can't be developed for businesses, just because of a "C" zone stamp on a map. He told of existing conditions, and declared that zone should be changed to C.

Frank Owen, Ocean Beach attorney, called on Colonel Drake to speak.

Tom Drake, who resides on Voltaire Street, told the Council that action of the Planning Commission expresses attitude of a majority of Ocean Beach people. He said that 1/3 of the Ocean Beach property is in downtown Ocean Beach, and that much "C" zone property is not used now. He declared that there is plenty now, and that the proposal would be projecting the zone into a residential area. He opposed extension of commercial zoning in "beautiful Sunset Cliffs area".

There was discussion between Councilman Dail and Col. Drake regarding existing unused "C" Zone property, followed by discussion over map of the area.

Henry LaDue, president of Ocean Beach Chamber of Commerce, spoke. He said that the Board unanimously voted against change of zoning for several reasons, after thorough study.

Councilman Schneider spoke to Mr. LaDue. He wondered about objection to service station.

Mr. Owen answered that question, by saying that there had been no authorization to go into the service station issue.

RESOLUTION NO. 122787, recorded on Microfilm Roll No. 91, sustaining decision of Planning Commission to deny petition for proposed rezoning of 4 corners at Sunset Cliffs Boulevard and Del Monte Avenue in Ocean Beach, covering portions of Blocks 35, 36, 49, 50 Ocean Beach, from R-4 to C, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Hearings

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on proposed rezoning of portion Lot 41 Ex-Mission Lands, 1,000 feet more or less west of Euclid Avenue on north side of Market Street, from R-2 to M-1A Zone, Councilman Burgener asked about proposed compromise.

P. Q. Burton, from the Planning Department, was about to answer, but Byrl Phelps, engineer, came to the microphone and started to speak, instead.

Mr. Phelps told of proposed compromise, with no entrance on Guymon, portion dedicated, fence to be erected, and 50% for parking.

Councilman Burgener said that is different from what was proposed.

Councilman Wincote spoke to Mr. Phelps about compromise.

Mr. Phelps told of having gone to Property Department for appraisal.

Councilman Wincote wondered if a week or 2 continuance would be satisfactory.

Mr. Phelps replied that would not hurt.

Councilman Wincote spoke of City wanting property.

Mr. Phelps told the Council that it would mean taking about 1/4 of the property. He said that there might be a trade with the City.

On motion of Councilman Burgener, seconded by Councilman Dail, it was referred back to the Planning Commission.

The next item, having to do with relocation and improvement of State Route 2 through National City and San Diego, was held, inasmuch as hearing had been set at 2:00 P.M.

Petition of Mission Beach residents and property owners against moving major carnival rides in the Amusement Center to the South Parking Lot, was presented. It outlines in detail objections to the plan. Attached was a note from Victor L. Rushfeldt, 745 Ensenada Court, requesting a hearing today.

Bert Lembeck, Mission Beach real estate broker, was heard. He stated that he represented property owners in opposition to proposed change. He pointed to a map which he had posted on a wall. He went into the background of Mission Beach development by Spreckels; later turned over to the State; later turned over to the City. He told of petition containing 500 signatures asking for a recreation area. He said that the City hired 2 Canadians to come to San Diego - for \$2,000. He said that they got a lease, on escape clauses. Mr. Lembeck told the Council that concessionaires have been "ordered to get out". He read from an agreement, regarding the City remodeling entrance to the Mission Beach ballroom.

Councilman Godfrey said that Mitchell and Ray had been described by Mr. Lembeck as a couple of carnival operators.

The City Manager told of past operations of Mr. Mitchell and Mr. Ray.

Councilman Godfrey said that truth is a wonderful thing. He told Mr. Lembeck that their abilities had been considered carefully.

Mr. Lembeck said that 2 months after the lease was written, Mr. Mitchell left. He said that Mr. Ray is now running the place, and admits that he does not know much about it. He stated that Mr. Mitchell, the man with the experience, was the one who left.

Councilman Wincote spoke to Mr. Lembeck. He said that Mitchell and Ray are still partners.

Mr. Lembeck re-iterated that Mr. Mitchell is not there (Mission Beach).

The City Manager said that he is available.

Mr. Lembeck spoke about the roller coaster having burned. He said there is a question if insurance is to be accepted. He wondered "what to do", regarding request to the ride operators to move. He told of the City having spent \$75,000 to \$80,000 for development, yet there is a fence with locked gates keeping out the public. He pointed out the area on a plat. Mr. Lembeck told the Council that he is not here to attach the men (lessees from the City). He offered objections to noise and nuisance in residents' back yards. He told of "beer operation". He showed the Council where the eating and beer places are, and said that it is easily a skid row. He stated that liquor is not allowed to be sold, but that in the new lease the liquor provisions have been eliminated. Mr. Lembeck said that he and others do not want the noise and nuisance that go with the proposed change. He referred to the "commisar of planning".

Immediate argument arose over the last designation.

Mr. Lembeck said that the proposal will not enhance values. He said that it is "C" Zone now, but is not used for C on a portion which he pointed out on his map. Mr. Lembeck declared that Mission Beach pays the highest taxes per square foot of any residential property in the City. He told the Council that construction of buildings would eliminate the already-acute parking problem. He stated that



parking over week-ends is "murder". He spoke of the homes in the area, and of hoping that the City would eliminate the Coney Island honkey tonk atmosphere.

Councilman Schneider spoke to Mr. Lembeck regarding Kiddy Land and proposed parking elimination.

Mr. Lembeck replied that it "should not be locked up."

Councilman Burgener said that the City's purpose was to beautify and modernize the area.

Mr. Lembeck commented that all that is necessary is to go down and look at it.

Councilman Dail stated that plan is in the Clerk's office (for the development). He said that the amusement zone was laid out to improve it. He referred to an elaborate brochure.

Councilman Burgener talked to Mr. Lembeck over existing conditions.

The Clerk sent out for plan of development. The one on file is not the one referred to by Councilman Dail.

Councilman Wincote stated that if the plan is not followed it is necessary "to get at it".

Mr. Lembeck told the Council that Mr. Ray is an accomplished commercial artist. He referred to the pretty pictures, but that conditions are not good. Then he spoke directly to the large crowd in the audience.

The Mayor stated that Mr. Lembeck's indication is that the Council is derelict. He stated that he is a property owner and has lived in Mission Beach for years. He said that if plans are carried out over 5 years there will be an improvement. He said that if the plan is not carried out, the Council will be glad to hear of it. He stated that this is not the time for review of the plan. The Mayor said that it could be referred to the City Manager and Conference for decision. He spoke of there being no need to hear from every resident.

Councilman Dail said that the plan of the promoters was not to place the area in South Mission Beach. He said that the object of the development was to take out the carnival atmosphere. He stated that if there is deviation, the City should go into it.

The Mayor said that in the plan had to do with change in location.

Councilman Wincote said that the roller coaster is noisy. He asked what the monster marked with "X" is on Mr. Lembeck's map.

Mr. Lembeck spoke, instead, about the proposal.

Councilman Godfrey said that property owners and residents were here. He said that it is in line to review the situation and problems. He said that it should be referred to conference. Councilman Godfrey moved to refer to Council Conference, for review, the whole picture.

Councilman Burgener asked about change before review is made.

The City Manager told the Council that he had been just talked to by Mr. Ray, and that there are no plans.

Councilman Godfrey spoke about there being no major change prior to the Conference. He said that the people might come in again.

Councilman Wincote stated that he wants people in the South end (of Mission Beach) to see the "marvelous pictures". He said that they would be pleased with the pictures.

Councilman Dail said that the Roller Coaster was not to be in the South end.

Councilman Burgener seconded the Conference motion.

Councilman Dail said that the Council should assure the people that there is to be no detriment to the people.

Councilman Wincote wanted Mr. Lembeck to see the pictures.

Mr. Lembeck stated that 8 people have received notices to vacate their concessions.

Warner Austin told the Council that ride operators have been ordered, by registered mail to move. He outlined them. He said that the total distance would take the project down to within 210 feet of San Fernando. He told of his apartment holdings, with no parking. He spoke of 8 beer licenses, operated not for Mission Beach people, but for people who come for the rides. He said that Mr. Mitchell left for Canada, and that he is sick that the City has spent so much. He said that Mr. Ray can't make a god of it. He spoke of need to study the Mission Beach situation. He said that Mr. Ray is prepared to come to the Council with a request for rent reduction - or he will fold up, and follow Mitchell to Canada.

Councilman Wincote spoke to Mr. Austin, former operator of Mission Beach Amusement Center, about "C" Zone.

Mr. Austin replied that it is true that the "C" Zone area is built up with other zones.

Councilman Wincote asked why not rezone the property.

Mr. Austin said that an artist like Ray can draw anything. He told the Council that residents of the North end of Mission Beach are accustomed to the noise and conditions from the Amusement Center.

Councilman Schneider stated that he heard this presentation with shock, in that it was to be attractive. He said that many problems arise. He said that if plans are agreed to, the City will not agree to detrimental changes. He said "we will do everything to stop expansion to the South".

Councilman Godfrey said that the Council should ask the City Manager to make an investigation of points brought up by Mr. Austin. He asked that the City Manager review the situation.

\*Councilman Dail said that it should include financial standing and operational standards, and an Auditor's report.

The City Manager said that the City has those reports.

\*It was asked that the comment be added to the motion.

An unidentified woman, who later stated that she is Betty Comer, 2981 Ocean Front, spoke regarding conditions and future development to the South.

The Mayor said that the Council will protect property owners, after conference with the City Manager and his staff. He said that situation can then be explained to Mission Beach residents.

RESOLUTION NO. 122788, recorded on Microfilm Roll No. 91, referring to Council Conference for review of the "whole picture" on the Mission Beach Amusement center, including financial study, operational standards and Auditor's reports; and setting hearing 2 weeks from this date - March 10, 1955 - was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

(Motion was made in parts, and the roll called on the whole, resulting in Resolution 122788).

Report from Purchasing Agent, with City Manager's stamp of approval, on 2 bids received for Glass Covering Plywood Skiffs (for Water Department), was presented.

RESOLUTION NO. 122789, recorded on Microfilm Roll No. 91, rejecting bids received February 9, 1955, for Glass Covering of Plywood Skiffs, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Report from Purchasing Agent, with City Manager's stamp of approval, on 2 bids received for 200 Sweaters for Junior Traffic Patrol, recommending accepting low bid of Florence Knitting Mills - \$1096.95 - was presented.

RESOLUTION NO. 122790, recorded on Microfilm Roll No. 91, accepting bid of Florence Knitting Mills for furnishing 200 red sweaters; awarding contract, authorizing and instructing City Manager to enter into and execute it on behalf of The City of San Diego, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

\*Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Allied Gardens Unit No. 4-A, was presented.

RESOLUTION NO. 122791, recorded on Microfilm Roll No. 91, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Sewer Rodding Machine in accordance with Document No. 506484, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

\*RESOLUTION NO. 122792, recorded on Microfilm Roll No. 91, suspending Sections 102.07-5, 102.12-8, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Allied Gardens Unit No. 4-A, 6-lot resubdivision Lot 519 Allied Gardens Unit No. 4, 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 Allied Gardens Unit No. 40A for 6-lot resubdivision of Lot 519 Allied Gardens Unit No. 4, located on westerly side of Waring Road which is main access to Allied Gardens - 5 of the 6 usable from Waring Rd., 6th can be developed from canyon area below - subject to 6 conditions, was presented.

RESOLUTION NO. 122793, recorded on Microfilm Roll No. 91, approving Tentative Map of Allied Gardens Unit No. 4-A, subject to conditions of the Resolution,

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

RESOLUTION NO. 122794, recorded on Microfilm Roll No. 91, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Rehabilitation of Deck of Ventura Bridge in Mission Bay, Document 506412; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Councilman Godfrey was excused

Communication from Planning Commission, signed by Harry C. Haelsig, recommending denial of Tentative Map for subdivision of Lots 31 and 32 Block 16 1st Addition of Asher's Cloverleaf Terrace, into 2 parcels, each 50 ft. x 56 ft. - total of 2800 square feet each - adjacent to Asher and Morenci Streets, improved with curbs, sewers, water mains and paving, was presented. In addition to a detailed report, it says the Commission was unwilling to suspend subdivision ordinance to permit division of property by subdivision in that lot sizes proposed are substandard, etc.

The Planning Commission report was read by the Clerk.

50 feet. A man, who remained unidentified, said that lots "there" are under

them. Councilman Wincote asked if they were originally 25-foot lots. The same man said that they were, and that he does not want to change

Councilman Godfrey returned

split. Harry C. Haelsig, Asst. Planning Director, referred to lots being

50x55 lots where they are not 25, there is something wrong. Councilman Wincote said that when one takes 25-foot lots, and denies

The same man said that he has 2 lots; he will still have 2.

being continued requests for the same thing if this is granted. He said that the other 2 corners had been granted by zone variance. He said that the same had occurred in Morena and in Bird Rock. Mr. Haelsig spoke to Councilman Schneider, at his request, about there

attractive on the parcels as proposed. Councilman Wincote spoke to Mr. Haelsig about residences being more

you stopped beating your wife". He said that if the practice is started it will be used in many areas. Mr. Haelsig said that it is an unfair question, like the one "have

circle. Councilman Schneider said that could be done only on corners. Councilman Wincote asked if neighbors object.

been turned down on variances and are now trying to obtain the same thing by sub- Mr. Haelsig said that others will come on; it becomes a vicious

division. Councilman Wincote asked if neighbors object.

There was discussion between Councilman Schneider and Mr. Haelsig. Councilman Schneider spoke about there being a little more right

for consideration. The man who had been speaking for the subdivision said that he has the plans. Councilman Burgener asked what caliber of houses are there.

footage as now. The man replied 2-bedroom, attached garages Councilman Wincote said that the 2 lots would have the same square

regarding development. Councilman Burgener said that they are the same across the street. There was discussion between Councilman Godfrey and Mr. Haelsig

street with 7 building sites. Councilman Godfrey observed "25-foot lots are ridiculous". Councilman Burgener pointed out a more severe situation down the

granted. Councilman Wincote pointed out that owners can build on 25-foot lots. Councilman Godfrey said that it is a "poor investment". Councilman Burgener said that in view of the other 2 it should be

Councilman Wincote said that it does not take 5 votes on this.

City Attorney J. F. DuPaul agreed that it takes just a majority.

Mr. Haelsig requested that papers be referred back to the Planning Commission for a proper resolution.

RESOLUTION NO. 122795, recorded on Microfilm Roll No. 91, suspending portion San Diego Municipal Code, relative to improvements in subdivisions; approving Tentative Map for resubdivision of Lots 31 & 32 Block 16 First Addition, into 2 parcels, 50 ft. x 56 ft., was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Bettles Acres, 2-lot subdivision of portion of Pueblo Lot 1256, was presented.

Mr. Bettles asked for 1 week, in connection with the improvement recommendations.

On motion of Councilman Wincote, seconded by Councilman Schneider, the item was continued 1 week - to March 3, 1955

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of Clairemont Point Unit No. 2, was presented.

RESOLUTION NO. 122796, recorded on Microfilm Roll No. 91, suspending Sections 102.11-2, 102.12-8, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Point Unit No. 2, 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 Clairemont Point Unit No. 2, 48-lot subdivision of Lot 13 Pueblo Lot 1207, southerly of portion Clairemont Unit 5 on extension of Mohican and Fontana Avenues, was presented. It recommends 12 conditions.

RESOLUTION NO. 122797, recorded on Microfilm Roll No. 91, approving Tentative Map of Clairemont Point Unit No. 2, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of Clairemont Terrace Unit No. 3, was presented.

RESOLUTION NO. 122798, recorded on Microfilm Roll No. 91, suspending Sections 102.09-1 & 2, 102.05, 102.11-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Terrace Unit No. 3, 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 Clairemont Terrace Unit No. 3, 89-lot subdivision of portions Pueblo Lots 1192, 1194 and portions Lots 134 to 139 Morena, located in Clairemont area westerly of Fairfield Street and southerly of Clairemont Drive, subject to 13 conditions, was presented. It states that development of the subdivision would necessitate closing of portions of Gesner and Illion Streets and approval of future closing being condition of the Tentative Map.

RESOLUTION NO. 122799, recorded on Microfilm Roll No. 91, approving Tentative Map of Clairemont Terrace Unit No. 3, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Two communications were presented from the Planning Commission, signed by Harry C. Haelsig, in connection with Tentative Map of College Ranch Units 4 & 5 - approximately 2000-lot subdivision of portion Lots 68, 69 & 70 of Rancho Mission of San Diego, located in Waring Tract which was annexed to the City a year ago, immediately east of upper portion of Lake Murray, a continuation of Units 1, 2 and 3 which lies easterly of Lake Murray Boulevard.

Eugene Freeland, engineer, talked to the Council about north boundary

Communications  
122795 - 122799

of the subdivision. He said that major road had been worked out by the Planning Department, as well as an access road. He spoke of showing reservation re limited access road. Mr. Freeland said that developer wants to reserve excess width, but does not want to develop all of the access and limited access road. He contended that it should not be required at this time. He said that it would be 104 feet of pavement, 6 lines of curb. Mr. Freeland said that would be in excess of any requirements. He said that it could be eliminated, or go to the "Clairemont type" of development. He said that there would be 64 feet of paving installed. He asked for just elimination of improvements on the limited access roads.

Harry C. Haelsig, Asst. Planning Director, stated that only 1 main arterial can be developed to serve the subdivision. He said that it should be a limited access. He spoke of encouraging service road. He said it would be like Mission Valley and 54th Street. He said that if not developed, the City could not do so. He referred to having to be other roads. He said that it is a policy matter with the Council.

Mr. Freeland stated that business property is a separate subdivision; it is not going to go through all at once.

Councilman Burgener said action is regarding a large problem; sewer.

Mr. Freeland said that sewers are being provided.

Councilman Wincote spoke to Mr. Haelsig regarding the paving in Clairemont and in Allied Gardens.

Mr. Haelsig stated that the 2 subdivisions paid for the access roads - beyond the subdivisions.

Councilman Dail was excused

Mr. Freeland said he preferred to go along with future access and future.... He spoke of wanting to develop for business.

Councilman Wincote wanted to delay the item, and have the City Manager check it.

Mr. Haelsig felt it would be advisable to have the City Manager review the situation.

Mr. Freeland said that limited access is agreeable.

Mr. Haelsig agreed with the statement.

The Mayor asked if consideration on Tuesday is O.K.

Mr. Freeland said that he did not know there was an issue involved.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the two communications were continued until Tuesday, and the City Manager requested to make a review.

On motion of Councilman Dail, the Council took a recess at 12:02 Noon until 1:30 o'clock P.M., this date.

Upon reconvening at 1:38 o'clock P.M., the roll call showed the following:

Present----

Councilmen Burgener, Wincote, Schneider, Kerrigan, Mayor Butler.

Absent-----Councilmen Dail, Godfrey

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Municipal Code re Elliott Gardens, was presented.

RESOLUTION NO. 122800, recorded on Microfilm Roll No. 91, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map, 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 Elliott Gardens, subdivision of Pueblo Lot No. 211, northwesterly from Plumosa Park on extension of Elliott Street, zoned R-4 and proposed to be developed with multiple family units, subject to 10 conditions, was presented.

RESOLUTION NO. 122801, recorded on Microfilm Roll No. 91, approving Tentative Map of Elliott Gardens, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communications  
Recess  
Reconvene  
122800 - 122801



Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension portion Municipal Code re Tentative Map of Muirlands Village Unit No. 3, was presented.

RESOLUTION NO. 122802, recorded on Microfilm Roll No. 91, suspending Sections 102.09-1 & 2, 102.11-1, 102.12-8, 102.17-c, 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 Muirlands Village Unit No. 3, subject to 12 conditions, was presented.

RESOLUTION NO. 122803, recorded on Microfilm Roll No. 91, approving Tentative Map of Muirlands Village Unit No. 3, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending "reluctantly" approval of 1-lot subdivision of portion of Pueblo Lot 1780, located on westerly side of Soledad Road opposite new Pacific Beach Reservoir, was presented. It says that property is in undeveloped area in which sewers are not available, etc. The recommendation is subject to 8 conditions.

RESOLUTION NO. 122804, recorded on Microfilm Roll No. 91, approving Tentative Map for 1-lot subdivision in portion of Pueblo Lot 1780, subject to conditions of 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 Municipal Code in connection with Tentative Map Lots 11 and 12 Block 34 Roseville, was presented.

RESOLUTION NO. 122805, recorded on Microfilm Roll No. 91, suspending Sections 102.09-1 & 2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for redivision of Lots 11 and 12 Block 34 Roseville, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for redivision of Lots 11 and 12 Block 34 Roseville, at corner of Dickens and Plum Streets, subject to 3 conditions, was presented.

RESOLUTION NO. 122806, recorded on Microfilm Roll No. 91, approving Tentative Map for redivision Lots 11 and 12 Block 34 Roseville, subject to conditions of the 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 Municipal Code in connection with Tentative Map of Sixty-Eighth Street Terrace, was presented.

RESOLUTION NO. 122807, recorded on Microfilm Roll No. 91, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Sixty-Eighth Street 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 Sixty-Eighth Street Terrace, 14-lot subdivision of portion Lot 36 La Mesa Colony, located on both sides of 68th Street north of Saranac Street, subject to 11 conditions, was presented.

RESOLUTION NO. 122808, recorded on Microfilm Roll No. 91, approving Tentative Subdivision Map of Sixty-Eighth Street Terrace, portion of Lot 36 La Mesa Colony, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Glenn Rick,

Communications  
122802 = 122808

recommending approval of final Record of Survey Map for redivision of Lots 137 & 138 Highdale, Encanto Heights, in lieu of Final Subdivision Map, was presented.

RESOLUTION NO. 122809, recorded on Microfilm Roll No. 91, approving filing of Record of Survey Map in lieu of Final Subdivision Map for redivision of Lots 137 and 138, pursuant to Section 102.02.1 of San Diego Municipal Code, 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, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 122810, recorded on Microfilm Roll No. 91, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with L. B. Butterfield and Edna L. Butterfield, for installation and completion of unfinished improvements and setting of monuments required for Amantea Mar Vista 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. 122811, recorded on Microfilm Roll No. 91, approving Tentative Map of Amantea Mar Vista, being subdivision of portions of Lots 145 and 193 of Pueblo Lands of San Diego; accepting on behalf of the public streets and unnamed easements: Amiford Drive, Monaco Street and unnamed easements shown for public purposes; declaring them to be public streets and unnamed easements and dedicated to public use; authorizing and directing City Clerk to endorse upon map, as and for act of 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.

Communication from Planning Commission, signed by Glenn A. Rick, submitting report and plan re Sports Arena in Mission Bay as part of Master Plan for Public buildings, was presented.

Communication from Planning Commission, signed by Glenn A. Rick, submitting report and plan re Civic Theater Site in Balboa Park as part of Master Plan for Public Buildings, was presented.

RESOLUTION NO. 122812, recorded on Microfilm Roll No. 91, referring communications from City Planning re Master Plan for Public Buildings - Sports Arena and Theatre Site - to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending that Council request City Attorney to prepare amendment to Section 101.0507 of Municipal Code to authorize Zoning Administrator to grant variance for excavations in restricted zones, was presented.

The Mayor asked if this is an outcome of the Rodefer matter.

Harry C. Haelsig, Asst. Planning Director, replied "no; it would make for better administration".

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

Application of John M. O'Grady for Cabaret License at 4619 University Avenue, was presented, together with recommendations from City departments for granting.

RESOLUTION NO. 122813, recorded on Microfilm Roll No. 91, granting permission to John M. O'Grady to conduct cabaret with paid entertainment at Al and John's Cafe, 4619 University 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 Kerrigan, adopted.

Communication from City Engineer recommending that district be formed to improve La Dorna Street, was presented. It mentions Resolution No. 117922 which granted petition for paving, etc., portion. He reports that people have requested sidewalks in conjunction with the improvement. The communication was read.

It was suggested that the item be put off until the Council hears from the Engineer.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was referred to the City Attorney for adoption of the recommendation.  
(J. Thornton, City Attorney's office, asked that this be put on the agenda for March 1).

Communication from City Engineer, recommending that Resolution 120772 which ordered district formed to modernize street lighting system on "B" Street between 1st and 12th, was presented.

RESOLUTION NO. 122814, recorded on Microfilm Roll No. 91, rescinding Resolution No. 120772 adopted October 21, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from City Engineer, recommending that Resolution 121672 which ordered district formed to install ornamental street lighting system on 5th Avenue between Market and Ash Streets, was presented.

RESOLUTION NO. 122815, recorded on Microfilm Roll No. 91, rescinding Resolution No. 121672 adopted December 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from City Engineer, recommending that Resolution 121884 which ordered district formed for installation of ornamental street lighting system on "B" Street between 1st Avenue and Kettner Boulevard, was presented.

RESOLUTION NO. 122816, recorded on Microfilm Roll No. 91, rescinding Resolution No. 121884 adopted December 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer reporting on petitions granted for improvements in Alleys Blocks 22 and 23 La Jolla Park, was presented. It recommends that proceedings be started to combine into 1 assessment district.

Councilman Burgener asked if by combining the jobs the City might run into majority protest.

Councilman Wincote replied that it can't be determined.

The communication was read.

RESOLUTION NO. 122817, recorded on Microfilm Roll No. 91, adopting recommendation of the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer recommending that proceedings be amended re Resolution No. 118171 for improvements in Calle del Oro and La Jolla Shores, was presented.

RESOLUTION NO. 122818, recorded on Microfilm Roll No. 91, adopting recommendation of City Engineer under Document No. 506361, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent recommending that streets within Montgomery Airport Area be closed (city-owned property), was presented.

RESOLUTION NO. 122819, recorded on Microfilm Roll No. 91, adopting recommendation of Street Superintendent for closing 3rd Street, et al.; and that City of San Diego allocate funds to pay closing proceeding cost, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, recommending denial of request for closing Olive Street between Kettner Boulevard and India Street, was presented.

RESOLUTION NO. 122820, recorded on Microfilm Roll No. 91, denying petition requesting closing Olive Street under Document No. 506494 which recommended the denial, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communications  
122814 - 122820

Copy of communication from American Tunaboat Association, addressed to the Port Director, dated February 17, 1955, favoring construction of piers and warehouses at foot of 10th Street, was presented.

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

Communication from Mrs. W. C. Brown, 111 West Pennsylvania Street, San Diego 3, dated February 17, 1955, objecting to the loud noises emanating from aircraft plants; presumably resulting from experimental and testing operations, was presented. It refers to former operations carried on in the daytime, with noise now carried over the central portion of the City by night breeze.

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

Copy of communication from California Sports Car Club, dated February 17, 1955, was presented. It refers to support of race at Torrey Pines on October 22 and 23.

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

Communication from Ralph L. Kapchinske, 5727 Thorn Street, San Diego 5, dated February 16, 1955, was presented. It asks for moving of fire hydrant 5' west of present location.

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

Communication from Clairemont Town Council of San Diego, dated February 15, 1955, signed by Howard Kaufman, president, was presented. It urges passage of "Train Speed Ordinance" now, or soon to be, before the Council.

RESOLUTION NO. 122821, recorded on Microfilm Roll No. 91, referring to Council Conference communication from Clairemont Town Council, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Ed Fletcher, 1020 - 9th Avenue, dated February 17, 1955, was presented. It speaks of appropriation by the State for first unit of State Building - voted for approval by San Diegans by 6 to 1 for donating site to the State. It says that there is \$200,000 now available which the State will pay for a site, etc.

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

Communication from B. E. Loper, Jr., 623 South Central Avenue, Glendale 4, California, dated February 16, 1955. It refers to disposal of property in Campo del Dios Unit #5, and asks if the City is buying property to raise the Lake (Hodges).

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

Resolution adopted by the Mayor's Anti-Litter Committee of San Diego, signed by John P. Warlick, chairman, dated February 15, 1955, was presented. It requests the Council to adopt ordinance to ensure owners of multiple dwellings re requirement to provide suitable trash containers for tenants.

RESOLUTION NO. 122822, recorded on Microfilm Roll No. 91, referring to Council Conference from Mayor's Anti-Litter Committee of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Chamber of Commerce, signed by John

Borchers, General Manager, requesting the City to reactivate plan for beautifying Horton Plaza as soon as possible in accordance with plan presented by Park and Recreation Department in 1946, or an improved plan, was presented.

RESOLUTION NO. 122823, recorded on Microfilm Roll No. 91, referring to Council Conference communication from San Diego Chamber of Commerce, and requesting the City Manager to make report to the Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Mayor requested the report.

Communication from San Diego Downtown Association, 502 Fifth Avenue Building, 521 "B" Street, signed by Edward W. Goodwin, president, was presented. The communication dated February 16, 1955, requests use of new trash containers, without advertising.

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

Statement of San Diego Transit System, showing gross income subject to 2% City of San Diego Franchise Tax, for year ended December 31, 1954, was presented. It shows gross \$5,270,188.40; amount of tax \$105,403.78.

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

Communication from G. T. McCoy, State Highway Engineer, dated February 14, 1955 - File XI-S.D.-2-S.D. - was presented. It relinquishes State highway between 1 mile south and 0.7 mile north of Balboa Avenue.

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

Copy of communication from Carroll Weldin, Rancho Santa Fe, California "a San Diego City taxpayer", addressed to the Tribune, with copies shown to Board of Supervisors of San Diego County, also, was presented. It refers to taxes and a variety of other subjects.

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

Communication from Mary Elise Rogers (Mrs. Thierry B. Rogers), in behalf of "Ocean Beach Community Women's Figure Control Class", was presented. (Other communications on this subject were picked up by the City Manager's office - J. Ingram - before they could be entered on these minutes.

Mrs. Fred R. Daffer and Mrs. Holbrook appeared at the microphone. Mrs. Daffer read a statement, and told of being proud of the program which was sponsored by the City Recreation Department. She told of participation by 3,000 people weekly. She stated that there is an influx, due to closing of other community centers, as well as an influx of children. She said that the Park & Recreation Department had cut back personnel at the center. She stated that children run wild without supervision. Mrs. Daffer repeated that it results in running wild, as well as delinquency. She spoke of need for more help.

Councilman Dail entered

Mrs. Daffer said that the program has been cut back 50%. She told of need for more help. She said that she has 20 carbon copies, which she filed. (They were returned to her by Councilman Burgener). She read statistics regarding population and attendance. Mr. Daffer said that he is a cub master, with 75 boys.

Mrs. Hollbrook told of 150 girl scouts, and of her husband working with boy scouts. She said that help is needed, with allotment for recreation throughout the City.

Councilman Burgener said that there should be a date certain for a report.

Councilman Kerrigan pointed out that people who are to consider the next budget are not even elected. He spoke of this as a City-wide problem.

Councilman Dail spoke of an acute problem which the City needs to face now.

Councilman Burgener spoke of wanting to "look at the whole City".

Communication  
Transit System  
Statement  
122823 -



Mr. Daffer said that it is even now late to consider the problem.

RESOLUTION NO. 122824, recorded on Microfilm Roll No. 91, referring to Council Conference the subject of an examination of the city-wide situation re recreation and community centers, for report in 2 weeks - March 10, 1955, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted, with conference on the subject March 3.

RESOLUTION NO. 122825, recorded on Microfilm Roll No. 91, directing notice of filing Assessment No. 2337 made to cover costs and expenses of work done upon paving and otherwise improving Thorn Street and Highland Avenue, under Resolution of Intention No. 118861, and of time and place of hearing thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 122826, recorded on Microfilm Roll No. 91, accepting bid of A. W. Thorpe, and awarding contract, for paving and otherwise improving Alleys Block 35 Parish and Loomis Subdivision, Resolution of Intention No. 121530, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 11.2% below estimate.

RESOLUTION OF AWARD NO. 122827, recorded on Microfilm Roll No. 91, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Everts Street, Resolution of Intention No. 121531, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 13.7% below estimate.

RESOLUTION OF AWARD NO. 122828, recorded on Microfilm Roll No. 91, accepting bid of H. C. Dennis, and awarding contract for paving and otherwise improving 69th Street, Resolution of Intention No. 121532, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 5.0% below estimate.

RESOLUTION OF AWARD NO. 122829, recorded on Microfilm Roll No. 91, for sewers in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, Resolution of Intention No. 121533, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that low bid is 15.0% below estimate.

RESOLUTION OF AWARD NO. 122830, recorded on Microfilm Roll No. 91, for furnishing electric current for lighting ornamental street lights in Talmadge Park Lighting District No. 4, for 1 year from and including April 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Award is to San Diego Gas & Electric Co.

RESOLUTION NO. 122831, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Northerly and Southerly Alley Block 262 Pacific Beach; and Easterly and Westerly Alley Block 262 Pacific Beach; approving Plat No. 2690 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122832, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue; approving Plat No. 2630 showing exterior boundaries of district to be

included in assessment for work and improvement, directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122833, recorded on Microfilm Roll No. 91, approving plans, drawings, typical cross-sections, profiles and specifications for storm drains in Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262; approving Plat No. 2649 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 122834, recorded on Microfilm Roll No. 91, for paving and otherwise improving Alley Block 2 Swan's Addition, Resolution of Intention No. 122085, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 122835, recorded on Microfilm Roll No. 91, for paving and otherwise improving Akron Street, Resolution of Intention No. 122087, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 122836, recorded on Microfilm Roll No. 91, for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Ottilie Place, Resolution of Intention No. 122088, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 122837, recorded on Microfilm Roll No. 91, for furnishing electric current for lighting ornamental street lights located in College Park Lighting District No. 1, for 1 year from and including June 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 122838, recorded on Microfilm Roll No. 91, for closing portion of Brookes Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION CHANGING GRADE NO. 122839, recorded on Microfilm Roll No. 91, Alley Block 20 Paradise Hills, shown on Map filed as Document No. 493038, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 122840, recorded on Microfilm Roll No. 91, for paving and otherwise improving Alley Block 19 North Shore Highlands, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 122841, recorded on Microfilm Roll No. 91, for paving and otherwise improving Linwood Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 122842, recorded on Microfilm Roll No. 91, for paving and otherwise improving 70th Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122843, recorded on Microfilm Roll No. 91, for paving and otherwise improving Northerly and Southerly Alley Block 262 Pacific Beach, and Easterly and Westerly Alley Block 262 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122844, recorded on Microfilm Roll No. 91, for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 122845, recorded on Microfilm Roll No. 91, for storm drains in Girard Avenue, Pearl Street, Herschel Avenue, Public Rights of Way in Pueblo Lot 1262, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122846, recorded on Microfilm Roll No. 91, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 9 Ocean Beach Park, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122847, recorded on Microfilm Roll No. 91, ascertaining and declaring wage scale for paving and otherwise improving Alcott Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122848, recorded on Microfilm Roll No. 91, granting Young Men's Christian Association of San Diego permission to improve Landis Street between 39th and 40th Streets, under Document No. 505768, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122849, recorded on Microfilm Roll No. 91, granting permission to Union Oil Company to improve portions Vermont Street, Cleveland Avenue and University Avenue, under Document No. 506256, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122850, recorded on Microfilm Roll No. 91, adopting recommendation of City Engineer to amend proceedings for sewers to serve portions Bungalow Park Addition, Swan's Addition, and Clifton Addition, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122851, recorded on Microfilm Roll No. 91, authorizing Street Superintendent to grant Callahan Bros. 60-day extension of time for completion of contract for improvement of Alley Block 11 City Heights Annex No. 2 (dates not listed in Resolution), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution authorizing publishing of proposed amendment to Rules of Civil Service Commission (Sec 4 Rule II, re Age Requirements), was presented. On motion of Councilman Schneider, seconded by Councilman Wincote, it was continued to Tuesday, March 1, 1955.

RESOLUTION NO. 122852, recorded on Microfilm Roll No. 91, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted on both sides of A Street, between State Street and Union Street;

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

RESOLUTION NO. 122853, recorded on Microfilm Roll No. 91, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of First Avenue between Ivy Street and Kalmia Street;

Both sides of Juniper Street between Front Street and Second Avenue; establishing parking meter zone; directing City Manager to designate parking meters to be installed and parking meter spaces designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122854, recorded on Microfilm Roll No. 91, prohibiting parking of automobiles between 4:00 p.m. and 6:00 p.m., Sundays and holidays excepted:

South side of National Avenue between east line of Wabash Boulevard and west line of 35th Street;

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

RESOLUTION NO. 122855, recorded on Microfilm Roll No. 91, authorizing installation of 19 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122856, recorded on Microfilm Roll No. 91, authorizing installation of 29 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122857, recorded on Microfilm Roll No. 91, urging citizens of San Diego, through individual effort and through their organizations and businesses, to cooperate with and support work of San Diego County Traffic Safety Council, to end that its program may be expanded and that The City of San Diego may be the banner city in the United States for traffic safety, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution refers to substantial reductions made since 1952 in number of traffic fatalities, injuries and accidents on San Diego streets and highways, and to commendable contribution to improved traffic safety record by San Diego County Traffic Safety Council through consistently aggressive traffic safety education and information program.

RESOLUTION NO. 122858, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of The City, agreement between City and State of California for construction by the City of sewer line and water line extension to service California National Guard Armory, and providing for reimbursement by the State; under Document No. 507171, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122859, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Ideal Weighing Machine Company for installation and operation of coin activated weighing machines in Balboa Park, for 3 years at rental of \$20.00 per year per machine; under Document No. 507172, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122860, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of the City extension of lease agreement with Mission Valley Brick and Material Company, amending and assigning Documents 417819, 425668 and 433116 for 5 years beginning March 1, 1955, at rental of \$300.00 per month plus a percentage, Document No. 507178, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122861, recorded on Microfilm Roll No. 91, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, Agreement with Pacific Nik-O-Lok Company, Incorporated, providing for installation and maintenance of four-inch spring hinges and five-cent coin door locks on coin-locked toilets in such public comfort stations in The City of San Diego, in quantity requested and designated by City Manager, etc., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122862, recorded on Microfilm Roll No. 91, authorizing City Manager to enter into agreement with Stanford Research Institute to furnish City, at cost not to exceed \$15,000. definite plan and report in writing as to appropriate program to be followed by the City in acquisition, construction and completion of sports arena, legitimate theater and convention hall for use of people of The City of San Diego, and in connection with the report and analyses to advise and recommend size and location of each, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122863, recorded on Microfilm Roll No. 91, accepting offer of Union Oil Company of California; authorizing Purchasing Agent to purchase for resale at Montgomery Field gasoline as stated in contracts and offer of Union Oil Company, month to month requirements of fuel as needed, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122864, recorded on Microfilm Roll No. 91, authorizing and directing City Engineer, with consent of contractor, H. H. Peterson, to change plans for location of storm drain on 4th Avenue, between K and Market Streets, so as to show change of location from position 6.5 feet east of center line of 4th Avenue to 18.00 feet west of center line, then across original location just south of Market Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122865, recorded on Microfilm Roll No. 91, repealing Resolution No. 122751, directing Purchasing Agent to advertise for sale and sell election equipment no longer desirable for use or retention by the City, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122866, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Pueblo Lot 1297, 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122867, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portions Pueblo Lots 1281 and 1297, together with all penalties and other expenses in connection therewith, be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.



RESOLUTION NO. 122868, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against Lot 6 Block 85 San Diego Homestead Union, together with all penalties and other expenses in connection therewith, be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122869, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Pueblo Lot 1281, together with all penalties and other expenses in connection therewith, be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122870, recorded on Microfilm Roll No. 91, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Pueblo Lot 1281, together with all penalties and other expenses in connection therewith, be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122871, recorded on Microfilm Roll No. 91, approving Change Order No. 1, dated February 17, 1955, heretofore filed with City Clerk as Document No. 506565, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of San Vicente Aqueduct Connection, contract contained in Document 502828 on file in office of City Clerk; changes amounting to increase of approximately \$3,500.00, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122872, recorded on Microfilm Roll No. 91, approving Change Order No. 1 for extension of 60 days to including April 20, 1955, request of Floyd Shofner, filed as Document 506567, in which to complete contract for installation of Small Water Main Replacements, Group 14, contract contained in Document 496901; extending completion to April 20, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122873, recorded on Microfilm Roll No. 91, approving Change Order No. 1 for extension of 60 days to and including April 20, 1955, request of Floyd Shofner, filed as Document 506569, in which to complete contract for installation of Small Water Main Replacements, Group 15, contract contained in Document 494900; extending completion to April 20, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122874, recorded on Microfilm Roll No. 91, granting revocable permit to Harry Snyder, 114 Broadway, San Diego 1, to install and maintain underground electrical connection to power vault, under and across public right of way on 1st Avenue; southwest corner 1st Avenue and Broadway: Lots K and L Block F Horton's Addition, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122875, recorded on Microfilm Roll No. 91, granting revocable permit to Wm. F. Steigerwald, PO Box 988 San Diego 12, to install and maintain underground conduit for telephone and power from property to power poles, to serve professional building at 1st and Laurel: Lots J, K and L Block 277 Horton's Addition, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122876, recorded on Microfilm Roll No. 91, authorizing and empowering City Attorney to execute, for and on behalf of The City, a stipulation as a compromise and settlement of lawsuit found in Superior Court of County of San Diego No. 195119, quieting title against The City of San in plaintiffs to 12 feet of easement owned by The City of San Diego and the subject of the lawsuit, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution says that Dominic J. Spinali, Beatrice Spinali, Domenic Strazzulla and Sarah Strazzulla have commenced action to quiet title to portion Lot 29 Lemon Villa, that they have constructed an improvement which encroaches 12 feet in width; City Engineer and City Manager have found and determined that the City will not require 12 feet of 20 foot wide easement for widening University Avenue and accordingly are in process of designing and laying out realignment of University Avenue which will not require the 12 feet.

RESOLUTION NO. 122877, recorded on Microfilm Roll No. 91, authorizing City Attorney to accept \$120.79 in settlement of City's Invoice No. 38498 issued December 3, 1954, against Taylor & Sloan in amount of \$241.59, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122878, recorded on Microfilm Roll No. 91, approving claim of Joe Paul Bishop, on file in Office of City Clerk under Document No. 504708 in amount of \$59.85; authorizing and directing City Auditor and Comptroller to draw warrant in amount of \$59.85 in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122879, recorded on Microfilm Roll No. 91, approving claim of Julia E. Huntington, on file in Office of City Clerk under Document No. 504921 in amount of \$24.90; authorizing and directing City Auditor and Comptroller to draw warrant in amount of \$24.90 in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122880, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle \$270.00 claim of Homer Chambers, on file in office of City Clerk under Document No. 500321, for sum of \$165.00; directing City Auditor to draw warrant in sum of \$165.00 in full settlement of the claim, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122881, recorded on Microfilm Roll No. 91, authorizing City Attorney to settle \$500.00 claim of Gerald R. Cherry, on file in office of City Clerk under Document No. 504608, for sum of \$165.00; directing City Auditor to draw warrant in sum of \$165.00 in full settlement of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122882, recorded on Microfilm Roll No. 91, denying claim of Mrs. Doris Harris, on file in Office of City Clerk under Document No. 501015, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122883, recorded on Microfilm Roll No. 91, denying claim of Violet Ness, on file in Office of City Clerk under Document No. 501490, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122884, recorded on Microfilm Roll No. 91, denying claim of LaVerne Rice, on behalf of her daughter Judy Rice, on file in Office of City Clerk under Document No. 505559, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122885, recorded on Microfilm Roll No. 91, authorizing and empowering Mayor and City Clerk, for and on behalf of, and as act and deed of, The City of San Diego, quitclaim deed quitclaiming to Mary R. Barry and Mary Jelliffe, mother and daughter, all its right, title and interest in and to easement and right of way for construction, operation, and maintenance of storm drain or drains, and appurtenances thereto, heretofore conveyed to The City of San Diego by Barry and Jelliffe: portion Lot 65 Block 3 First Addition to Pacific Beach Vista Tract, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Resolution says City is desirous of acquiring portion for easement, that owners are willing to deed new easement to City in exchange for quitclaim deed, that value (\$100.00) is equivalent to value of easement to be quitclaimed by the City, and City Manager has recommended the exchange.

RESOLUTION NO. 122886, recorded on Microfilm Roll No. 91, accepting quitclaim deed executed by Hawn and Neece Company, partnership, 2170 Avenida de la Playa, PO Box 122 La Jolla, to 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 Muirlands Point, being subdivision of portion Pueblo Lot 1773; authorizing and directing City Clerk to 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 Kerrigan, seconded by Councilman Wincote, adopted.

In connection with the next Ordinance, Councilman Schneider explained the procedure.

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

ORDINANCE NO. 6421 (New Series), recorded on Microfilm Roll No. 91, amending Sections 62.06 through 62.09 of The San Diego Municipal Code concerning Regulations of Driveways, was on motion of Councilman Wincote, adopted by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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

ORDINANCE NO. 6422 (New Series), recorded on Microfilm Roll No. 91, amending The San Diego Municipal Code by repealing Section 84.03 relating to left turns by vehicles, and amending Section 86.06 relating to early morning and consecutive hours parking, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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

ORDINANCE NO. 6423 (New Series), recorded on Microfilm Roll No. 91, amending Chapter VI Article 3 San Diego Municipal Code by adding Sections 63.17.9 and 63.17.10 Regulating Use of The Harbor of San Diego ("Commercial vessels providing sleeping accommodations - watchman required"; "Discharging Sewage into Municipal Yacht Harbor Prohibited"), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Schneider,

the next ordinance was introduced.

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

ORDINANCE NO. 6424 (New Series), recorded on Microfilm Roll No. 91, appropriating \$15,000.00 from Unappropriated Balance Fund of The City of San Diego, for providing funds to cover cost of economic analyses and site selection for a Sports Arena, Legitimate Theater, and a Convention Hall for The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Wincote, seconded by Councilman Schneider, ordinance which had been listed on the agenda for introduction "Regulating Food and Liquid Vending Machines" - but which had not presented - was continued to the meeting of Tuesday, March 1, 1955.

The hour of 2:00 o'clock P.M. having arrived, the time set for hearing on proposed relocation, and improving, of State Route 2, through National City and San Diego - to extend from 18th and the present 101 Highway in National City to Washington Street at present 101 Highway in San Diego, as a Freeway - Councilman Wincote said that there should be explanation made regarding awkwardness in connection with 7:00 P.M. hearing previously proposed.

Councilman Dail said there would be sufficient time at this hearing.

Councilman Wincote referred to "previous commitments" by members of the Council.

Councilman Burgener said that other groups are coming tonight.

An unidentified man spoke of groups being told that the hearing would be held at 2 P.M.

Councilman Burgener said that it would be well to review the Council authority in the matter.

E. E. Wallace, district engineer, told of procedure established by the State Highway Commission. He said that it was submitted to the staff in Sacramento, with the Supervisors or Councils requested for advice if hearing is desired. He told of notices being sent to National City and to San Diego, and of the study which has been under way for over a year.

#### Councilman Godfrey entered

Mr. Wallace told of having submitted recommendation to "headquarters" on the proposed route. A man pointed out on a map the route, as Mr. Wallace explained it. Mr. Wallace said that it has been planned for full freeway, with overheads and interchanges - through San Diego, eventually to National City limit. He said that Harbor Drive had been studied, but that it cannot be improved to freeway standards. He told of having been forced to look for better location, following closely the major street plan. He said that land would, thereby, be left for developments on water fronts. He told of National City Council having considered the proposition last night, and of having waived a hearing by the Highway Commission.

Ralph B. Luckenbach, of the State Highways district engineering office, was heard. He had large area maps posted on the wall. He spoke of "serving as keys". He said that the route under discussion is shown by heavy line on the map, and he explained others. He said that a survey showed tremendous trips through the central business area, without stops, although many go into the area with stops. Mr. Luckenbach said that the traffic problem is heavy, and is severe at the signalized intersections. He exhibited "overlays" over central business district. Mr. Luckenbach explained the several expected traffic situations, and pointed them out through the man who put the pointer on the map. Fifth Avenue and Market Street is the greatest area of density, according to him. He spoke of being not able to put a freeway through the central business district. Mr. Luckenbach said that a belt line would give the best service. He recognized that will separate some areas, and form a proper division and development. He told of other routes being studied, but that they had proved undesirable to the Navy and to regional development. Mr. Luckenbach stated that the Navy has built on the perimeter. He stated that industrial area is proper on the water front. He said that it is then logical to go between the industrial and residence areas. He stated that in Logan Heights there had been suggestions on Newton, which would have



been bisected the area, but it is too close to present routes. He referred to only one twelfth of a mile, but it would be expensive. He stated that it would not be proper, and would be too expensive. Mr. Luckenbach spoke of the location: 18th Street, the Park, Cabrillo freeway, which had limited the location selection. He said that the freeway is designed for 8 lanes. Mr. Luckenbach told the Council that two thirds of the traffic is expected to continue on the freeway, one third on Pacific Highway. He said that "from there on in" it is approximately a full 8-lane road. Mr. Luckenbach stated that it is not a freeway between Tijuana and Los Angeles, as is sometimes thought.

Councilman Dail pointed to a map and spoke to Mr. Luckenbach in connection with 18th and Logan, regarding going to Newton. He spoke about cutting up, and difference in cost.

Mr. Luckenbach stated that the right of way department had found that by going to Newton it would be \$785,000 for right of way alone, more; \$125,000 to \$150,000 for construction. He said that it would be about \$1,000,000. more than the route proposed.

Councilman Kerrigan spoke to Mr. Luckenbach regarding "C" Zone property.

Mr. Luckenbach pointed out the C, M-L and R-c property.

Councilman Kerrigan said that there are houses there; not used for industry.

Mr. Luckenbach spoke of approval of both routes. He said that in response to requests of business men, perhaps a tier of lots can be left on both sides of Logan.

Councilman Burgener spoke to Mr. Luckenbach about dividing the residential property from businesses.

Councilman Dail said that residences would be isolated from business.

Mr. Luckenbach said that situation had not been determined on the overpasses. He said that pedestrian overpasses could be installed, to provide cross-overs. He said that there is a controversy regarding business zones extending into the residence area.

Councilman Kerrigan wondered what would happen to houses in the industrial area, which would be isolated. He referred to "swining a little, and taking out an area". He said that he had looked at it on the ground, and that it looks like a fairly good plan. Mr. Kerrigan said that houses are in "there". Speaking to Councilman Wincote, he said that it would be ideal to take out houses.

Mr. Luckenbach said that perhaps it would be desirable to move more in land for an industrial area. He said that there will be more industry.

Councilman Dail wondered if it would be better to put it further north.

Mr. Luckenbach said that there is not too much M-1. He said that there could be a mixture of zoning.

Councilman Schneider said that it could be moved, so as not to disturb on Logan.

Mr. Luckenbach said that in the long run "this" is the best.

Councilman Wincote spoke of wanting markets available.

Mr. Luckenbach said that there will be overpasses; some on grade, some "over", some "depressed". He stated that it takes a long distance to get on and off, for ramps.

Councilman Godfrey told of every effort being made to create the least disturbances to business. He spoke of this being "close to that". He referred to protection of businesses on Logan, and the people, with overpasses. He said that present routing would create the minimum disturbance, and would be most beneficial to property values.

The Mayor asked Mr. Luckenbach to point out the overpasses, above what points.

Mr. Luckenbach showed ~~showed~~ the area on the map, regarding various levels, which he explained.

Councilman Kerrigan asked for a repetition of a portion of Mr. Luckenbach's explanation.

That was done.

The Mayor announced that the hearing would be opened to general discussion and questions.

John Fillipi, 26th and National, spoke in behalf of the Southeast Chamber of Commerce. He said that freeway is not opposed. He said that need for network of roads is known, but does oppose it along Logan Avenue. He pointed out the route on the maps posted. He said that he did not want the south side of Newton, but take the north side if Newton is to be included. He said that by taking 20 feet off National and Newton there would be 200 feet. He told of having talked to business people on National. He spoke of no objection if there is start on National and taking the entire block to Newton. Mr. Fillipi said that the route would take the Logan business district on the north side: 40 businesses, 48 business men. He said that the Bank of America, and several others would be taken. He declared that would kill the area. He said that it would bisect business and residential area. He referred to there being only 9 establishments on Newton Avenue; 40 on Logan. Mr. Fillipi said that it would take out U.S. post office, which took 25 years to get. He said that as it crosses National Avenue it crosses in the center of the block, taking out 6 businesses. He said that if from the north side of National to the south side of Newton it would affect 22 business houses. If it bisects the area (referring to the Hollywood and Oceanside freeways) it will wither and die, as those sections have, Mr. Fillipi said. According to Mr. Fillipi there is not so much to disturb on



the north side of Newton as on Logan. He stated that business property would be a greater loss. He said that the Logan Heights area is the worst area, on account of the smog, which would carry across the area. He spoke of there being no rush to acquire the property, and told the Council that he is in the real estate business. Mr. Fillipi said that there is plenty of land available to move south; M-2 ends at 28th Street, and that there would be not too much trouble to rezone the area south of the freeway. He told of sales of property in the area. He said that if further study is made, cost would not be as high as quoted south of National. He stated that the State pays well for land, but not for good will when businesses have to be moved. He said that south of National, on Newton 2 businesses rely on good will, can move and not lose their businesses. He said there will be some suffering. He spoke of it being far less than proposed by the State. He wanted further study of the proposal. He said that the future of the community should be taken into consideration regarding \$200,000 on a \$21,000,000 freeway.

Ted Johnson, 2259 Logan, spoke of having been there more than 20 years. He said he was shocked when he learned where the freeway was to go. He spoke of being proud of the community in Logan Heights. Mr. Johnson said that he had made a survey, counting homes on Newton and on National. He said 1 fire station would have to be moved. He spoke of a review on Kearny. Mr. Johnson started to say that if the freeway is moved north..... He referred to review, including 2 schools; 3 schools on the freeway; 28 blocks; 5600 people would be removed. He said that he is an area warden, and is aware that on the map there is a bottle neck. He said that at night the population is great. He said that if residents would have to evacuate, they could not get out, with the freeway blocking them. He said that 60% of winds come from the north. He said that if there were hydrogen used, it would blow in.

Councilman Kerrigan was excused.

Mr. Johnson said that in the summer 60% of the prevailing winds head east. He said that highways would be no better than fingers. He stated that freeways in Los Angeles become backed up for 9 miles. He said that if San Diego has freeways, there would be need for more than 4 lane fingers to get the people out. He told the Council that on the north there would be little escape.

The Mayor read a letter from Ralph Dailard, superintendent, San Diego City Schools. In addition to other statements made, it says "we are writing this letter to place ourselves on record on this matter only insofar as it pertains to schools. We are neither recommending nor protesting the alignment of the freeway".

Mr. Johnson said that if it is on the north side, it will affect 2 schools. He said that he wants progress in the right way.

There was discussion between Councilman Burgener and Mr. Johnson.

Mr. Johnson said that it should be south of Logan Avenue; it would choke off on Logan.

Marshall Roth spoke to Mr. Luckenbach about who decided it would cost more to go down Newton Avenue than Logan. He said he wanted to see the figures.

Mr. Luckenbach replied that the Chief Estimator did the work on both streets. He stated that the Bank of America would remain, and others would remain.

He asked on what basis estimate was made.

Mr. Luckenbach said "on the same basis".

Mr. Roth said that it is not fair.

Councilman Burgener spoke of there being ample time to prove figures.

Councilman Dail said that turn on 18th Street would require larger area for turn, and would be much more expensive.

A man whose name was understood to be Rivera, said that he has not heard of many appraisals. He said that on Highway 94 he has been contacted, also Old Town bridge. He spoke of having talked to various real estate men, but they have not been contacted. He said he wonders.

O. P. Hagen, who said he has been a resident of Logan Heights for 10 or 12 years, was heard. He said that there are differences of opinion, which can be compromised. He spoke of pushing too far south.

Councilman Kerrigan returned.

Mr. Hagen said that National Avenue is a highly travelled street. He said that if the commercial area is isolated, businesses are affected; there should be a compromise. He referred to there being much slum area, and that it would be worth while to consider concession from the State, if not pushed too far.

Councilman Schneider filed a map.

The Mayor said that if the freeway is below level of crossing there is little isolation.

Mr. Luckenbach said that it is correct regarding going into industrial area; it would go into M-1. He said that isolation can be taken care of.

Paul Robertson spoke of various pieces of property, where there is no protest. He spoke of doing as pleased, and leaving it up to the Engineer.

Al Johnson said that the residents can't see the mountains for the mole hills. He spoke of all wanting industry. He said that the Southeastern Chamber of Commerce chose the lesser of 2 evils. He said that in time of freeways, there will be no businesses in the area. He spoke of being on the fringe area. He

said that if the State comes down 1/2 block and wipes out Logan Avenue....(statement was not completed). He said that he is fighting for business men on Logan. He said that many of them wish the State would take their businesses. He spoke of the City having planned the area as industrial zone. If said that if owners do not hold up the State, both sides can be taken care of better. He said that if the freeway is down the middle of Logan, and start new, it would be better. He said that lots of area are crying for new businesses.

Mr. Johnson said again there there is no comedy intended.

Mr. Fillipi spoke again, and said that his property is not to be bought. He said he spoke for the Southeast Chamber of Commerce in opposition on Logan. He spoke to Mr. Luckenbach regarding additional cost.

Mr. Luckenbach spoke about \$150,000 bridge; pedestrian another \$25,000. He said that crossing is not needed on Newton.

Roland Reed spoke from the back of the room, and did not come to the microphones. He wondered about how it got in.

Mr. Luckenbach told of having to work with City staffs. He told of connections at various locations. He said that there is no discussion about designs, but the route.

Ed Breitbard, California Laundry & Dry Cleaners, on 18th Street, spoke. He said that he was here regarding whys and wherefores. He spoke of the uncertainty. He agreed that he can't stand in the way of progress. He told the Council about having 200 people employed.

Mr. Luckenbach said that planning of the freeway starts after the route is adopted. He told of having yet to make surveys and design of road. He said that there will be agreement with the City. He referred to there being a minimum of 1-1/2 years; perhaps 2 years to purchase some of the property. He said that in most instances it will be twice that long: 2 to 4 years.

Councilman Schneider spoke to Mr. Luckenbach about Mr. Breitbard having to move, and where there is responsibility for livelihood of people involved. He said that it could be 2 years or less, in such case.

A woman, unidentified, wondered what the situation is on the south side of Boston, between 29th and 30th.

Mr. Luckenbach said that would not be disturbed. He said that it is not planned on the south side; the north side will be. He said that it is R-4 zone. Mr. Luckenbach said that it is difficult to say what the elevation would be. He said that it would possibly be below, or partly below. He said that there is little to fear.

The woman said that Main Street is "behind".

Arthur Hayler, of the Highway Division's office, said that freeway will be to the north, with a fence. He said that Boston would remain as a buffer.

Lena George, business woman and property owner, spoke to Mr. Luckenbach. She referred to taking homes away from business area. She charged that it is driving them to Imperial Avenue.

Mr. Luckenbach said that houses would be taken on 1 side of Logan Avenue, that Imperial is a considerable distance away.

Mrs. George told of 25 homes to the block. She said that is where the business area is.

Mr. Luckenbach said that there are houses throughout the area.

Mrs. George said that she would prefer it to be on National or Logan.

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

H. L. Maderas, between Elm and Date on 1st Avenue, appeared, to be heard.

The action was reconsidered, and the hearing re-opened.

Mr. Maderas told of being cut off from San Diego property.

Mr. Luckenbach said that the Maderas property will be purchased.

Councilman Godfrey pointed out to Mr. Maderas that his property would be bought by the State.

Councilman Wincote said that on a small map all those details do not show up. He stated that the Armored Transport is in the area. He spoke of need for property owners to look at the big map (posted).

The Mayor announced that property owners should go to the State office for details regarding individual properties.

Mr. Luckenbach expressed a willingness to show all interested.

Councilman Wincote spoke of the little map being misleading.

Councilman Dail said that is evident that Logan Avenue would be isolated, if there are not overpasses. He stated that the State should acquire the entire width. He told of need for more accurate cost, on the diagonal crossing. He said that there is need for further recommendation. Mr. Dail said that it should be examined.

Councilman Dail moved to ask for information from the State; continue the hearing for further discussion along these lines. Motion was not seconded.

Councilman Burgener said that the several alternates; he is for a study.

Mr. Luckenbach told of having sought the lowest cost routes. He said that both sides of Logan would be costly, on account of the large buildings.

Councilman Dail said that it would be isolated.

Councilman Wincote said that he is interested in the different appraisals. He said that he wanted an explanation regarding the M-1 zone, weighed against the people who want to sell.

Mr. Hayler said that the difference is because of 40 businesses on the north side of Logan Avenue; Bank of America would not be taken. He stated that the commercial property is the highest priced, not the industrial. He said, further, that buildings and improvements are the greatest cost.

Councilman Burgener said that the property not required is not so much as what it faces.

Mr. Hayler referred to the bridge at University Avenue and Cabrillo Freeway, which is a bridge and a walk. He said that it would be safer, as in this instance.

Councilman Dail repeated that the Logan Avenue business area would be cut off. He said that serious consideration should be given to change in alignment. He said that the hearing should be continued, and the subject referred to the City Manager to negotiate with the State. He told of having bought property for the Girls' Club, at 28th and Logan. He said that property south of Logan and north of Logan are not so high.

There was discussion between Councilman Dail and Mr. Fillipi regarding cost of residential properties.

Councilman Godfrey said that he would go along with Mr. Dail for additional information. He said he has a good picture of the advantages and disadvantages. He said that the Council could have a report from the State. He said that the State should be asked for a report on alternate proposals. Mr. Godfrey stated that the State has put a lot of thought and study into the project. He declared that no alignment would please everybody. He spoke of need to consider several things.

E. E. Wallace told the Council that there is no desire to rush the project. He said that he wanted to assure all that serious consideration has been given to serving the traffic problem, and that there is need to preserve some of the streets. Mr. Wallace said that he would be glad to give more information, and told of "having considered all these things". He said that the 30 days has already expired regarding Commission hearing.

The Mayor declared that no hearing is necessary by the commission. He said that the Council does need to know more, however. He said that the Highway Commission can be so advised.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the hearing was closed (again).

RESOLUTION NO. 122887, recorded on Microfilm Roll No. 91, contending that the State Highway Commission need hold no hearing in connection with hearing held this day by the City Council on proposed relocation and improvement of State Route 2, through National City and San Diego, to extend from 18th and the present 101 Highway in National City to Washington Street at the present 101 Highway in San Diego, as a freeway, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Dail said that the City should request the State to furnish information regarding all of Logan Avenue, National Avenue and Newton Avenue routes.

RESOLUTION NO. 122888, recorded on Microfilm Roll No. 91, Councilman Wincote said that the Council is getting crossed up on its motions.

Discussion was held between Councilmen Wincote and Dail.

Councilman Dail said that organizations do not have lack of confidence in the Council and in the State.

Mr. Wallace asked if this is the route.

Councilman Burgener said that the State declares this to be the cheapest route.

Councilman Dail announced that the Council is not trying to cause undue delay.

\*\* Requesting report on alternate routes, overpasses, realignment of Newton and National, and both sides of Logan - from State Highway Department, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council, the meeting was adjourned at 4:55 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Charles B. Wincote*  
Vice Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, March  
1, 1955

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail  
Absent---Councilman Godfrey, Mayor Butler (Mayor out of City)  
Clerk----Fred W. Sick

Resolutions and Ordinances for this meeting are recorded on  
Microfilm Roll No. 92.

In the absence of the Mayor, Vice Mayor Wincote called the  
meeting to order at 10:04 o'clock A.M.

The Vice Mayor presented Father Francis J. McKeown, of the  
Immaculate Conception Church. Father McKeown gave the invocation.

On motion of Councilman Burgener, seconded by Councilman  
Schneider, the meetings held Thursday, February 24, 1955, after which they  
were signed by the Vice Mayor.

The Purchasing Agent reported in writing 4 bids had been  
opened February 25, 1955, for Sewers in Alley Block 16 La Mesa Colony, from:  
W. V. Hutchison Co., Shafer & Stowers, L. B. Butterfield, Walter H. Barber.

On motion of Councilman Schneider, seconded by Councilman  
Burgener, a finding was made that the bids had been publicly opened and  
declared as reported, and they were referred to the City Manager and to the  
City Attorney.

The Purchasing Agent reported in writing 3 bids had been  
opened February 25, 1955, for paving and otherwise improving Alley Block  
4 West Teralta, from: John B. Henry, T. B. Penick & Sons, Al E. Riley, Inc.

On motion of Councilman Schneider, seconded by Councilman  
Burgener, a finding was made that the bids had been publicly opened and  
declared as reported, and they were referred to the City Manager and to the  
City Attorney.

The Purchasing Agent reported in writing that 5 bids had been  
opened February 25, 1955, for paving and otherwise improving Sea Breeze  
Drive, Roanoke Street and Calle Gaviota, from: M. H. Golden Constr. Co.,  
H. C. Dennis, R. E. Hazard Contr. Co., Daley Corporation, Griffith Company.

On motion of Councilman Schneider, seconded by Councilman  
Burgener, a finding was made that the bids had been publicly opened and  
declared as reported, and they were 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 in Hermosa  
Lighting District No. 1, the clerk reported that 1 bid had been received.

Bid was from San Diego Gas & Electric Company, accompanied  
by certified check in sum of \$20.40 written by San Diego Trust and Savings  
Bank.

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

The hour of 10:00 o'clock A.M. having arrived, the time set

Meeting convened  
Invocation  
Minutes approved  
Bids



for hearing on Resolution of Intention No. 122090 for installation of Storm Drain and appurtenances in Talbot Street and in Gage Drive, which had been continued from time to time until this date, the Vice Mayor announced that a majority protest has been received.

The City Engineer stated that there is 65% protest.

RESOLUTION NO. 122889, sustaining protest of Charlotta A. Stokes, Walter M. McKeller, Kenneth C. Melville, J. Waldo Malmberg, sustaining all other protests; abandoning proceedings heretofore taken for installation of the Storm Drains in Talbot Street and Gage Drive, Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 122301 for paving and otherwise improving Boston Avenue, the Clerk reported that no written protests had been received.

The Vice Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Burgener, seconded by Councilman Dail, proceedings were referred to City Attorney for Resolution Ordering Work.

Councilman Godfrey entered

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 122302 for paving and otherwise improving C Street, Pickwick Street, E Street, 33rd Street, written protest from Mrs. Rachel Alice DeWitt, was read.

Councilman Schneider spoke about contact with proposed freeway. He said that the City should not be hasty.

The City Engineer replied that is so, and he recommended abandonment of proceedings earlier, but the Council wanted to continue with the project. He made a verbal presentation of the result of poll taken by him.

Councilman Dail referred to hearing having been held on the freeway.

The City Engineer said that it is a different freeway.

Councilman Wincote asked if it would be in keeping with the City policy to oil.

The City Engineer's reply was "sure".

Councilman Dail stated that it would be just dust palliation.

The City Manager said that oiling would not be difficult.

Councilman Kerrigan stated that if area is paved and assessed, it would acquire assessment.

Mrs. J. Campbell said that when petitions were circulated, she did not know her property was not included. She stated that if paving is done, she wants hers paved.

Councilman Wincote told Mrs. Campbell that the Council acts on the petitions as they come in. He stated that perhaps nothing will be done on account of the freeway. He told of having to wait for a petition on her street.

Mrs. Campbell told of it being only a short distance; if only oil is used, let it drop.

Councilman Godfrey asked if the property is in the path of the highway (freeway).

Mrs. Campbell replied "no; it just misses the property".

The City Engineer said that if the City oils there, the whole district will be oiled.

Councilman Godfrey stated that the freeway will create a problem.

Mrs. Campbell told the Council that she will lose 3 houses on the freeway alignment, but that she wants her street paved.

Councilman Schneider moved to hold the proposed improvement until there is final decision on the freeway, that the City Manager be directed to oil, including the small portion.

Councilman Godfrey said that if the freeway has been determined, the area can be oiled.

Councilman Schneider said that would "open the gate".

Councilman Godfrey contended that the City can do the oiling, in connection with the petition and regarding "being caught".

Councilman Schneider spoke of there being little difference.

The City Engineer said that the project has to be abandoned; after the freeway is in, the street can be picked up and completed.

Councilman Godfrey seconded the motion.

City Attorney J. F. DuPaul said that the improvement should be abandoned, and that there be separate motion regarding City Engineer to initiate proceedings



RESOLUTION NO. 122890, abandoning proceedings for paving and otherwise improving C Street, Pickwick Street, E Street, 33rd Street, under Resolution of Intention No. 122302, was on motion of Councilman Schneider, seconded by Councilman Godfrey.

RESOLUTION NO. 122891, directing the City Manager to oil streets in the area covered by Resolution of Intention for paving and otherwise improving C Street, Pickwick Street, E Street, 33rd Street, abandoned by Resolution 122890, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122892, directing the City Engineer, at the conclusion of the freeway to initiate paving, or the City Council to initiate the paving on C Street, Pickwick Street, E Street, 33rd Street, under Resolution of Intention No. 122302, abandoned by Resolution 122890, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 122303 of Preliminary Determination for improvement of Alley Block 8 La Jolla Park, the Clerk reported no written protests had been received.

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

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

RESOLUTION NO. 122893, determining that proposed improvement of Alley Block 8 La Jolla Park under Resolution 122303 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution No. 122304 of Preliminary Determination for paving and otherwise improving Guy Street, the Clerk reported no written protests had been received.

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

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

RESOLUTION NO. 122894, determining that proposed improvement of Guy Street under Resolution 122304 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution No. 122305 of Preliminary Determination for paving and otherwise improving Third Avenue, University Avenue, and Washington Street, Vice Mayor Wincote said that a question had been raised in Conference this morning.

Councilman Schneider said that it had been found that there is a majority protest.

The City Engineer said that there is 54% protest.

The Vice Mayor asked if anyone was present in favor of the improvement.

No one responded.

RESOLUTION NO. 122895, sustaining protests against proposed improvement of Third Avenue, University Avenue and Washington Street under Resolution No. 122305 of Preliminary Determination; 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, time set for hearing on Resolution 122306 of Preliminary Determination for paving and otherwise improving 31st Street, the Clerk reported that no written protests had been received.

The Vice Mayor inquired if anyone was present to be heard.  
 An unidentified woman asked if street is going to be widened.  
 (Proceedings do not call for widening).  
 Lulu Curtis, 1647 31st Street, said that it is only 12-1/2 wide.  
 The City Engineer said that there is a widening to be provided, to

25 feet.

Mrs. Curtis asked if the grade is to be raised.  
 The City Engineer replied "no".

RESOLUTION NO. 122896, determining that improvement of 31st Street under Resolution 122306 of Preliminary Determination is feasible, and that lands to be assessed will be able to carry burden of 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 Assessment 2324 made to cover costs and expenses of Storm Drains in Streamview Drive, 54th Street and Public Right of Way, Resolution of Intention 115496, the Clerk presented written appeals from Albert J. Jensen, Lillian Joyce, James L. Grigg, T. F. Brioady, Mr. & Mrs. L. R. Billings, Ruth Lewis Haracker, Larry Aufdengarden, Elmo B. Robison and Nancyann Robison, Paul Gervais, Beryl D. Phelps, San Diego Associates, Inc. by B. F. Jenkins, Bernard J. Mayrbat, Dallas Pate. The file also contains 2 communications from the Street Superintendent recommending modification of Assessment Roll affecting individual parcels of land. The documents were presented to the Council.

A. J. Jensen referred to protest which had been brought up at the Council meeting (hearing on Resolution of Intention). He told of having questioned the City Engineer regarding assessment, and of having tried to get Jackson-Scott Addition removed from the district. He stated that he could not talk to Capt. Fogg, City Engineer, or to Mr. Olson of the City Engineer's Office, and received no information. He said that Capt. Fogg had said earlier that there would be 60%-40% assessment, but that the cost is not divided under that plan. He referred to \$38.20 assessment, 1 block off Streamview. He said that people on the bottom receive \$44.70 assessment; various costs going up hill, with \$101.47 across the street. He continued to speak about the varying assessments. He said that the Streamview property had been increased \$1,000 to \$1,5000 on account of the drain.

Vice Mayor Wincote pointed out that the City had contributed \$75,000. to the project.

Mr. Jensen asked for consideration on a "street basis".

The Vice Mayor told of this having been discussed in conference. He said that there is trouble on every storm drain job. He spoke of an error which resulted in the City contributing more than the anticipated 50-50.

Mr. Jensen asked for the formula used for figuring the assessment.

Councilman Dail said that there is a legal requirement on levying of the assessment. He said that the formula used by the City Engineer, the assessment officer, need not be divulged, but that it has been the policy to inform affected property owners. He said that there is a reluctance to do it, however, since it can be used for an attack in a court of law. Mr. Dail said that the Council needs determine only that the assessment is equitable.

Mr. Jensen contended that the people should know what the formula is.

Councilman Dail told Mr. Jensen that the City has to follow the law.

City Attorney DuPaul stated, when asked by Mr. Dail, that courts have ruled that the formula need not be revealed.

Councilman Dail said that the Council does ask the Engineer for the formula.

Councilman Burgener spoke to Mr. Jensen regarding method of levy.

Councilman Schneider said that there is no desire on the part of the City to deceive anybody, or not to reveal the assessment method. He stated that when a controversy arises, the Council asks the City Engineer to divulge the method of assessing.

The Vice Mayor spoke to the City Attorney about the City being prohibited from divulging the method of assessment.

Instead, Councilman Dail answered, saying that the City does so on its own volition.

Mr. Jensen spoke to Councilman Schneider regarding law not requiring the information. He asked how it is known that the Engineer did the right thing, and continued with observations about not having to explain.

Councilman Schneider spoke to Mr. Jenson on the same subject.

Councilman Godfrey said that Council Dail is making a technical point. He said that it is important to keep in mind all the taxpayers that everyone helps to pay for the drain, on account of the contribution - everyone in town.

The City Engineer spread out a map, and showed the property and the assessments.

Mr. Jenson said he is here to see that it is fair and equitable.

The City Engineer asked to be heard through without interruption. He pointed out details on a map at which several individuals, including members of the Council, looked. He told of cost of \$108,000+, and of the City's contribution. He went into detail about the \$75,000 contribution. He said that assessments of \$25. have to be paid in cash, while those of \$25. or more may be permitted to go to bond. He told of having started out on a basis of assessment slightly above \$25. to permit going to bond, if desired. He that assessment had been "worked back" on a combination. The City Engineer told of 15% assessed to frontage, with 85% spread over the area. He spoke of difficulty on the area assessment on account of pie shaped property. He told of the large unsubdivided areas, also. He told of it having to be applicable to all; not playing favorites. He continued to analyse details. He said that the assessment cost is less than it was thought it would be. Capt. Fogg told the Council that he "let chips fall where they may".

Individuals spoke to the City City Engineer, who answered them.

Mr. Maybrat told of having a large assessment.

Councilman Dail spoke to the City Engineer about seeming unfairness to assess properties in gullies.

The City Engineer said that it has to be worked out on some sort of a basis.

Councilman Dail referred to being not based on value.

The City Engineer said that if it is declared to be unusable property, assessment would be put on others.

There was discussion back and forth between various individuals and the City Engineer.

Councilman Burgener spoke about the 14% protest, and need for a second hearing, if this assessment is changed. He said that if it were changed, it could result in even greater protest. He asked if it is a fact that some are not getting any assessment.

The City Engineer's reply was "no".

Vice Mayor Wincote said that it is difficult, on account of the many things behind the proposition. He pleaded for a method to get storm drains installed.

Mr. Jenson spoke to the Vice Mayor regarding the Jackson-Scott (subdivision) property. He wanted to hold to the 60% - 40% deal for area.

The Vice Mayor asked what the Council wants to do.

Councilman Schneider said that there have been divisions, referring to the Street Superintendent's letters.

Councilman Kerrigan said that it is a question if the assessment is fair and equitable. He stated that the Council is not sure. He said that the City Engineer's statement is correct, regarding fairness.

Councilman Kerrigan moved to continue the hearing 2 weeks, week to week, and take up the question of equitable assessment in Conference.

Councilman Godfrey agreed it should be 2 weeks.

The Vice Mayor said that if the assessment is revised, it is not known what the change will be. He said that the Council might find a way to advise the property owners. He said that the Council might hear it in 2 weeks, but that it might be continued another week.

Councilman Kerrigan said that it is agreed by the people in the area that the improvement is good. He said that the bill has to be paid, the Council just wants to be sure assessment is equitable.

Councilman Burgener said that he is in favor of it.

Councilman Wincote said that it would be continued for 2 weeks, then (after the first week) it would be continued another week; possibly another week, if necessary.

Councilman Burgener seconded the motion, resulting in

RESOLUTION NO. 122897, recorded on Microfilm Roll No. 91, continuing until 10:00 o'clock A.M., Tuesday, March 8, 1955, Assessment No. 2324 made to cover costs and expenses of installation of Storm Drains in Streamview Drive, 54th Street and Public Right of Way under Resolution of Intention 11596; referring the matter of equitable assessments on the assessment 2324 to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2325 made to cover cost and expenses of paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, Resolution of Intention No. 118976, 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 protests were presented.

RESOLUTION NO. 122898, confirming and approving Street Superintendent's Assessment 2325 made to cover cost and expenses of paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, under Resolution of Intention 118976; 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment 2326 made to cover cost and expenses of paving and otherwise improving Alley Block 11 City Heights Annex No. 2, Resolution of Intention No. 114246; the Clerk reported that no written appeals 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 protests were presented.

RESOLUTION NO. 122899, confirming and approving Street Superintendent's Assessment 2326 made to cover cost and expenses of paving and otherwise improving Alley Block 11 City Heights Annex No. 2, under Resolution of Intention 114246; 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 2327 made to cover cost and expenses of paving and otherwise improving Ellison Place, Resolution of Intention 115895, the Clerk reported that no written appeals 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 protests were presented.

RESOLUTION NO. 122900, confirming and approving Street Superintendent's Assessment 2327 made to cover cost and expenses of paving and otherwise improving Ellison Place, under Resolution of Intention 115895; 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 2328 made to cover cost and expenses of paving and otherwise improving Alleys Block 3 Alhambra Park, Resolution of Intention 118274, the Clerk reported that no written appeals had been received.

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

Mrs. John M. Gilmore appeared, and said that she is not protesting. She asked if this is the complete assessment.

The City Engineer replied that it was.

Mrs. Gilmore asked about the payment.

Several individuals explained.

Joseph R. Gonzales, said he had the same question. He asked how the Engineer arrived at the assessment, and said his is \$403.00.

The City Engineer said that assessment is on a 80% - 20% basis, plus sewer and water.

Mr. Gonzales said that his property is not as valuable as the one next door.

Willard Olson, of the Engineer's office, explained to Mr. Gonzales regarding the assessment and the payment.

RESOLUTION NO. 122901, overruling and denying verbal appeals of Mrs. John M. Gilmore (she said comments did not constitute protest) and Joseph R.



Gonzales, from Street Superintendent's Assessment 2328 made to cover costs and expenses of paving and otherwise improving Alleys Block 3 Alhambra Park, under Resolution of Intention 118274, overruling and denying all other appeals; confirming and approving the Assessment; authorizing and 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 2329 made to cover cost and expenses of paving and otherwise improving Alley Block 45 Normal Heights, Resolution of Intention 116493, the Clerk reported that no written appeals 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 protests were presented.

RESOLUTION NO. 122902, confirming and approving Street Superintendent's Assessment 2329 made to cover cost and expenses of paving and otherwise improving Alley Block 45 Normal Heights, under Resolution of Intention 116493; 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 Kerrigan, adopted.

Report from Purchasing Agent, with City Manager's stamp of approval, recommending that City award contract to Greenwood Cemetery Association, sole bidder, for Burial Boxes of various sizes at prices identical to charges for the past 3 years, was presented. It states there is no other local source, and weight involved prohibits competition in bidding and shipping.

RESOLUTION NO. 122903, accepting bid of Greenwood Cemetery Association for furnishing Sectional Cement Burial Boxes for 1 year from March 1, 1955 at prices shown; 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 Schneider, seconded by Councilman Burgener, adopted.

Report from Purchasing Agent reporting on low bid of A. F. Andersen, \$7421.00 - 6 bids - for remodeling Mens Restroom at Administration Building, Lindbergh Field, was presented.

RESOLUTION NO. 122904, accepting bid of A. F. Andersen for remodeling Mens Restroom at Administration Building, Lindbergh Field; 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 Burgener, adopted.

Report from Purchasing Agent reporting on low bid of Western Metal Supply Company, \$1,956.55 including State Sales Tax - 2 bids - for furnishing 28 kegs of spikes, and 120 galvanized washers, was presented. Report says material is for redecking Ventura Bridge, and is \$600 saving in cost as result of locating source of supply other than one known to the using department.

RESOLUTION NO. 122905, accepting bid of Western Metal Supply Company for furnishing 28 kegs of 8" bridge spikes; 120 galvanized washers at \$1,956.55; 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 Burgener, adopted.

RESOLUTION NO. 122906, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Radio Tube requirements for 1 year from March 15, 1955, under Document 507236, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122907, recorded on Microfilm Roll 91, authorizing

Hearings  
Communications  
122902 - 122907



Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing and Fittings, under Document 507237, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122908, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Alvarado Canyon Trunk Sewer connections to Highway 80 sewer crossings in Waring Tract west of Rasonia, Document 507166; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122909, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sanitary sewer main and water main to serve California National Guard Armory in P.L. 1203, Document 507164; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122910, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction, glass fiber fabric covering, painting and outfitting of Plywood Skiffs, Document 507167; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122911, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for replacement of water pipes in Sky Chef Restaurant, Administration Building, Lindbergh Field, Document 507168; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

In connection with the next resolution, Councilman Schneider said that anyway this would be an improvement to the situation, then wondered if it will take care of the problem.

The City Manager replied that it can't be cured until there is a storm drain. He said that he is trying to work it out between Convair and the State.

RESOLUTION NO. 122912, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for reconstruction of Witherby Street Storm Drainage Pump Station and appurtenances, Document 507165; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122913, authorizing Purchasing Agent to advertise for sale and sell junked meters and parts, no longer desirable for use or retention by the City; expenses in connection with sale to be deducted from proceeds, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122914, authorizing Purchasing Agent to advertise for sale and sell junked meters and parts, no longer desirable for use or retention by the City; expenses in connection with sale to be deducted from proceeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, continued, recommending denial of petitions asking that street names in Rolando area be restored to original names: Vantage Drive to Valencia Drive, the original name; Alamo Place to Toledo Drive, the original name; Calvert Way to Casita Way, the original name, was presented again.

Arno W. Mueller, Toledo Drive, told the Council that Mr. Chevaly, next door to him, has been before the Council 3 times regarding changing name of Toledo back to Alamo. He told of having much stationery of his own with the original street name. He asked why request should be denied, and all on the street be made to change.

P. Q. Burton, from the City Planning Department, said that on the report to the Council there had been 5 hearings held in Rolando. He said that it did not make an impression on account of protest after change made. He told of reason for making the change is to avoid confusion. He said there is a Toledo Road in Casa de Oro. He pointed out that Mr. Mueller has a business in an R-1 zone.

Mr. Mueller replied that his business is at another address.

Vice Mayor Wincote said that it is possible to do away with considerable confusion where there elimination of duplication of names.

Mr. Mueller asked where Casa de Oro is in the City.

Mr. Burton stated that it is east of Spring Valley. He told of the department being advised by the Post Office about the confusion. He pointed out that there is no authority outside of the City, answering Councilman Schneider, to change names in Casa de Oro.

Councilman Schneider spoke to Mr. Burton.

Councilman Dail was excused

Mr. Mueller said that there are 3 Olive Streets: 1 in the County; 2 in the City. He said that the Alamos are confusing, and that he is still protesting.

Councilman Wincote told of there being a problem which the City is trying to solve. He said that the item has been brought up 3 or 4 times.

Councilman Schneider said that in Conference mention was made regarding the other Toledo, which is in the County. He said that there is not full justification regarding this street.

The Vice Mayor said that it has been explained.

Councilman Burgener asked how many have been changed.

Mr. Burton replied 22 in Rolando (annexed to the City recently).

Mr. Mueller asked where to go with an appeal.

The Vice Mayor and Councilman Schneider both said "this is it".

Councilman Kerrigan spoke to Mr. Mueller regarding past actions, regarding the whole problem. He said that the procedure for making street name changes hasn't been fully determined. He said that it is sort of imponderable, and Planning Commission makes the change with Council's final approval.

Councilman Dail returned

Councilman Kerrigan spoke of 1 change in Kensington, although there are 28 Avacado Streets in the metropolitan area; 1 in San Diego. He said he does not know the answer.

Mr. Mueller said that he had not been invited to any meeting regarding street name changes.

There was discussion between Councilman Kerrigan and Mr. Mueller.

Mr. Schmitz, 4729 Valencia (new Vantage), said that Clairemont is a new area, but that it has a Balboa there, as well as elsewhere.

Councilman Burgener said that Balboa, going to Clairemont is an extension of the same street.

Mr. Burton agreed that it is an extension of Balboa, in Pacific Beach.

Mr. Schmitz referred to Valencia Street in Spring Valley, and that what the City is doing is not logical.

The Vice Mayor said that it is difficult to explain. He said there is need to review the entire system.

Councilman Burgener said that he wants to review it carefully. He said that maybe the Council should look at it again.

Councilman Wincote asked if Valencia Street in Point Loma was changed at the same time.

Mr. Burton said that it had been changed earlier.

Councilman Dail stated that there is a general problem, and that the overall picture needs complete study; not isolated cases. He repeated there should be an overall study. He asked if the City rushed out and changed the name signs.

Mr. Schmitz told of this being the 3rd change, without evening moving or having changed house numbers. He said that Valencia Street in Spring

Communication  
Discussion re Street  
name changes in Rolando

Vally is an extension of Palm.

Councilman Kerrigan spoke of need for full cooperation, and need for a County commission to study street names in the County.

Discussion was entered into between Councilman Kerrigan and Mr. Schmitz.

Councilman Kerrigan related an instance resulting from confusion in street names, during a fire, where a house burned to the ground.

Councilman Godfrey was excused

Wm. Brown, 4712 Vantage Drive (formerly Valencia), stated that it is disturbing in a residential system where there has been a street name for a long time. He said that he can't understand why it was changed, for the benefit of a County street.

Vice Mayor Wincote said that there is a lot of confusion among ambulances.

Mr. Brown said that it appears that the street in the City did not get the proper consideration.

Councilman Schneider said that there might have been a variance. He said that the Planning does not want to be sacrosanct.

Mr. Brown said that in the directories the street is still shown Valencia.

Councilman Dail was excused

Mr. Rick said that residents were either satisfied, or they didn't know of the change.

Councilman Schneider declared that many don't see the advertisements of the hearings.

Mr. Rick referred to there having been news items on the subject. He asked if change should be made on account of this presentation. He spoke of need for an ordinance regarding posting and change, and notices. He said that the City should not play 1 street against another.

The Vice Mayor asked about changing it back.

Mr. Brown said that it is in the telephone directory, and the City directory is in the making.

Councilman Dail returned

Councilman Dail said that the subject should be referred back to Planning for additional study.

Councilman Dail moved to refer the item back to Planning, for additional study on the 3 streets. Motion was seconded by Councilman Schneider.

RESOLUTION NO. 122915, referring back to the Planning Commission for additional study the matter of changing names of Valencia Drive, Toledo Drive, Casita Way, in Rolando, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

There was discussion between Councilmen Dail and Kerrigan.

Councilman Kerrigan said that if name is changed back, everybody should know.

Vice Mayor Wincote said that "their" problem is immediate.

Councilman Kerrigan said that it is just regarding the one name. He stated that there are 3 petitions. He said that all should go back, and be notified. He said that he has had a lot of telephone calls regarding the 2 other petitions. He said that he wants to consider the 3 petitions.

RESOLUTION NO. 122916, declaring that where street names are to be changed that there be hearings, and the areas affected be posted, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Councilman Dail spoke regarding need to call in several departments and agencies.

RESOLUTION NO. 122917, referring to the City Manager the matter of coordination regarding street names, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Resolution suspending sections of Municipal Code re Tentative Map of College Ranch Units 4 and 5, continued to this date from a previous meeting, was presented.

Communication from Planning Commission, signed by Harry C. Haelsig, approving Tentative Map of College Ranch Units 4 and 5, approximately 2000-lot subdivision of portion of Lots 68, 69 and 70 of Rancho Mission, attaching 13 conditions, was presented. It, too, had been considered at an earlier meeting and continued to this date.

Eugene Freeland, engineer, who had spoken on question on February 24, appeared again.

Hearing re Rolando, et al street names  
Communications continued

Councilman Godfrey entered.

Glenn A. Rick, City Planning Director, stated that the Tentative Map had been referred to the City Manager regarding the improvement cost.

Mr. Freeland told the Council that he had called both O. W. Campbell, City Manager, and Mr. Rick, and found that both were out of town. He said that under the City Engineer's recommendation, there would be 2 access roads; also a center major street, plus service roads. He said that the Planning Commission and the property owner favor that. He spoke of calling for additional 40 feet, with which he did not agree.

Mr. Freeland was addressed directly by Mr. Rick.

Mr. Freeland said that he could not agree to 104 feet.

Mr. Rick said that E. W. Blom was to work out the situation.

The City Manager said that the problem is the assuming of obligation to pave the center section. He spoke of a question of money in 3 or 4 years. He told of there being 2,000 units in this section, but that more is to be developed. He termed it a unique situation.

Councilman Burgener spoke to the City Manager about sewer conditions.

The City Manager answered that is covered in the "conditions" of the approval.

Councilman Schneider was excused

The City Manager spoke of need for several sections of road.

Councilman Burgener asked about the length.

Mr. Freeland referred to it being a new route from Fletcher Hills, way down Alvarado freeway down to Fairmount. He said that it would be a short cut from Imperial Valley.

Vice Mayor Wincote asked what the situation is.

Councilman Schneider returned.

Mr. Freeland said that recommendation is for reserving limited access. He referred to 184 feet.

Councilman Godfrey asked what new is added.

The Vice Mayor said "the only thing new....." (statement not completed.

The City Manager said that there will be a heavy demand on "this". He said that it is a portion of the Waring property. He said that the whole thing should be reserved. The Manager spoke of the demand and how to pay.

Councilman Godfrey said that it is predicated on assumption that there will be development.

The City Manager said that it has to do with the reservation outside this subdivision.

Mr. Rick told the Council that there would be 100 acres granted to the City.

Mr. Freeland referred to 51 feet of right of way, plus access right of way, and limited access.

The City Manager said that it is basically to serve "this" property, and that it is about the only access.

Councilman Godfrey asked if there is some urgency, and if there is any firm recommendation.

Councilman Dail was excused

The City Manager said that recommendation is for the subdividers to pave more. He stated that there are objections regarding more demanded than is normal. He said that it is going to serve more property. Mr. Campbell stated that if design is for 1 subdivision, it is inadequate.

Councilman Burgener said that the Council was to have been briefed on the subject, but that it had not been reached in Conference.

Mr. Freeland said that while the developer is interested in this part, there is a master plan. He stated that a section would have to be built by the City. He told of being under process regarding purchase of a portion. He said that access cannot be had now.

Vice Mayor Wincote said that while he can speak only for himself, he is getting more confused. He told of wanting to see a map, the route, and an estimate.

Councilman Godfrey said that he was pointing out the same as Councilman Burgener. He told of having to have a briefing, and have back on the agenda, regarding the overall City problem. He suggested that it be continued until Conference on Thursday.

The Clerk pointed out that there is to be a meeting on Tuesday, March 8, election day. It will be the meeting following Thursday conference.

The Vice Mayor said that the Council should meet all day in



Conference.

On motion of Councilman Wincote, seconded by Councilman Burgener, it was determined to consider the item in Conference, Thursday, March 3, at 8:30 - and return it to the agenda next Tuesday (March 8, 1955).

RESOLUTION NO. 122918, referring to Council Conference, for consideration at 8:30 A.M., March 3, 1955, the question of streets and roads in the College Ranch Units 4 and 5; directing the City Clerk to put the item on the agenda for the Council meeting of Tuesday, March 8, 1955, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from City Engineer recommending that Council form district ~~formed~~ to install ornamental street lighting system, together with necessary modernization, in B Street and C Street each between Kettner Boulevard and 3rd Avenue; India, Columbia, State, Union, Front Streets, First and Second Avenues, each between Broadway and northerly line of B Street, was presented.

RESOLUTION NO. 122919, adopting recommendation of City Engineer, Document 506999 to order district formed re lighting system; requesting City Engineer and City Attorney to prepare and present papers and resolutions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer recommending that Council form district to order installation of ornamental street lighting system, together with necessary modernization in B and C Streets, each between 6th Avenue and 12th Avenue; 7th, 8th, 9th, 10th, 11th Avenues, each between Broadway and northerly line of B Street, and 12th Avenue between Broadway and Russ Boulevard, was presented.

RESOLUTION NO. 122920, adopting recommendation of City Engineer, Document 507000 to order district formed re lighting system; requesting City Engineer and City Attorney to prepare and present papers and resolutions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer recommending that Council form district to order installation of ornamental street lighting system, together with necessary modernization in E, F and G Streets, each between westerly line of 3rd and easterly line of 6th Avenues; 3rd, 4th, 6th Avenues, each between Broadway and Market Street; 5th Avenue between Broadway and Harbor Drive, was presented.

RESOLUTION NO. 122921, adopting recommendation of City Engineer, Document 506997 to order district formed re lighting system; requesting City Engineer and City Attorney to prepare and present papers and resolutions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer recommending that Council form district to order installation of ornamental street lighting system, together with necessary modernization in 3rd, 4th, 5th, 6th Avenues, between Broadway and Ash Street; A, B, C Street between westerly line of 3rd Avenue and and easterly line of 6th Avenue, was presented.

RESOLUTION NO. 122922, adopting recommendation of City Engineer, Document 506998 to order district formed re lighting system; requesting City Engineer and City Attorney to prepare and present papers and resolutions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Copy of communication from J. M. Banister, J. M. B. Development Co., addressed to the City Planning Commission, protesting proposed rezoning of Lot 47 47 Rancho Mission as R-1A, was presented.

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

Communication from Tommy Morgan, E-Ray Sporting Goods, 4317 Fairmount Avenue, San Diego 5, California, requesting notification of date bids will be accepted, and conditions of bids, for concession at El Capitan Reservoir, was presented.

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



Petition of residents and property owners in 4200 block of 4th Avenue, requesting that "the damage done by water undermining pavement, be resurfaced, and that existing drain be elevated, as it is now is danger to children in the neighborhood..", was presented.

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

Communication from W. E. Starke, attorney at law, suite 1130 Bank of America Building, San Diego 1, suggesting auction of City-owned property on a list attached, which has been acquired by option on tax-delinquent agreements, was presented.

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

Communication from Karie Krabill, 239 Wright Street, El Cajon, Calif., dated Feb. 23 '55, addressed to the City Councilmen, was presented. It objects to personal tax on household goods, etc., and refers to it as stupid and "outrages". In conclusion, the writer said she is serious and wants each of the Councilmen to take notice of contents.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the County Assessor.

Copy of communication from Washington Street Merchants and Property Owners Association requesting hearing re modification of "No Parking" signs on Washington Street, between 5th Avenue and Curlew Street; was presented. Communication, dated 23 Feb 1955, from 419 W. Washington St., San Diego 3, is signed by Joseph Wurzel, chairmann, H. L. Hangii, Co Chairman, Wm. V. Stewart, was presented.

Councilman Godfrey asked "what is the deal?". He said that he and Councilman Wincote were at a luncheon on the subject (on which there had been various communications and hearings in connection with signs re tow away and limited parking). He said that an effort was to be made to alleviate the problem. He asked if anything had been done.

The Vice Mayor said that a hearing is wanted, and that it should be set.

On motion of Councilman Schneider, seconded by Councilman Burgener, a hearing was set for Thursday, Thursday, March 10, 1955, at 10:00 A.M.

RESOLUTION NO. 122923, directing notice of filing Assessment 2338 and of time and place of hearing, for paving and otherwise improving Alley Block L Altadena, was on motion of Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122924, directing notice of filing Assessment 2339 and of time and place of hearing, for paving and otherwise improving Quimby Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122925, directing notice of filing Assessment 2340 and of time and place of hearing, for sewers in Klauber Avenue, Pierino Drive, et al., was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 122926, accepting bid of Fischbach and Moore, Incorporated, a corporation, and awarding contract, re street lights on Broadway, Resolution of Intention 121648, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

3 bids were received; low bid is 4.6% below estimate.

Petition  
Communications  
122923 - 122926

RESOLUTION ORDERING WORK NO. 122927, for paving and otherwise improving Alley Block 13 Swan's Addition, Resolution of Intention No. 122086, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 122928, ~~for paving and otherwise~~ improving Pacific Beach Drive, Resolution of Intention 122089, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted: (Sidewalks)

RESOLUTION OF INTENTION NO. 122929, for paving and otherwise improving Alley Block 9 Ocean Beach Park, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 122930, for paving and otherwise improving Alcott Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from City Engineer recommending amendment to improvement under Resolution 117922 for paving La Dorna Street, was presented.

RESOLUTION NO. 112931, adopting recommendation of City Engineer to amend proceedings on La Dorna Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The next item, continued from February 24, was considered.

RESOLUTION NO. 122932, authorizing and directing City Clerk to publish or cause to be published proposed amendment to Rules of Civil Service Commission in full at least once in official newspaper of the City at least 10 days prior to hearing to be held March 17, 1955; also cause copy of proposed amendment to be posted in 3 public places at least 10 days prior to date of hearing, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

(Rule has to do with Age Requirements)

Communication from Harbor Department, dated 23 February 1955, signed by Port Director, was presented. It tells for need of new lease initiated as result of relocation of fueling facilities from National Steel and Shipbuilding Corporation premises to National Marine Terminal, Inc. water area.

RESOLUTION NO. 122933, ratifying, confirming and approving lease, copy on file in office of City Clerk as Document 506598; directing City Clerk to cause certified copies of Resolution to be attached to original and duplicate original of lease.

Communication from Harbor Department, dated 23 February 1955, signed by Port Director, was presented. It requests approval of the Council to make amendment effective 1 November 1954 Agreement for Amendment No. 3 of National Steel and Shipbuilding Corporation, increasing land area by approximately 4500 square feet, previously covered by Tideland Use and Occupancy Permit.

RESOLUTION NO. 122934, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 3, with National Steel and Shipbuilding Corp.; directing City Clerk to cause certified copies of Resolution to be attached to original and duplicate original of Agreement for Amendment No. 3, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122935, prohibiting parking of automobiles at all times:  
North side of Capistrano Place between Mission Boulevard and  
Bayside Walk;  
South side of Capistrano Place between Mission Boulevard and  
Ocean Front Walk;  
authorizing and directing installation of necessary signs and markings, was on

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

RESOLUTION NO. 122936, authorizing and empowering City Manager to do all work in connection with making 75 connections to existing water mains and necessary sterilization, in connection with installation of small water main replacements, Group No. 18, Specification 98, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122937, authorizing and empowering City Manager to execute for and on behalf of the City, lease with Donald B. Potts and Joseph F. Ayers of portion of stone quarry lying below 395 foot contour line of Lake Hodges westerly of Bernardo Bridge, for 5 years, at \$50.00 monthly, re form, description and conditions under Document No. 507303; property has value of \$500., was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122938, authorizing and empowering City Manager to enter into agreement, for and on behalf of the City, with State of California, Department of Public Works, for closing, relocation and other construction affecting City streets in connection with State Highway Route 77 between Fulton Street and Aero Drive, Document 507309, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122939, authorizing and directing San Diego Gas & Electric Company to install a 20,000 lumen overhead street light at southwest corner of Rosecrans Street and Midway Drive, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122940, granting revocable permit to I. E. Bramlett, 1106 Felspar, San Diego, for temporary water line under and across east side of Ethan Allen Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122941, granting revocable permit to First Presbyterian Church, to install and maintain steel stairway over and across strip 2'x20' adjacent to church property at 3rd, 4th and Date: Lots D, E, F, G, H, I Block 217 Horton's Addition, was on motion of Councilman Kerrigan, seconded by

RESOLUTION NO. 122942, granting Carlos Tavares permission to install 4" soil line from house to front property line at minimum grade of 1/8" per foot, 6302 Scenic Drive, La Jolla, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 122943, granting revocable permit to George B. Wright, 3953-1/2 Louisiana Street, San Diego, to install and maintain 4" cast iron sewer line on northerly portion Montecito Way, in front of Lot 13 Block 27 Arnold & Choates Addition, to connect proposed house on Lots 9 to 12, subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

There was listed on the agenda for approval of \$8,173.80 by San Diego Chamber of Commerce. While Council covered the item by motion, Resolution was not prepared, inasmuch as it is set up under contract. It accompanied communication from the Chamber giving a semi-annual report on advertising resources to increase trade and commerce and bring about industrial development. The Clerk added documents to the file.

RESOLUTION NO. 122944, vacating easement across portion Lot 235 Block 11 Crown Point, heretofore granted to the City, not used since acquisition May 13, 1930, to revert to owner of land free from rights of public, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122945, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of The City of San Diego, quitclaim deed quitclaiming to United States of America Housing and Home Finance Agency, Public Housing Administration, easement and right of way dedicated by Map 319, Linda Vista Subdivision 3, in westerly 4.00 feet of northerly 96.00 feet Lot 93 Block 68, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says easement has not been used for purpose for which acquired, and City is desirous of acquiring easement for public use in Lot 94 Block 68, and owner has agreed to convey it in exchange for quitclaim from the City in Lot 93.

It directs City Clerk to deliver quitclaim deed to Property Supervisor with instructions that it be delivered to Grantee when he shall have received deed to easement required by The City; rescinding Resolution 122494 adopted February 3, 1955, authorizing Mayor and City Clerk to execute quitclaim deed to Public Housing Administration, together with quitclaim deed so executed.

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

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 written or printed copy.

ORDINANCE NO. 6425 (New Series), appropriating \$800. from Capital Outlay Fund, for providing funds for installation of 1 safety light at intersection of Girard Avenue and Torrey Pines Road, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey, Kerrigan. Nays--None. Absent--Councilman Dail, Mayor Butler.

\* Continued Ordinance amending Chapter IV San Diego Municipal Code regulating Food and Liquid Vending Machines, was presented again for introduction.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued one week - to March 8, 1955

(J. B. Askew, M.D., Health Officer, came up, and talked privately to individuals who are apparently interested in the proposed ordinance).

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

RESOLUTION NO. 122946, authorizing Councilman Claire W. Burgener to attend a State Legislature meeting early in March, 1955, at the time when proposed bill to permit participation by State in expense of improving harbor and tidelands in Mission Bay is presented; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending Paragraph (b) of Section 91.38 of San Diego Municipal Code Regulating Moving of Structures - prohibits moving to new location within Fire Zone No. 1 - was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--None. Absent--Councilman Dail, Mayor Butler.

\* The Council referred back to this item. On motion of Councilman Godfrey, seconded by Councilman Kerrigan, action was reconsidered.

122944 - 122946  
6425 N.S.  
Ord. cont - reconsidered

A man, whose name was not understood, told of needing considerable time.

Asked about the time, he replied a week, or more.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the proposed ordinance was continued 1 week, again.

The Clerk was directed to list it as the first hearing, in 1 week.

The City Manager was granted permission to present the next item, not listed on the agenda:

RESOLUTION NO. 122947, authorizing City Manager to send representative of Equipment Division, Department of Public Works, to Los Angeles, for purpose of attending motor vehicle maintenance course to be conducted by Institute of Transportation and Traffic Engineering and University Extension, University of California at Los Angeles, March 2, 3, 4, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from City of El Cajon enclosing certified copy of Resolution urging Board of Supervisors to support League of California Cities Uniform Sales, was returned from Council Conference.

It was filed by the Clerk.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 12:16 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstein*  
Deputy

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



## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, March 3, 1955

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

Resolutions and Ordinances were recorded on Microfilm Roll No. 92

Councilman Dail was granted unanimous consent for the following presentation, not listed on the agenda:

The Mayor recognized Mrs. Smith (no first name or initials given), of the Sherman School P.T.A.

Mrs. Smith told of the over-crowded playground, with only 1 supervisor for from 200 to 300 children. She spoke of the playground catering to small children.

The Mayor asked if any approach had been made to Dr. Dailard, of the Board of Education office.

Mrs. Smith replied "no"; it is regarding playground - at the school.

Councilman Dail said that the Council is getting a report from the City Manager on the subject. He spoke to Mrs. Smith about the problem, and of investigation being made.

On motion of Councilman Dail, seconded by Councilman Godfrey, the verbally-presented subject was referred to the City Manager.

Councilman Kerrigan entered

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed rezoning of North 50 feet of East 60 feet of South 366 feet; North 50 feet of East 70 feet of South 286 feet of Lot 203 Clairemont Unit No. 1, from R-4 to RC Zone, Councilman Wincote said that a man had spoken to him before the meeting. Mr. Wincote did not identify the man.

Planning Department report, which had been read at the previous hearing, was read again by the Clerk.

Councilman Dail referred to Glenn A. Rick, City Planning Director, having been asked to be here.

P. Q. Burton, from the Planning Department, told the Council that Mr. Rick is on vacation, and that he had been notified.

Councilman Dail said that the hearing had been delayed to this date, regarding Mr. Rick's statement that Mr. Tavares had said that the rezoning was sought on account of profit involved.

Councilman Wincote said that reason is in the petition. He stated that part of the request had not been read last week. He read that portion of the petition. He spoke of there being nothing to do with added profit.

Councilman Dail declared that to be not a valid reason, with a pharmacy in the district.

Councilman Kerrigan asked about existing C Zone.

Mr. Burton replied that there is an existing R-C Zone, which would permit what is sought in this requested rezoning.

Councilman Wincote said that Mr. Burton said that the only reason for the reason was for profit.

Mr. Burton read from the Planning Commission's minutes.

Councilman Wincote said that statement might have to come from Mr. Tavares. He requested the minutes, which Mr. Burton gave him. Mr. Wincote then perused them.

The Mayor read from the letter of Dr. Dailard, Superintendent of Schools - which letter had been read at the previous during the Mayor's absence.

Mr. Burton told the Council that Mr. Tavares said that a pharmacy and coffee shop are essential to operation of the medical center. He stated that the Commission had granted the pharmacy. He contended that the coffee shop could be located in the building. He stated that Mr. Tavares said it is being deleted from the zoning.

Councilman Dail asked if the other reasons are valid. He said this should not be hooked onto a single statement of Mr. Tavares.

Meeting convened

Sherman School P.T.A. statement under U.C.

Hearing (Cont.) re rezoning por Lot 1203 Clairemont Unit No. 7

Councilman Wincote asked if it is a crime to make a profit. Councilman Godfrey said it is not a crime, but it is not a reason for zoning.

Councilman Wincote read from the minutes to the Council. Then he referred to the wording of the petition.

Councilman Godfrey told of 2 points involved: clinic with essential pharmacy, and a coffee shop. He said that would need C Zone. Then he spoke to Mr. Burton about the reason.

Mr. Burton spoke to Councilman Godfrey regarding what had been granted, and about what is wanted in connection with the door and sign.

A man, who was not identified, said he had recommended to the Zoning Commission that the property be re-zoned.

Councilman Godfrey said that this gets into 2 things, including schools. He said that it has to do with deciding if the zone variance shall stand, or if it shall be re-zoned.

Mr. Burton pointed out to the Council that a pharmacy had been approved.

The man who had spoken previously said that doctors' offices would be closed off with gates.

Mr. Burton said that door is required on the side, regarding the doctors' offices, for convenience of doctors and patients - not for the public.

Councilman Kerrigan said it resolves into a question of Where is the door to be ".

A conference was held over a map presented by Mr. Burton. He talked to Councilmen over papers and a sketch.

The man who had spoken earlier, told the Council that it an open building, that there is need for gates which can be locked.

There was discussion between Councilman Godfrey and the same man.

Councilman Godfrey observed that there would be somebody on the site.

The man said that the coffee shop has been eliminated. Councilman Godfrey asked if under the variance it is possible to have a door in the front.

Mr. Burton pointed out the area on the drawing.

The same man said that there is need for a sign and for the door.

Councilman Godfrey asked about the sign.

Mr. Burton said that they can have a sign indicating the business; 4'x24' sign is permitted. He told the Council that in the development of Clairemont has always shown the property as R-4, for medical center. He said that the Commission, nevertheless, had cooperated until 1 of the lots was proposed for commercial use. He said that the service station area had changed the zoning to R-C and C. He stated that the petition includes "others".

Ed. Wilson, representing the Clairemont interests, replied "yes", and referred to area as being 1,000 away.

Councilman Godfrey said that the question is regarding the door. He said that it had been recommended 5-0 conditionally. He asked what is different.

Mr. Burton replied that recommendation was for R-C (from R-4) on 1 lot.

That man read regarding recommendation in connection with C Zone.

Harold Culver, representing the Board of Education, said that objection had been based on other uses. He said that Mr. Tavares had agreed to put in the deed restrictions on the pharmacy. Mr. Culver said as a result, objection had been withdrawn.

Councilman Wincote asked if objection had been withdrawn on account of "the door".

Mr. Culver said that protest had been based upon objectionable business.

Mr. Burton spoke about a July 2, 1952 recording, regarding restrictions placed on record, including Lot 1203. He said those restrictions are of record now. He read them.

Councilman Schneider asked if it is a deed restriction.

Mr. Burton replied "yes".

Councilman Schneider asked about penalty for violation of deed restriction.

Question was not answered.

Mr. Wilson told the Council that the property was not owned, 1-1/2 years ago when restrictions were placed. He stated that Union Title Co. is willing to insure the title.

Councilmen Kerrigan and Godfrey spoke directly to Mr. Wilson. Councilman Kerrigan said that question has resolved itself into permission for a pharmacy alone. He asked if zoning can confine it to that use alone. He expressed the belief that deed restriction would not hold. He said "zone variance would be best".

Councilman Godfrey stated that door is shown in the plaza.

The unidentified man said that door is in the front.

Councilman Kerrigan asked if it can't be granted in the front.

Mr. Burton agreed that it can.

Councilman Godfrey said that need through zone variance is met, including front door and reasonable sign. He spoke to Mr. Burton about the door on the front, and a reasonable sign.

Councilman Kerrigan pointed out that the sign ordinance is not subject to variance.

City Attorney J. F. DuPaul said that the statement of Councilman Kerrigan is right.

Councilman Dail asked about the sign on the Town and Country Hotel in Mission Valley. He asked about what zone, and if variance was to C.

Councilman Wincote said that it was R-4; when hotel was put up, it was found that sign was not legal.

Councilman Dail said that the Council "varied the variance", and changed it to C.

Councilman Kerrigan disagreed.

Councilman Dail asked about amending the ordinance.

Mr. DuPaul said the Council can refer the question to the City Attorney's office for investigation.

Councilman Dail moved to refer to the City Attorney regarding sign allowed.

Councilman Godfrey said that this has been pending some time.

RESOLUTION NO. 122948, referring to the City Attorney and to the Planning Department for report to Tuesday (March 8) Conference what can be done regarding door and reasonable sign on pharmacy in portion Lot 1203 Clairemont Unit No. 7; directing City Clerk to list the hearing on rezoning on the agenda, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The unidentified man said that the door could not be O.K'd.

Councilman Kerrigan stated that the Council can't set the rule.

Unánimous consent was granted to the Mayor to hear Archie Moore, world champion prize fighter.

Archie Moore came to the microphone, amid applause, and told the Council he is proud to be a San Diegan. He said that his plight has to do with trying to get a fight with Rocky Marciano. He declared that it is not Marciano who is unfair, but his manager, Al Weil, is. He related Marciano's manager's activities. He told about having been Golden Gloves fight referee, for nothing, while another man wanted \$4,000. to referee. He told about a proposed exhibition benefit. Mr. Moore told of Weil having refused permission for him to pose with Marciano; and related other fights and activities. He told of sale of \$40. seats at ringside in San Francisco. He said he was protesting, and asked the Mayor to do the same, re fight between Marciano and Don Cockell. He referred to 40 years of clean boxing.

The Mayor replied that he will be in Sacramento, and that if he sees the Governor, he can bring him the personal message.

There was no Council action.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed incorporation of portion Lot 13 New Riverside - 13.6-acre lot north of Aero Drive on west side of Highway 395 across from Montgomery Airport, approximately between extended center lines of 2 existing runways - into R-1 Zone from existing R-1B interim zone, Councilman Schneider asked "what's the dope; where is it?"

P. Q. Burton explained that it is at the Montgomery Field runway, as shown above; that it is under an R-1B interim zone.

Councilman Dail said that if proposed zone is approved, some can get in trouble.

The Mayor referred to runways being east and west.

The Mayor said that property will not be affected materially. He showed the Council a map, and said that main runway is to the west.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the file was referred to the City Attorney for preparation of the necessary ordinance.

It was pointed out by the Clerk that an ordinance was in the file. Action was reconsidered.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portion Lot 13 New Riverside into R-1 Zone as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance 5890 (New Series) insofar as same conflicts, was introduced, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

\*

Report of Purchasing Agent, with City Manager's stamp of approval, reporting on bids for sale of old Point Loma Standpipe, no longer desirable for use or retention by the City. It recommends award to Pioneer Truck Co., low bidder of 3 bids at \$900.

RESOLUTION NO. 122949, authorizing Purchasing Agent to award contract to Pioneer Truck Co. for removal and disposition of old Point Loma Standpipe, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution says Purchasing Agent advertise for sale and removal under Resolution 121002, but no bids were received, that Pioneer Truck Co. was then the low bidder.

RESOLUTION NO. 122950, authorizing and directing Purchasing Agent to advertise and sell at public auction property listed in the Resolution, recovered by Police Department, unclaimed for more than 6 months, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

\* Councilman Godfrey referred back to zoning in portion Lot 13 New Riverside. Answering Councilman Godfrey, P. Q. Burton said that there was small attendance at the hearing.

In connection with the next 3 items regarding Street name changes, Councilman Kerrigan said they should be referred back to the Planning Commission.

Councilman Wincote said that the Council passed 3 motions on Tuesday, which will take care of these.

Councilman Burgener said that only 5 on the agenda is controversial. It has to do previous changes to Logrono Drive and Lambeth Drive. Speaking of Soria Drive change to Marraco Way change, he said notices were mailed ; no one appeared, and there were no objections at meeting of 1/26/55.

Councilman Wincote said that all were streets in Rolando annexed, and had been referred back to Planning.

The City Manager said that item 7, Zero Road, is in a different area.

Councilman Kerrigan said that on Soria Drive change to Marraco Way there was no objection.

P. Q. Burton, from the Planning Department, said that Soria is not affected.

Councilman Kerrigan said the Logrono Drive and Lambeth Drive was the one referred back.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the communications re Lambeth Drive and Logrono Drive were referred back to Planning Commission.

Councilman Wincote said that the Tuesday motion included Soria; Soria may now come in.

Councilman Dail told the Council that he hopes it will not lose sight of the proposed commission.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, re change of name of Soria Drive to Marraco Way, was referred back to Planning Commission.

Communication from Planning Commission, signed by P. Q. Burton,

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Street name changes  
discussion

reporting on petition to change street name of Zero Road to Wireless Road, recommending that name be not changed, was presented.

RESOLUTION NO. 122951, adopting recommendation of City Planning Commission, Document 508008, that name of Zero Road be not changed, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The continued item - communication from City Planning Commission recommending approval of Tentative Map of Bettles Acres, 2-lot subdivision of portion P/L 1256, was presented.

The Mayor's attention was called to another request from Mr. Bettles for continuance 1 more week.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued to March 10, 1955.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension portion Municipal Code re Bowman's Clairemont Terrace, was presented.

RESOLUTION NO. 122952, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Bowman's Clairemont Terrace, 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 Bowman's Clairemont Terrace, 3-lot subdivision of easterly 150 feet of North Half Lot 7 Eureka Lemon Tract, subject to 6 conditions, was presented.

RESOLUTION NO. 122953, approving Tentative Map of Bowman's Clairemont Terrace, subject to the conditions, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of Clairemont Hills, was presented.

RESOLUTION NO. 122954, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Hills, 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 Clairemont Hills, 274-lot subdivision of portion Pueblo Lot 1241, located northeasterly of Clairemont Manor Unit No. 4, at extreme north end of Clairemont Development, subject to 14 conditions, was presented.

RESOLUTION NO. 122955, recorded on Microfilm Roll No. 91, approving Tentative Map of Clairemont Hills, subject to the conditions, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map for 2-lot subdivision Lot 12 La Jolla Lomas, was presented.

RESOLUTION NO. 122956, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of La Jolla Lomas, 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 2-lot subdivision Lot 12 La Jolla Lomas, subject to 8 conditions, was presented. The Planning Commission's report was read.

W. A. Hubbard said that he has not seen a copy of conditions. He told the Council that his wife owns the property.



Councilman Wincote recommended holding the item until the end of this meeting.

Mr. Hubbard asked for a 1 week continuance.

Councilman Schneider moved to continue it 1 week. Motion was seconded by Councilman Wincote.

Mrs. Hubbard told the Council that the reason they did not know of the conditions, and had attended no Planning Commission meetings was that they have been in Mexico for a month.

Councilman Wincote asked that they be given a copy of the conditions.

The roll was called, and the communication was continued until March 10, 1955.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of Ocean View Gardens, was presented.

RESOLUTION NO. 122957, suspending Sections 102.09-1 & 2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Ocean View Gardens, 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 Ocean View Gardens, 1-lot subdivision of southerly portion Lot 9 Ocean View Gardens, northerly side of Trojan Avenue west of 58th Street, subject to 7 conditions, was presented.

RESOLUTION NO. 122958, approving Tentative Map of Ocean View Gardens, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of Soledad Heights, was presented.

RESOLUTION NO. 122959, suspending Sections 102.05, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Soledad 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 Soledad Heights, 17-lot subdivision of portion Pueblo Lot 1785, located in northerly Pacific Beach, westerly of new Pacific Beach Reservoir, and within area of community plan design adopted by Planning Commission - R-1C zone which requires minimum of 10,000 sq. ft. with 60-frontage - subject to 14 conditions, was presented.

RESOLUTION NO. 122960, approving Tentative Map of Soledad Heights, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Resolution suspending 6 sections of Municipal Code re Tentative Map of West Muirland's Terrace, Karrh Addition, was presented.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of West Muirland's Terrace - Karrh Addition - 1-lot subdivision of portion of Pueblo Lot 1262 - portion of La Jolla Golf Course located on northerly side of West Muirlands Drive, was presented. It states lot is 89 ft x 100 ft., which is comparable to adjacent lots. It recommends 9 conditions.

An unidentified man, presumed to be the individual who is doing the subdividing, told the Council that there is no sidewalk on the south, except 1 block. He said he is willing to install walk when others do on each side of his property. He referred to it has being 1-lot subdivision, 90 ft. x 90 ft (rather than as shown above).

Councilman Kerrigan spoke to the man.

Mr. Haelsig said that it "does not quite comply".

On motion of Councilman Schneider, seconded by Councilman Godfrey,

requirement for sidewalks was deleted from the conditions.

RESOLUTION NO. 122961, suspending Sections 102.09-1 & 2, 102.11-2, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of West Muirland's Terrace, Karrh Addition, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122962, approving Tentative Map of West Muirland's Terrace, Karrh Addition, 1-lot subdivision of portion Pueblo Lot 1262, subject to conditions of the Resolution (with condition 5 re sidewalk deleted), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from A.B.C. Cab Company of Ocean Beach, dated February 25, 1955, signed by P. Black, Owner & Manager, was presented. It requests exclusive use of the 2 taxicab zones established by the Council in the small Ocean Beach community of Ocean Beach, paid for on the usual fee for installation, by the company.

Councilman Dail asked what it is about.

The City Manager said he did not know.

Councilman Dail asked if zones granted are confined to separate companies.

The City Manager replied that by agreement cab zones have been allowed to companies. He said that when granted by agreement others occupy; when a strange cab comes in, it moves when cab of company to which granted arrives. He said that companies requesting granting, and moving, pay costs. He said that it is not legal, but is an effort to avoid fights among companies. He told of effort to run out Ocean Beach Cab company. He said that argument has arisen about party union and non-union. City Manager Campbell told the Council that it has come to a head, and is pretty well resolved. He stated that he had met with the union head and the cab company. He asked that the communication be referred to him.

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

The several communications which had been received re reduction in personnel at Ocean Beach Community Center - Fred R. Daffer; Jeans and Calico Square Dance Club; Ocean Beach Chamber of Commerce; Ocean Beach P.T.A. - referred to Council Conference previously and continued until this meeting, were considered again. On motion of Councilman Kerrigan, seconded by Councilman Godfrey, they were ordered filed.

Communication from Gertrude Norris Meeker, 259 Calliope St., Laguna Beach, Calif., dated Feb. 27, 1955, offering to quitclaim water on upper Colorado River to San Diego County for 425 Million cash and terms, over 35 years, was presented.

Councilman Schneider moved to "refuse the offer, and file the communication".

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

Communication from San Diego Chamber of Commerce, signed by Robert M. Golden, president, requesting amount same as last year in 1955-56 annual budget, for furnishing information and research services and for promotion of City's industrial development, was presented.

Communication from San Diego Symphony Orchestra Association, signed by Florence Ramser Goss (Mrs. Fred G. Goss), president, requesting \$5,000 appropriation in 1955-56 budget, was presented.

RESOLUTION NO. 122963, referring to Budget Conference communications from San Diego Chamber of Commerce and from San Diego Symphony Orchestra Association, requesting appropriations in 1955-56 budget, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 122964, directing City Clerk, in compliance with Section 10 Charter of The City of San Diego, to make canvass of votes cast at

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Special Annexation held 1st day of March, 1955, for annexation to the City of San Diego of Grantville-Rancho Mission Tract, and to certify results of canvass to the Council, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122965, authorizing and directing San Diego Gas & Electric Company to install 6000 lumen multiple overhead street light at each of 3 locations, and a 6000 lumen series overhead street light at each of 18 locations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122966, authorizing City Manager to execute contract with San Diego Gas & Electric Company for furnishing current for general street lighting for 12 months from and including July 1, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122967, authorizing and empowering City Manager to execute for and on behalf of The City of San Diego an agreement between City and Waites, Coates, Herfurth & England, consulting actuaries, providing for employment for fiscal year beginning July 1, 1954, as advisers to Board of Trustees re operation of Police and Fire Retirement System, re financial terms specified in Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122968, authorizing and empowering City Manager to do all work in connection with construction of alterations to Water Meter Shop by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122969, granting revocable permit to Bank of America National Trust and Savings Association, 4444 University Avenue, San Diego 5, Lots 25 to 28 incl. Blk 2 City Hts Annex No. 1 to install and maintain underground conduit for telephone, light and power service, under alley on west side of Bank property, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122970, granting revocable permit to Mrs. Margaret C. Pinal, 2001 Harrison Avenue, San Diego: Lot 24 Empire Addition to Encanto Heights, except Sly 70', to install and maintain water service line from City main at Fulmar and 60th Streets to property, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122971, granting revocable permit to Point Loma Properties, Inc., 1645 - 30th Street, San Diego: Lots 7, 8, 9 Block 47 Roseville, to install and maintain electrical service conduit and communications conduit to serve building at southwest corner of Fenelon and Rosecrans, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122972, granting revocable permit to Bruce J. Torbet, 841 - 23rd Street, San Diego 2: Lot 4 Block 13 Silver Terrace to install and maintain water service line, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122973, granting revocable permit to A. Clark Warren and John H. Dutea, co-owners as joint tenants, 3365 Valemont Way, San Diego 6: Lots

29 and 30 Block 1 Montecello to install and maintain graded ramp on newly-paved alley to rise 6" to meet lower edge of garage apron in Alley "I" Montecello, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122974, granting revocable permit to Robert W. Willis, 2570 Willow Street, San Diego 6: Lot 7 and portion Lot 8 Block 20 Roseville to install and maintain retaining wall engineered at inside border of City sidewalk to allow most natural grade and distribution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 122975, authorizing O. W. Campbell, City Manager, to attend meeting of California Major Highway Development Commission, Sacramento, March 7, 1955, for considering bills concerning highway finance and administration, introduced at 1955 session of Legislature; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122976, authorizing Councilman George Kerrigan to attend a meeting called by Oroville Chamber of Commerce Committee on Water Resources, to be held at Bakersfield Inn, Bakersfield, California, March 5, for discussion of Statewide organization of Feather River Project Association; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 122977, accepting Quitclaim deed executed on 17th day of February, 1955, by George L. Williams and Genevieve Williams, 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 Muirlands Del Norte, subdivision of portion Pueblo Lot 1257; authorizing and directing the City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122978, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, bearing date February 8, 1955, where in parties subordinate all their 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 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122979, accepting subordination agreement, executed by Albert A. Frost and Jessie T. Frost, beneficiaries, and Union Title Insurance & Trust Company, trustee, bearing date February 17, 1955, subordinating all right, title and interest in and to portion Pueblo Lot 1202, to right of way and easement for street purposes heretofore granted 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122980, accepting subordination agreement, executed by C. E. Grant and Anna Grant, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date February 14, 1955, subordinating 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 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 Council-

man Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122981, recorded on Microfilm Roll No. 92, accepting subordination agreement, executed by Greenwood Cemetery Association, beneficiaries, and Southern Title and Trust Company, trustees, bearing date February 25, 1955, subordinating all right, title and interest to portion Lot 4 Block 106 Roseville, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122982, recorded on Microfilm Roll No. 92, accepting subordination agreement, executed by Home Builder's Savings and Loan Association, beneficiary and Paul Endicott and Russell K. Pitzer, trustee, bearing date February 11, 1955, wherein they subordinate all their 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 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122983, accepting subordination agreement, executed by Ida M. Kenyon, beneficiary, and W. E. Starke, trustee, bearing date January 24, 1955, wherein they subordinate all right, title and interest in and to portion of Lots 27, 28, 29 Block 68 City Heights, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122984, accepting subordination agreement, executed by La Mesa Trust Deed Service and Wright Rundell, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date February 17, 1955, wherein they subordinate all their right, title and interest in and to portion of Lot 19 Rancho Mission, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122985, accepting subordination agreement, executed by San Diego Trust and Savings Bank, beneficiaries, and San Diego Trust and Savings Bank, trustees, bearing date February 21, 1955, wherein they subordinate all their right, title and interest in and to portion of Lot 6 Block 106 Roseville, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122986, accepting subordination agreement, executed by Ana E. Silveira, beneficiary, and Union Title Insurance Company, trustee, bearing date February 10, 1955, subordinating all right, title and interest in and to portion Lot 5 Block 106 Roseville, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122987, accepting subordination agreement, executed by William S. Smith and Audrey M. Smith, beneficiaries, and Security Title Insur-



RESOLUTION NO. 122987, accepting subordination agreement, executed by E. F. Tangney, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, bearing date January 23, 1955, subordinating all right, title and insurance in and to portion Lot 29 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122988, accepting subordination agreement, executed by E. F. Tangney, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, bearing date January 31, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 7 Block 21 The Muirlands, to right of way and easement for water main 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122989, accepting subordination agreement, executed by E. F. Tangney, beneficiary, and First National Trust and Savings Bank of San Diego, trustee, bearing date February 18, 1955, subordinating all their right, title and interest in and to portion Lot 7 Block 21 The Muirlands, 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122990, accepting Deed of Malcolm B. Coutts and Dorothy E. Coutts, Ralph L. Coleman and Louise Coleman, bearing date December 31, 1954, conveying easement and right of way for street purposes in portion Pueblo Lot 1202; setting aside and dedicating land to public use as and for public street and naming it Frost 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122991, accepting Deed of Marie L. Buck, bearing date September 15, 1954, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122992, accepting Deed of Maurice F. Cox and Shirley R. Cox, bearing date October 19, 1954, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122993, accepting Deed of Helen B. Homesley, bearing date January 28, 1955, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122994, accepting Deed of Helen Homesley, bearing date November 29, 1954, conveying easement and right of way for street purposes; setting aside and dedicating land to public use as and for public street and naming it La Dorna 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122995, recorded on Microfilm Roll 92, accepting deed of Charles R. McGehee, bearing date October 28, 1954, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122996, accepting deed of Jean Standish Sanders and Doris J. Standish, bearing date January 14, 1955, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna Street; authorizing and directing City Clerk to file deed for record in Office of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122997, accepting deed of Carmen Scozzafava and Helen Scozzafave, bearing date November 1, 1954, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna Street; authorizing and directing City Clerk to file deed for record in Office of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122998, accepting deed of Mary Szyling, bearing date January 14, 1955, conveying easement and right of way for street purposes in portion Lot 29 La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming it La Dorna Street; authorizing and directing City Clerk to file deed for record in Office of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 122999, accepting deed of Marvin R. Willis and Violet E. Willis, bearing date December 3, 1954, conveying easement and right of way for street purposes in Pueblo Lot 1290; setting aside and dedicating land to public use and naming it La Jolla Scenic Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123000, accepting deed of Batista S. Garcia and May F. Garcia, bearing date February 14, 1955, conveying easement and right of way for street purposes in portion Lot 4 Block 106 Roseville; setting aside and dedicating land to public use and naming it Lowell 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123001, accepting deed of Charles I. Gillam and Betty M. Gillam and Betty M. Gillam, bearing date February 15, 1955, conveying

portion Lot 5 Block 106 Roseville; setting aside and dedicating land to public use as and for public street and naming it Lowell 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123002, accepting deed of John C. Holman Jr. and Margaret McK. Holman, January 31, 1955, conveying easement and right of way for street purposes in portion Lot 6 Block 106 Roseville; setting aside and dedicating land to public use as and for Lowell 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123003, accepting deed of Mrs. Amaro Rebello, February 14, 1955, conveying easement and right of way for street purposes in portion Lot 10 Block 99 Roseville; setting aside and dedicating land to public use as and for Lowell 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123004, accepting deed of I. E. Bramlett and Ruby Bramlett, February 10, 1955, conveying Lots 14 and 15 Block 12 American Park Addition; setting aside and dedicating land to public use as and for Morena Boulevard; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123005, accepting deed of John E. Click and Isa E. Click, February 17, 1955, conveying portion Lots 1 and 12 Block 10 American Park; setting aside and dedicating land to public use as and for Morena Boulevard; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123006, accepting deed of Carl E. Click and Thelma Click, February 21, 1955, conveying portion Lots 3 and 4 Block 10 American Park; setting aside and dedicating land to public use as and for Morena Boulevard; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution, with City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123007, accepting deed of Samuel V. Draper and Mary B. Draper, bearing date February 23, 1955, 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 Seminole Drive; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution, in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123008, accepting deed of Josephine M. Judkins, bearing date February 9, 1955, conveying portion Block 2 Amalfi; setting aside and dedicating land to public use as and for Torrey Pines Road; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution, in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123009, recorded on Microfilm Roll No. 92, accepting deed of Wilbert L. S. DeRieux and Bertha J. DeRieux, bearing date February 8, 1955, conveying easement and right of way for public utility purposes in portion Lot 137 Highdale Addition to Encanto Heights; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution, in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123010, recorded on Microfilm Roll No. 92, accepting deed of Gemmel Homes, Incorporated, bearing date February 3, 1955, conveying easement and right of way for sewer purposes in portion Lots 3330 and 3306, 3329 and 3305 Clairemont Unit 16; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123011, accepting deed of Mary R. Barry and Mary Jellife, bearing date January 6, 1955, conveying easement and right of way for storm drain in portion Lot 65 Block 3 First Addition to Pacific Beach Vista 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123012, accepting deed of Edward Cooper and Ida P. Cooper, bearing date January 19, 1955, conveying easement and right of way for storm drain in portion Lots 27, 28, 29 Block 68 City 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123013, accepting deed of Gilman Grading Company, bearing date February 3, 1955, conveying easement and right of way for storm drain purposes in portion Lot 19 Rancho Mission; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123014, accepting deed of Hazel C. Hynes and Rosalie J. Perkins, bearing date February 9, 1955, conveying easement and right of way for storm drain purposes in portion Lot 30 Block 68 City 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123015, accepting deed of San Diego Unified School District of San Diego County, January 18, 1955, conveying easement and right of way for storm drain purposes in portion Southwest Quarter Lot 14 Ex-Mission Lands of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123016, accepting deed of Kesling Modern Structures, bearing date January 24, 1955, conveying easement and right of way for water main purposes in portion Lot 7 Block 21 The Muirlands; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman 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 not less than 4 members of the Council.

ORDINANCE NO. 6426 (New Series), proclaiming Municipal General Election in City of San Diego, California, for purpose of electing the Mayor, Members of the Council from Districts No. 2, 5, 6, City Attorney, Members of the Board of Education; proclaiming Municipal General Election in portion of San Diego Unified School District lying outside corporate limits of The City of San Diego for purpose of voting on members of Board of Education to be elected at Municipal General Election to be held in the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Ordinance authorizing the Mayor and City Clerk to execute quitclaim deed transferring portion of Pueblo Lot 1299 to the Regents of the University of California, was introduced, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

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

On motion of Councilman Schneider, seconded by Councilman Dail the next Ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Dail reading was dispensed with by not less than 4 members of the Council.

ORDINANCE NO. 6427 (New Series), authorizing sale and conveyance of Pueblo Lot 1240 of the Pueblo Lands - ordinance shall become effective upon approval of a majority vote of electors of The City of San Diego at any special or general municipal election at which such proposition of ratifying this ordinance is submitted, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

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

The City Manager explained that it had to do with sale of Pueblo Lot, north of Clairemont. He said that property is in path of development.

Councilman Dail asked if this is "the best deal".

The City Manager said "correct; years ago it was lost to the City by default". He said that it is the policy of the City to sell as soon as facility is available to make property usable. He said that it is not for speculators.

RESOLUTION NO. 123017, submitting to electors of The City of San Diego at Municipal General Election to be held in the City on 19th day of April, 1955, Ordinance No. 6427 (New Series), adopted by the Council March 3, 1955 - for sale and conveyance of Pueblo Lot 1240 of the Pueblo Lands of The City of San Diego - was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The Resolution authorizes and empowers the City Manager to sell and convey property, under the Ordinance, upon approval of majority vote of electors.

Councilman Dail said that would put the land on the tax rolls.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:15 o'clock A.M. He announced that the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

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

By

August M. Hadstrom  
Deputy



## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, March 8,  
1955

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

Rabbi Morton J. Cohn, of Temple Beth Israel, was presented by the Mayor. Rabbi Cohn gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, March 1, 1955, and of Thursday, March 3, 1955, were approved on motion of Councilman Schneider, seconded by Councilman Kerrigan, after which they were signed by the Mayor.

Councilman Godfrey entered

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 92.

Communication from Purchasing Agent reporting that bids had been opened for improvement of Alley Block 2 Ocean View and Alley Block 5 Ocean Beach Park, on March 4, 1955 - 3 bidders - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, finding was made that bids were publicly opened and declared, as reported; and were referred to City Manager and City Attorney for report and recommendation.

Communication from Purchasing Agent reporting that bids had been opened for improvement of Franklin Avenue and 28th Street, on March 4, 1955 - 6 bidders - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, finding was made that bids were publicly opened and declared, as reported; and were referred to City Manager and City Attorney for report and recommendation.

Communication from Purchasing Agent reporting that bids had been opened for improving Jefferson Street, Moore Street, Conde Street, and Harney Street, on March 4, 1955 - 6 bidders - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, finding was made that bids were publicly opened and declared, as reported; and were referred to City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, time for receiving bids for furnishing electric current in Kensington Manor Lighting District No. 1, the Clerk reported 1 bid from San Diego Gas & Electric Company, accompanied by certified check for \$168.00 written by San Diego Trust and Savings Bank, was presented.

On motion of Councilman Burgener, 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, time for receiving bids for furnishing electric current and maintenance in Mission Beach Lighting District No. 1, the Clerk reported 1 bid from San Diego Gas &

Meeting convened  
Invocation  
Reports on bids  
Bids

Electric Company, accompanied by certified check for \$230.81 written by San Diego Trust and Savings Bank, was presented.

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

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

RESOLUTION NO. 123018, determining that public interest and necessity demand acquisition and construction of certain municipal improvement - Tenth Avenue Shipping Terminal - stating that Council intends to submit to qualified voters at special election to be consolidated with Municipal General Election April 19, 1955, proposition for issuance of \$9,460,000 bonds - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Item listed on the agenda as continued hearing on proposed Ordinance amending San Diego Municipal Code, regulating Food and Liquid Vending Machines, was held awaiting J. B. Askew, M.D., Public Health Director.

The next item was taken up at this time, out of order. It was a continued hearing on proposed rezoning of portion Lot 1203 Clairemont Unit No. 7 from R-4 to RC Zone.

The Mayor stated that it had been considered in Conference, and the Board of Adjustment asked to act under a new variance.

Carlos Tavares told the Council there would be no dispensing (from the proposed pharmacy); there is no sign provided under the variance. He spoke of there having been unanimous granting of zone change. He told of Board of Education, by Dr. Dailard, having objected. He said that the Board was the only objector, and that objection has been retracted. Mr. Tavares told of having given deed of restriction.

The Mayor reviewed the Board of Education letter. He pointed out that the City does not enforce deed restrictions. The Mayor said that what is wanted can be done through a zone variance.

City Attorney J. F. DuPaul agreed that could be done.

Mr. Tavares asked if deed restriction to the School Board would not be better than a variance. He said it would be final, and referred to not being able to sell.

Mr. DuPaul told of having experience with deed restrictions, and of courts relaxing over a period of time. He said that the City does not follow up the deed restrictions. He declared that a zone variance would be better.

Answering a question, Glenn A. Rick, City Planning Director, said that the Commission would meet a week from tomorrow.

Mr. DuPaul said that trouble can result from spot zoning. He said that the best route is through variance.

Mr. Tavares told the Council "that's what was wanted in the first place.

The Mayor spoke of the Council having gone over this several times.

Councilman Kerrigan agreed that there is danger regarding spot zoning.

RESOLUTION NO. 123019, referring to the Zoning Adjustment Board the question of use of portion of Lot 1203 Clairemont Unit No. 7 (heretofore recommended conditionally by 5-0 vote of Planning Commission for rezoning from R-4 to RC Zone) - as outlined and regarding changing of the door - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. (Councilman Burgener did not vote).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 122414 of Preliminary Determination for paving and otherwise improving Alley Block 113 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 protests were filed.

RESOLUTION NO. 123020, determining that improvement of Alley Block

113 Pacific Beach, under Resolution 122414 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 Mayor welcomed Antonio M. Reyes and Antonio P. Latorre, from the Philippines. Mr. Reyes is "Head, DJ Unit" (Department of Justice Unit) in the Budget Commission; Mr. Latorre is Budget Inspector (acting head of General Government Unit prior to departure for for the United States), Budget Commission under Office of President of the Philippines.

The Mayor presented a "key to the City to each of the visitors".

Mr. Reyes said that 2 years ago a Philipino came to San Diego, as a minor official; he is now member of the cabinet (Budget). He said that studies in the United States, and especially in San Diego had resulted in that position. Mr. Reyes told the Council that he was sent here by the United States government. He said that it is evident that San Diego is a leader in the field; otherwise the 2 would not have been sent here.

The Mayor made a brief response.

The Council returned to the agenda.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 122415 of Preliminary Determination for sewers in Inez Street and Gage Drive, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 123021, determining that improvement of Inez Street and Gage Drive under Resolution 122415 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 122416 of Preliminary Determination for paving and otherwise improving Shafter Street, Upshur Street and Scott Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 123022, determining that improvement of Shafter Street, Upshur Street and Scott Street under Resolution 122416 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on assessment for storm drains in Streamview Drive, 54th Street and Public Right of Way, Resolution of Intention No. 115496,

RESOLUTION NO. 123023, continuing hearing on Assessment 2324 for Storm Drains in Streamview Drive, 54th Street and Public Right of Way, Resolution of Intention 115496 (previously determined by the Council that it was to be continued another week), to 10:00 o'clock A.M., Tuesday, March 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Hearings  
Visitors from the Philippines  
123021 - 123023

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment 2330 made to cover cost and expenses of paving and otherwise improving Haines Street, Resolution of Intention 116401, the Clerk reported no appeals.

The Mayor inquired if any one was present to be heard.

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

RESOLUTION NO. 123024, confirming and approving Street Superintendent's Assessment 2330 made to cover cost and expenses of paving and otherwise improving Haines Street under Resolution of Intention 116401; 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 Wincote, adopted.

Councilman Godfrey was excused

\* The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment for paving 44th Street and Olive Street, was brought up at this time, as scheduled. After hearing in the Council, the City Engineer and Willard Olson of the Engineer's office took appellants to a conference in the room adjoining the Council Chamber. The hearing was continued temporarily. It will be shown in its entirety where brought up again, rather than here.

The hearing, which had been continued temporarily, awaiting the Director of Public Health, re proposed ordinance amending San Diego Municipal Code regulating Food & Liquid Vending Machines, was resumed. Dr. Askew told of having had a meeting with "the industry", and of their wanting a 1 week continuance.

On motion of Councilman Schneider, seconded by Councilman Wincote, the hearing was continued 1 week - to March 15, 1955.

\* The City Engineer and Mr. Olson returned to the Council Chambers from a conference with appellants on Assessment 2331, Resolution of Intention 115631, for paving and otherwise improving 44th Street and Olive Street. The hearing was resumed, and the proceedings are shown here rather than in place where action occurred.

Written appeal from Mr. and Mrs. Charles Wetzel, 4421 Olive Street, was presented.

Asked for a report, the City Engineer told the Council that there is a 3.2% appeal - based on area assessment.

Mrs. Wetzel told of having sold the westerly end of Lots 1, 2, 3, 4 (100 feet).

Mr. Olson said that property has been divided - now 70x70.

The City Engineer showed the Council a plat.

Councilman Wincote was excused

It was at this point that the hearing was continued.

Mrs. Wetzel said that the assessment is too high.

RESOLUTION NO. 123025, overruling and denying appeal of Mr. and Mrs. Charles A. Wetzel from Street Superintendent's Assessment 2331 made to cover costs and expenses of work of paving and otherwise improving 44th Street and Olive Street, Resolution of Intention 115631; confirming and approving the Assessment; overruling and denying all other appeals; 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 Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Wincote returned

\*\*\* The hour of 10:00 o'clock A.M. having arrived, the time set for hearing Assessment 2332 for sewers in Maple Street, Laurel Street, 44th Street, Alleys in Swan's Addition and in Swan's Second Addition, 45th Street, Highland Avenue, Fairmount Avenue, and Public Rights of way, was brought up at this time as scheduled. After hearing before the Council, the City Engineer and Willard Olson of the City Engineer's Office took appellants to a conference in room adjoining Council Chambers. Hearing was continued temporarily. It will be shown again where brought up, rather than here.

RESOLUTION NO. 123026, referring to City Manager for report, procedure on preliminary estimates in connection with 1911 Street Improvement jobs, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 123027, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for paving sidewalk area adjacent to bulkhead wall between foot of Columbia Street and 8th Street, Document 507496,

Hearings

123024 - 123027

authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Clairemont Terrace Unit 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 123028, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Burgener Construction Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required; 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. 123029, adopting Map of Clairemont Terrace Unit No. 2, resubdivision of portion Block A Wells & Lanes' Tecolote Heights; authorizing and directing Clerk of the City, as and for act of the Council, that streets and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit the map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Clairemont Villas Unit No. 3, subject to posting of adequate bond to insure installation of required improvements, was presented.

City Attorney J. F. Dupaul said that the item had been explained in Conference. He said that sewer and water fees have not been paid. He told of a policy to require payment of fees before filing map. He stated that it is poor business to pass the Resolution (approving the Final Map) and then hold it up in the City Clerk's office.

Martin Gleich, subdivider of the property, spoke to the Council. He said that he came along and bought the property; now the City wants him to pay for the lines. He read from an ordinance regarding paying fees before connection, in connection with procedure for approving subdivisions. Mr. Gleich told the Council that recommendations say nothing of paying a fee prior to filing the map. He told of passage of Units 1 and 2. He said that he wants to pay in accordance with "the law".

Mr. DuPaul stated that this is not a new restriction, and that policy should be followed. He read provision 2 on sewer, then on water. He said that in the past there have been subdivisions where the subdivider did not build, then the people who had bought were required to pay.

Councilman Burgener spoke to Mr. DuPaul.

Mr. DuPaul stated that the minute the subdivision is approved the subdivider can sell lots. He said that payment should be made before map is filed. He said that if an officer holds up a map he can be required by a court to file the map.

Mr. Gleich read again from an ordinance. He stated that he is not asking to make connection.

The Mayor spoke to Mr. Gleich.

Mr. Gleich told the Council that he does not want an exception; Mr. DuPaul asks for exception.

Mr. DuPaul stated that he does not want the map filed until payment is made.

Mr. Gleich spoke about oversize requirements. He stated that actually he would be permitted to put up bond, while it is proposed that he be required to make payment, without bond.

Councilmen Schneider and Dail spoke to Mr. Gleich.

Mr. Gleich said that the main is in; the City wants to be reimbursed.

Councilman Dail said that it is a policy matter. He said that perimeter subdividers are not allowed to come (to take advantage of mains installed) in. He said that the Council requires payment to hook on.

Mr. Gleich said he will be happy to pay when he hooks on.

Councilman Godfrey spoke about unhappy situation in the past. He said that the attorney requires this.

Mr. Gleich repeated that he would pay when he hooks on.

Councilman Burgener asked why there was approval in the first 2 instances.

Mr. Gleich stated that he doesn't want the things called for.

Councilman Kerrigan stated that Mr. Gleich might sell; then somebody else would be required to pay.

Mr. DuPaul said that it would be better for the City to deal with 1 man, rather than with individuals. He said that before the map is filed, it should be taken care of. He spoke of the same thing having been done twice before, and the City having come to grief. He said he is not questioning Mr. Gleich, who is all right. He said that he does not want more trouble.

Mr. Gleich asked why the City should be different, now.

Mr. DuPaul said that bond would be for work to be done. He said these are in;

Communications  
Hearing, unscheduled, re Clairemont  
Villas Unit 3  
123028 - 123029



the fee, above that, should be paid before map is filed.

Discussion was held between various Councilmen and Mr. Gleich.

The Mayor declared that this should be continued until paid. He suggested 1 week. Mr. Gleich asked that it be continued for 1/2 hour; he would go down and make payment before map is filed.

Discussion by several was held again.

Councilman Burgener said it should go to conference, re embodying the items discussed in Conference.

Councilman Godfrey moved to continue the item until Thursday (March 10).

Mr. DuPaul referred to a note from Russell Hall, Asst. City Engineer and Street Superintendent, regarding amount being \$10,095. He stated that he does not know the details.

Councilman Godfrey moved to continue this item to the end of the docket.

(It will be found again, later in the minutes for this meeting).

\* Continued item, communication from Planning Commission submitting Resolution suspending portion Municipal Code re Tentative Map of College Ranch Units 4 and 5, and Resolution approving Tentative Map of 2000-lot subdivision of portion Lots 68, 69 and 70 Rancho Mission, was brought up, after the next item.

RESOLUTION NO. 123030, referring to Council Conference the matter of paying for improvements when map of subdivision is filed, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

\* Two Resolutions were on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Eugene Freeland appeared in connection with the subdivision, after Resolutions had been adopted.

The Mayor spoke to Mr. Freeland, and said that the Council went over the item in Conference. He said that subdivider would put in 52 feet; the City 12 feet on each side.

Councilman Godfrey spoke to Mr. Freeland.

Glenn A. Rick, City Planning Director, read conditions 7 and 9 from the proposed Resolution approving the Tentative Map.

Councilman Wincote told Mr. Rick that in his absence (at previous Council meeting) there were understandings.

Mr. Rick said that the Resolution then needs to be revised.

Councilman Wincote spoke about necessity for extra street width. He said there is need for more streets. He stated that the City would contribute 12 feet of paving, the same as Allied Gardens.

The Mayor said that it is not the same.

Councilman Kerrigan said that the item had been discussed in Conference.

Councilman Wincote spoke of following recommendation of the Planning Commission; now it is found to be different.

Mr. Freeland said it is not correct. He stated that he had been invited to stay away from the Conference.

Councilman Godfrey took issue with that statement, and said that Mr. Freeland can come to the Conference any time.

Mr. Rick spoke of 32 feet of access, and of the curbs; 184 feet. He said that it is a good and fair solution. He said that he was not sure Haelsig (Harry Haelsig, Asst. Planning Director) had prepared Resolution. He spoke for a meeting of minds.

Mr. Freeland referred to the proposed limited access road. He spoke of having granted a lot more right of way and of having done more improvement than on Clairemont Drive.

Councilman Dail was excused

Mr. Freeland said that additional right of way is being provided. He said that Haelsig and Rick prefer 32 feet, instead of 20.

Councilman Wincote and Kerrigan spoke to Mr. Freeland.

Mr. Freeland said that the City does not have right of way for Navajo.

Mr. Haelsig said "that's right".

Mr. Freeland said that this "is a continuation of that".

Councilman Kerrigan spoke of the City's connection with 12 feet on each side on the main boulevard.

Mr. Haelsig referred to 2 limited, 32 ft; r/w width close to 100 feet; 84 ft curb to curb.

The Mayor said 84 feet.

Councilman Kerrigan spoke to Mr. Freeland

Councilman Schneider said it is not a public highway.

Mr. Freeland referred to more than asking for, and not paving access road.

123030

Resolutions adopted - reconsidered

Discussion re College Ranch Units 4 & 5

Councilman Wincote said this had been discussed at great length. He referred to access as 32 ft.; other side 20 ft.; and "we" do 12 feet on each side.

Mr. Rick said that the Freeland proposal is better than the Clairemont Blvd. development. He said that 100-foot right of way is to be given.

Councilman Wincote said Mr. Rick thinks it does not coincide with what Mr. Haelsig said, regarding the City Manager's idea.

Councilman Kerrigan said there would be 100 feet of access road, which would be muddy. He said that people would then want to have it paved. He asked where the City would get the money. He spoke of doing the same thing as Allied Gardens. He said that Streamview is another example of the type development.

Mr. Freeland referred to 32-foot wide street on each side, with no through traffic.

Councilman Wincote referred to 64 feet of paving.

Mr. Freeland said it would be agreeable, same as Clairemont Blvd.

Mr. Rick said that he thought the City would be better off regarding 200 ft right of way. He spoke of there being no need for a freeway, now.

The City Manager said that it had been gone over in conference; the community would ultimately need the full width. He pointed out the question of cost on the City. He said he doesn't know where funds would be found. He stated that annexation of the property was contingent on the improvement, and pointed out that the City could not bear the cost of the improvement. He said that one of the requirements was to make it usable. City Manager Campbell said that the whole area will have a tremendous population. He said that it is a question of the taxpayers of the City, or the land, bearing the cost.

The Mayor agreed it was a condition of the annexation.

Mr. Freeland said that the developers started out with the Clairemont Drive idea; not City contribution.

Councilman Schneider spoke to Mr. Freeland about being outside the City. He said land value was low, but by annexation it is now high.

Mr. Freeland spoke for the Council adopting Clairemont Blvd. type road; pass a Resolution with property to pay the entire cost; extra width "out the window". He said that would leave open for study regarding future on the entire street system. He spoke of willingness to revise and dedicate regarding limited access.

Councilman Kerrigan said that the Council can't settle the question here, today.

Mr. Freeland spoke of having had delays.

Councilmen Schneider and Wincote said Mr. Freeland would be welcome to conference.

Councilman Burgener said that it should be held on Thursday.

Councilman Godfrey said Mr. Freeland, City Planning Director Rick, and City Manager Campbell should get together. He wondered if it could be done by Thursday.

The City Manager told of having studied the matter for weeks.

Councilman Godfrey said that when considering land paying taxes a long time it is different regarding annexation, and the City paying costs. He said that "all" have already paid for the many things which the new property will enjoy. He spoke about not annexing, and then paying extra.

Mr. Freeland expressed desire for action.

Councilman Godfrey moved to refer the item to Conference Thursday.

RESOLUTION NO. 123031, referring to Council Conference for 8:30 A.M., Thursday, March 10, 1955, the matter of streets in College Ranch Units 4 and 5, with Mr. Freeland to be in attendance, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(Mr. Freeland was not advised by the Clerk of the Conference, since he was present when item was referred, and aware of being invited).

Councilman Dail was excused during the previous discussion, and returned here

\*\*\* The Council referred to the hearing on Assessment 2332 for sewers in Maple Street, Laurel Street, 44th Street, Alleys in Swan's Addition and in Swan's Second Addition, 45th Street, Highland Avenue, Fairmount Avenue, and Public Rights of Way.

Although most of the following took place during the set hearing, it is shown here, to keep the item together.

The referred to a 12.3% appeal, with rather high cost job. He said that some property owners think they are being assessed for sewers, whereas they have only been charged for water. He said that the City is not assessing for sewer, where there are already connections. He stated that overall bid was 5.9% under estimate.

The Mayor said that overall cost is lower than others done previously.

Mrs. Margaret Meyer said she signed for water; not sewer. She identified property as West  $\frac{1}{2}$  Lots 46, 47, 48.

Mr. Olson said she is not assessed for the sewer.

Mrs. Meyer said it is not high for water.

Mr. Olson said that it was an undeveloped area, and that contract was under the estimate.

Mrs. Meyers referred to just walking in.

Councilman Burgener spoke to Mrs. Meyers.

Hearing (ret to Assessment  
on Maple, Laurel, 44th  
et al)  
123031

Mr. Olson told of 70 feet of water main, and being assessed for portion of water main cost. He explained to her the method of payment.

Etta Linton, Lots 30, 31 Block 13, asked if incidentals were below estimate, also. She said that assessment is now way above previous estimates. She said that property owners do not have enough information. She said that they are entitled to know about the total number of front feet.

The City Engineer said that it was 5.7% total under the estimate.

Mrs. Meyer spoke to the City Engineer. She said her husband estimates for the County, and that if he is that far off, he would lose his job.

Mr. Olson gave an estimate of about \$900.

Mrs. Meyer continued to talk about the estimate.

#### Councilman Godfrey returned

The Mayor referred to difficulty regarding estimate. He said that when it is given out, it is written on plans.

Mrs. Meyer said she spoke to the City Assessor's office, and has no assurance that the City estimate is accurate.

The Mayor spoke to Mrs. Meyer, who looked at a plat.

Councilman Godfrey spoke of asking the City Engineer to follow the procedure. He said that this has been discussed before, and that City Engineer Fogg and Mr. Olson are familiar with the whole picture.

The Mayor advocated a request, in writing, in duplicate, for estimate. He said that estimate should be in writing with a copy and name of estimator be put down.

There was discussion between the Mayor and Councilman Wincote regarding telephone call estimates.

The Mayor said that he does not want to get into the administration field. He said he wants it referred to the City Manager.

RESOLUTION NO. 123026, referring to the City Manager for report the matter of procedure in connection with making of preliminary estimates on 1911 Street Act Improvement proceedings, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Julian Eidsmoe asked if assessment is for sewer or water. He said that the high assessment makes it financially embarrassing for him. He told of paying on re-located water, now.

Mr. Olson said that Mr. Eidsmoe is paying on only water; not sewers.

Mr. Eidsmoe said "somebody is developing the canyon."

Councilmen Dail and Godfrey asked for what Mr. Eidsmoe is being charged.

Mr. Olson replied 44 feet of water main in 44th Street.

Mr. Eidsmoe told of having a water line; neighbor across from him is assessed nothing; another neighbor across is assessed \$50.

There was a general conference over maps.

The Mayor said a great number of people have specific questions. He said that it should be continued, and they go next door for review with the Engineer. He said it would be continued until later. It was at this point that they left, with hearing continued.

Louis Kniffing, who did not go with the others, was asked by the Mayor if he had something to present.

Mr. Kniffing told the Council that people are interested in individual assessments. He stated that the City should send out notice after bids had been received.

The Mayor said that the City is bound by the State's 1911 Improvement Act.

Councilman Dail told about the delay which results from use of the Debt Limitation.

Councilman Kerrigan spoke to Mr. Kniffing regarding the Debt Limitation procedure. He said that the Council is never going to be able to get rid of protests at the time of assessment. He said that people, if suggested procedure if followed people are going to say that they can't get information.

The Mayor left the meeting, and Vice Mayor Wincote took the Chair. The Mayor stated that he had an appointment in his office.

Upon resuming the hearing, Mr. Olson stated that he had explained all he could. He said that property is on a canyon, where improvement cost was high; main had to be deep. He agreed that some have a good protest. He said that the whole job was petitioned together. He said it can't be changed now; protests should have been in at the time of hearing on Resolution of Intention. He said that 90% is canyon area.

Mr. Eidsmoe said that many of the common man don't know about these things. He asked about amount of attention given.

Councilman Godfrey told Mr. Eidsmoe that he will be heard, and that hearings have been held. He said that the City can't "undo" the work.

#### Councilman Dail returned

Mr. Eidsmoe told the Council he expects just and fair assessment. He said that there are not even roads - only brush. He said this puts property owners in embarrassing position. He told of paying on sewers, and of not knowing how he is going to hang onto the property.

There was discussion between Councilmen Burgener, Schneider, and Mrs. Eidsmoe.

Councilman Wincote stated that frontage assessment is on the street; sewer and water are on a district basis. He said that maybe low land should be in 1 district; the other in

another. He said he can see the error.

Mr. Eidsmoe spoke of being on Maple, 1/2 way down the block, and having stopped. He said that there was another contract on the other improvement.

Mr. Olson told the Council that he had explained the situation in Conference. There was discussion between Mr. Eidsmoe and Mr. Olson.

Mr. Olson said that portion was done at City expense; property across the street was left out.

Councilman Schneider said that there is nothing that can be done.

Mr. Eidsmoe said that some things are wanted, but this had been forced on. He said the work was no gain to him.

Councilman Kerrigan wondered if Mr. Eidsmoe had been there.

Mr. Eidsmoe replied that he lives there.

There was continued discussion between Councilman Kerrigan and Mr. Eidsmoe.

Councilman Kerrigan said that the City could establish a policy of no houses being connected to private lines.

Councilman Dail contended that there would be more protection offered to property under the Debt Limitation Act procedure, although it would cost more.

Councilman Godfrey said that it would take longer, with that method, that this one had been adopted because property owners want to get out of mud and dust.

Councilman Dail said that there are always increased appeals on assessment rolls.

Mr. Eidsmoe said that when divided, it does not cut the cost.

RESOLUTION NO. 123032, overruling and denying appeals of Helen Cunningham, J. A. Eidsmoe, Elmer L. Crane and Doris E. Crane, Albert A. Hutter and Alice N. Hutter, Russ Linton and Etta Linton, Gilbert H. Fagley and Elizabeth J. Fagley, Lew M. Evans, various property owners, from Street Superintendent's Assessment 2332 made to cover costs and expenses of installation of sewer main in Maple Street, Laurel Street, 44th Street, Alleys Blocks 19, 14, 15 Swan's Addition; 45th Street, Highland Avenue, Public Rights of Way, Fairmount Avenue under Resolution of Intention 117468, overruling and denying all other appeals; confirming and approving Assessment 2332; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing him to file in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of New Riverside Heights, was presented.

RESOLUTION NO. 123033, suspending Sections 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of New Riverside Heights, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of New Riverside Heights, 68-lot subdivision of portion Lot 13 New Riverside, subject to 11 conditions, was presented.

RESOLUTION NO. 123034, approving Tentative Map of New Riverside Heights, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of South Clair Terrace, was presented.

RESOLUTION NO. 123035, suspending Sections 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of South Clair Terrace, 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 South Clair Terrace, 117-lot subdivision of portion Pueblo Lots 1191 and 1194, southerly portion of Clairemont on southerly extension of Cowley Way, with tier of lots each side of proposed street, subject to 13 conditions, was presented.

RESOLUTION NO. 123036, approving Tentative Map of South Clair Terrace, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Manager reporting on letter from Pacific Soap Company, H. C. Reuther, Union Ice Company and W. P. Fuller Company, objecting to proposed rearrangement of track facilities by San Diego and Arizona Eastern Railway Company, between Market and Eighth Streets (Ave.),

was presented. The report states that improvement has been checked by affected City departments, and all have approved proposal, although Public Works Department has indicated possible need for protection of storm drain structures which cross railroad right of way in the area. It says that Traffic Engineer and Fire Chief report that they do not feel that project will result in additional traffic congestion or fire hazard. It reports that City Attorney has been requested to prepare statement of City's position with respect to application and copy of the communication has been forwarded to each of signers of the protest for their information.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the City Manager's report, and the protest, were filed.

RESOLUTION NO. 123037, directing notice of filing of Assessment No. 2341 and of time and place of hearing, made to cover costs and expenses of work done upon paving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, Resolution of Intention 117465, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123038, directing notice of filing of Assessment No. 2342 and of time and place of hearing, made to cover costs and expenses of work done upon paving Alley Block 14 F. T. Scripps Addition to La Jolla Park; portion Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision and Draper Avenue, Resolution of Intention 119498, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123039, directing notice of filing of Assessment No. 2343 and of time and place of hearing, made to cover costs and expenses of work done upon paving 54th Street, Blackton Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, Alleys Blocks A, B, C, D, F, G, H and J Balboa Vista et al., Resolution of Intention 115896, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 123040, accepting bid of Walter H. Barber, and awarding contract for sewers in Alley Block 16 La Mesa Colony, 73rd Street, Public Right of Way in Lot 40 La Mesa Colony, Resolution of Intention 121772, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid 3.3% below estimate.

RESOLUTION OF AWARD NO. 123041, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving East and West Alley Block 4 West Teralta, Alley lying West of and contiguous to Lots 1 to 18 inclusive Block 4 West Teralta, Resolution of Intention 121774, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid 16.0% below estimate.

RESOLUTION OF AWARD NO. 123042, accepting bid of Griffith Company, a corporation, and awarding contract for paving Sea Breeze Drive, Roanoke Street and Calle Gaviota, Resolution of Intention 121777, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer reported low bid 23.0% below estimate.

RESOLUTION OF AWARD NO. 123043, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for ornamental street lights in Hermosa Lighting District No. 1, for 1 year from and including May 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 123044, approving and adopting plans and specifications for Alley Block 10 Normal Heights, and Arthur Avenue, approving Plat 2688 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 123045, approving plans, drawings, typical cross-sections, profiles



for sewer in Dalbergia Street, Siva Street, Cottonwood Street, Birch Street, 37th Street, 36th Street, Alpha Street, 39th Street, Z Street, Rigel Street, and various alleys, approving Plat 2605 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 123046, approving plans, drawings, typical cross-sections, profiles for paving and otherwise improving La Dorna Street, Public Rights of Way in Lots 28 and 29 La Mesa Colony, approving Plat 2639 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 123047, approving plans, drawings, typical cross-sections, profiles for sewer in Quince Street, 45th Street, 46th Street, Menlo Avenue, et al., approving Plat 2627 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. 123048, for paving and otherwise improving Boston Avenue, Resolution of Intention 122301, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123049, directing Notice Inviting Sealed Proposals for furnishing electric current for College Park Lighting District No. 1, 1 year from and including June 1, 1955, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 123050, for paving and otherwise improving Alley Block 10 Normal Heights, and Arthur Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 123051, for storm drains, etc., in Chollas Valley Improvement, including Dalbergia Street, Siva Street, Alleys Block 265 Bergin's Addition and Block 265 Boone Brother's Addition, et al., was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 123052, for paving and otherwise improving La Dorna Street, and Public Rights of Way in Lots 28 and 29 La Mesa Colony, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 123053, for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, et al., was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123054, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 8 La Jolla Park, was on motion of Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123055, ascertaining and declaring wage scale for paving and otherwise improving Guy Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Schneider, adopted.

RESOLUTION NO. 123056, ascertaining and declaring wage scale for paving and otherwise improving 31st Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123057, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 3 Ocean Beach, Resolution of Intention 119786; directing Clerk of the City at time of approval, to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123058, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 22 Ocean Beach, Resolution of Intention 117902; directing Clerk of the City at time of approval, to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123059, approving diagram of property affected or benefited by work of improvement to be done on paving Alleys Block 4 Ocean View, and Block 2 Sunset Grove, Resolution of Intention 120266; directing Clerk of the City at time of approval, to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123060, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 30 Park Villas, Resolution of Intention 120578; directing Clerk of the City at time of approval, to certify fact and date thereof, and to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. (This directs furnishing of diagram)

RESOLUTION NO. 123061, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Banks Street, Resolution of Intention 120579 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123062, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, Resolution of Intention 120784 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123063, adopting recommendation of City Engineer, Document 507369; authorizing him to amend proceedings for improvement of Alley Block 4 Carmel Heights, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 123064, granting petition, Document 507199, for installation of sewers to serve portions of Block 8 Clifton Addition, and Block 16 Bungalow Park Addition; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Certificate of City Clerk to results of canvass of Special Annexation Election, Tuesday, March 1, 1955, for annexation to City of San Diego of Grantville-Rancho Mission Tract":  
(a) Whole number of votes cast was 104;

123056

City Clerk's certificate re Grantville-Rancho Mission Tract annexation election held 3/1/55

(b) Number of votes in favor of annexation was 60;

(c) Number of votes against annexation was 44;

(d) Number of votes given in the territory for and against annexation of said territory is recorded in elections returns book of The City of San Diego, was presented.

RESOLUTION NO. 123065, declaring result of Special Election held in territory designated as "Grantville-Rancho Mission Tract", was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

(Results are as shown in the Certificate of City Clerk, just preceding this

Resolution recommending that State Legislature adopt as law Senate Bill 1404 introduced by Senator Fred Kraft of San Diego, amending Section 6873 of Public Resources Code, forbidding leasing of tidelands which have been artificially created since adoption of such bill, etc., was presented.

The City Manager told the Council that this has to do with oil drilling.

RESOLUTION NO. 123066, referring to Council Conference proposed Resolution re leasing tidelands artificially created, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 123067, urging our congressional representatives to appear before proper Congressional Committees and actively support program calling for Congress to appropriate full \$100 million authorized by Federal Airport Act of 1946 for federal aid to airports for fiscal year 1956 and that funds be made available for matching on 50-50 basis by local airport sponsors; urging Congress to make federal airport aid funds available for appointment for use over 2-year spending period under financing plan of apportionment similar to that of federal aid for highways and to authorize Civil Aeronautics Administration to enter into aid contracts to cover additional year following year for which appropriation was made; directing City Clerk to forward executed copy of the Resolution to Senators William F. Knowland and Thomas H. Kuchel and Congressmen Bob Wilson and James B. Utt, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 123068, creating and establishing Taxicab Stand on west side of Fifth Avenue, between points 29 feet and 48 feet north of north line of University Avenue; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123069, establishing parking limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted: both sides of Goldfinch Street, between Ft. Stockton Drive and Lewis Street; north side of Ft. Stockton Drive between Falcon Street and Hawk 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 Kerrigan, adopted.

RESOLUTION NO. 123070, authorizing City Manager to employ Walter H. Barber to construct sanitary outfall sewer crossing San Diego and Arizona Eastern Railway east of 54th Street, at not to exceed \$990, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that City has heretofore entered into contract with Barber for sewer to serve Victory Manor Subdivision and adjoining area under 1911 Street Improvement Act proceeding; it is necessary to construct crossing in addition to the proceeding; contractor has offered to do work at said sum and City Manager has recommended that offer be accepted.

RESOLUTION NO. 123071, authorizing City Manager to employ Al E. Riley, Inc. to replace terminations of Alleys Block 12 Normal Heights at North Mountain View Drive, West Mountain View Drive and Copley Avenue, consisting of removal of 913-1/2 square feet 7" A.C. paving and preparing subgrade and paving with 5" Portland cement concrete, at cost not to exceed \$664.57 payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that City has heretofore entered into contract with Riley for paving Alleys Block 12 Normal Heights under 1911 Street Improvement Act proceeding, that it is necessary to replace terminations; Riley has offered to do replacement work at \$664.57, and City Manager has recommended offer be accepted and work done.

In connection with next Resolution, City Manager explained is hot dog stand; 1 year rental, 2 options to renew.

RESOLUTION NO. 123072, authorizing City Manager to execute lease with Bud Leach Enterprises for DeAnza Cover in Mission Bay Recreation Area, described in Document 507785, for operation and maintenance of concession stand at rental of \$450.00 per year for 1 year commencing May 15, 1955, property value \$1000.00 as disclosed by last appraisal of Auditor and Comptroller; leased for reason that City will derive revenue not otherwise obtainable.

RESOLUTION NO. 123073, approving request of H. C. Dennis dated February 18, 1955, Change Order No. 1 for extension of 30 days to and including February 10, 1955, filed with City Clerk as Document 507619, in which to complete contract for improvement of Santa Clara Point, contract contained in Document 502611 on file in office of City Clerk, extending completion time to February 10, 1955, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123074, authorizing Purchasing Agent to sell building and equipment located in Torrey Pines area: cold storage plant consisting of building and refrigeration equipment, declared to be so used and obsolete as to be undesirable for use or retention by The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123075, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 10 and 11 Block 1 Berkeley Heights, together with all penalties and other expenses 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123076, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Pueblo Lot 1297, together with all penalties and other expenses 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123077, granting Harry Azus, 114 Kalmia Street, San Diego 1, permission to install 30-foot driveway on west side of 12th Avenue between points 110 and 140 feet south of south line of Broadway, adjacent to Lot J Block 50 Horton's Addition, subject to the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123078, granting David M. Sapp, 1501 6th Avenue, San Diego 1, permission to install 52-foot driveway on southeasterly side of Arista Drive, between Hickory Street and Ft. Stockton Drive, adjacent to Lot 1 Presidio Ridge, subject to the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123079, authorizing City Attorney to settle Municipal Court Case 16960, Resolute Insurance Company vs. City of San Diego, for \$108.50; directing City Auditor and Comptroller to draw warrant in favor of Resolute Insurance Company and Franklin B. Orfield, its attorney for \$108.50 in full settlement of claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 123080, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public freeway, i.e., a limited access highway, and construction, operation and maintenance of public street, across portions of Lots 1 and 4 Partition of Pueblo Lot 1209; that public interest, convenience and necessity demand acquisition of fee title and easements and rights of way through, along and across property to be used by City for construction of public freeway and public street within area aforesaid; 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 The State of California, in and for County of San Diego, for purpose of condemning property and acquiring easements and rights of way, was on motion of Councilman Godfrey, sec-

property under Eminent Domain Proceedings; and the City Attorney, who was present, advised that the City Attorney's Office is not prepared to take any action on the matter until the City Council has adopted an ordinance authorizing the City to acquire the property. The ordinance was introduced by Councilman Schneider, adopted.

The Mayor returned to the meeting but did not take the Chair. Vice Mayor Wincote continued to preside.

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

ORDINANCE NO. 6428 (New Series), amending paragraph (b) of Section 91.38 San Diego Municipal Code regulating moving of structures (within Fire Zone No. 1), 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 Godfrey, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Schneider, 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 written or printed copy.

ORDINANCE NO. 6429 (New Series), establishing grade of Alley Block 332 Choate's Addition, between east line of 31st Street and west line of 32nd Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

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

On motion of Councilman Schneider, 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 written or printed copy.

ORDINANCE NO. 6430 (New Series), establishing grade of Alley Block 128 Subdivision of Pueblo Lot 1157 for Mannasse and Schiller, and Alley Block 128 San Diego Land and Town Company's Addition, between northwesterly line of Evans Street and southeasterly line of Dewey Street, 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.

In connection with the next ordinance, Romley T. Rutherford asked why it is proposed to continue the ordinance.

Councilman Kerrigan said that it is just to clear it up in conference.

Councilman Wincote said that some improvements are being done by the County; it is a question of who is to pay for them. He said that if the Ordinance is adopted today, the City might have to pay.

Councilman Wincote then said as soon as that is set, the City is set; the job is ready to go to bid.

Councilman Schneider spoke of no interference.

Mr. Rutherford said that there is the matter of a junk yard, which is not wanted.

Councilman Godfrey said that the City does not want to annex a junk yard.

Mr. Rutherford added that there is also a scrap metal press.

The City Manager said that the Board of Supervisors have not actually approved the construction project.

Councilman Godfrey moved to continue the ordinance until Thursday, March 10.

G. Aubrey Davidson told the Council, when asked, that he is here on the same item. He stated he has a home in Kensington Park, with 2 acres that drop down. He said he was sure of annexation.

Councilman Wincote said that the Council may not be able to act Thursday. He said that the Supervisors have to advertise, and hopes will be Thursday. He spoke of there being no protest.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, it was continued until Thursday.



The Council returned item on Clairemont Villas Unit No. 3.

Mr. Gleich, who had spoken earlier, exhibited a check showing payment of fees demanded by the Council before approval Map.

RESOLUTION NO. 123082, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Conrad Development Company, corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Villas Unit No. 3 Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 123083, adopting Map of Clairemont Villas Unit 3 and accepting public streets and unnamed easements - subdivision of portion Pueblo Lot 1243 - streets accepted are Diane Avenue, Lehrer Drive, Cadet Street, Appleton Street and Aberdeen; 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 Burgener, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 123084, granting revocable permit to San Diego & Arizona Eastern Railway Company to construct and relocate tracks across First Avenue, Third Avenue, Fourth Avenue, "L" Street, "K" Street, Union Street, Front Street, "J" Street, and Island Avenue, shown colored in red and purple on Map S-790 of San Diego & Arizona Eastern Railway Company revised November 30, 1954, filed in Office of City Clerk as Document 507804, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

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

Communication from City Planning Director, approved by City Manager, stating that request for assistance from E. L. Mirandon is an unusual one, but is request which Council may satisfy by statement of policy, was presented. It says statement is contained in accompanying resolution which attempts to be self-explanatory.

The City Manager told the Council that it has to do with Mr. Mirandon's statements, where his new house is built in Torrey Pines. He said that it is ready for occupancy, but that lending agency needs evidence regarding proposed road.

RESOLUTION NO. 123085, stating that it is intention of the City, evidenced by maps prepared by City for sale of Pueblo Lands April 26, 1955, also by adoption of official Major Street Plan for San Diego, that Scenic Road will be dedicated in near future when any adjoining property is subdivided; directing City Clerk to send Mr. Mirandon copy of the Resolution for such purposes as he may care to make of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution refers to Mr. Mirandon's subdivision of portion Block 13 Leavitt's Addition into 1-lot tract known as Mirandon Hill; that it has been approved by the Council and filed of record in County Recorder's office, and subdivision map indicates that portion has been dedicated for street purposes, that dedicated street is adjacent to and part of undedicated street known as Ardath Road or Ridgeway Lane and is also shown as Scenic Road on certain maps.

There being no further business to come before the Council, the meeting was adjourned by the Vice Mayor at 12:21 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,  
Thursday, March 10, 1955

Present---Councilmen Wincote, Schneider, Kerrigan, Mayor Butler  
Absent---Councilmen Burgener, Dail, Godfrey  
Clerk---Clark M. Foote, Jr.  
Resolutions and Ordinance will be found recorded on Microfilm Roll 92 for this meeting

The meeting was called to order by the Mayor at 10:06 A.M.

RESOLUTION 123086, directing City Clerk, in compliance with Section 10 of Charter of The City of San Diego, to make canvass of votes cast at Municipal Primary Election held 8th day of March, 1955, and to certify results to the Council, 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 - continued from time to time since November, 1954 - regarding members of Chiropractic profession being permitted to make physical examinations required by Food Handlers' ordinance - Francis Maher put copies of a magazine in front of each Councilman. None was filed with the Clerk for connection with the magazine copies he distributed.  
The Mayor announced that Mr. Maher had asked for a continuance of 2 weeks, in connection with the magazine copies he distributed.  
On motion of Councilman Schneider, seconded by Councilman Kerrigan, hearing was continued 2 weeks - to March 24, 1955.

Councilman Burgener entered

The hour of 10:00 o'clock A.M. having arrived, the time set for continued item on protest of Mission Beach residents and property owners in connection with moving major rides in Amusement Center to South Parking Lot, the Mayor told the large delegation that the Council had reviewed the several points at previous hearing. He asked Ben Hagar, from the City Properties Division, to review the lease.

Mr. Hagar showed a map of the Mission Beach amusement center, addressing his comments to the audience. He exhibited another picture of the proposed development. He said that he does not know if the roller coaster is to go in.

Councilman Schneider asked Mr. Hagar to show that there will be no change in the south parking lot.

Mr. Hagar continued review of the master plan, approved by the Council.

City Attorney J. F. DuPaul told the Council that it has been pointed out in a memo addressed to him, by Alan M. Firestone, matters connected with the lease on Mission Beach Amusement Park. (A copy of letter, dated March 4, 1955, was obtained by the Clerk and was made a part of the file). He stated that lessee is carrying through what is outlined in the lease. He said that there are 4 courses of action, if the Council does not like what is going on. He said that lessees are complying with the lease. He said that as long as it was executed in good faith, and that it is being lived up to, the City should live up to the lease. He declared that it will be a benefit to Mission Beach.

The Mayor declared that many statements made a week ago are not true. He told of development provided under the plan. He referred to move of rides being contemplated, and that they will be moved to the center in 2 or 3 years, then moved to the north, after the roller coaster is removed. He said that it is in the best interest of the Park and the City. He said it will yield a greater return to the City.

Councilman Wincote said that width of the parking lot is 210 feet; not 250 feet as had been stated.

Councilman Kerrigan asked if the action would be to file.

Mr. DuPaul said "that is correct".

The Mayor said that 1 developer (1 of the lessees) has been ill, and that he is not on the premises.

Warner Austin (one-time operator of the amusement center) spoke of having no malice toward the Council. He declared it to be a clean council. He told the Council that he owns an apartment building on Mission Boulevard. He stated that the program can't be carried to conclusion by the lessee. He told of having operated the Center for a man who had money, that profit if any, was very thin. He told of the profits. He said that an idealistic lease had been signed; rent has gone up 5 times. He said that the lease cannot keep up. Mr. Austin stated that roller coaster had the poorest year in 10 years. He said that the City has spent \$65,000., and is pledged to spend \$70,000. He stated that amusement parks over the country

Hearings  
(Chiropractic on food handling cont.)  
Mission Beach  
123086

are dying on account of TV. He said that the same thing is happening in Mission Beach, on account of City development. He repeated the lease can't hold up. He said that Mr. Ray has been hiring a top concrete man for \$1.25 per hr.

The Mayor said this is a different approach than made last week. He stated that lessees are paying their lease. He declared that Mr. Austin is making a prediction. He said that it is like successful operation in the east. He said that the City is legally bound to go ahead.

Mr. Austin said that lease calls for and provides that rides and concessions shall have cash registers; shall have accounting machines, locked. He said that there are none, except restaurant. He stated that the rest rooms are closed. He declared that "the man hasn't got a chance".

The Mayor stated that improvements made are an improvement, and that it will be better yet. He spoke of the City being interested in the financial side, regarding lease return. He said that Mr. McQuilken, City Auditor and Comptroller, will make a check. He said that statements of last week were not correct. He said that it is better to have the amusement center in the center. He spoke about Council idea for zone on the north side. He said that there can be referred to Askew (J. B. Askew, M.D., public health officer) regarding conditions in "beer joints".

Bert Lembeck, real estate broker in Mission Beach, spoke of having been there 21 years. He asked for the map Mr. Hagar had used, and then made references to it. He showed "penetration".

The Mayor said that all is according to plan and lease. He referred to having been a parking area, used 2 days a year.

Mr. Lembeck continued to point out and explain from the map, not seen. The Mayor spoke of wanting to take advantage of the 2nd point on the lease; roller coaster is not to go in.

Mr. Lembeck referred to penetration of 500 feet, said south parking area has been used up. He said other is to be used up.

Councilman Burgener spoke to Mr. Lembeck regarding "Enchanted Land" and to the picnic grounds, and wondered if they were objectionable. He pointed out regarding ride move, not the operators, not the City. He said that business men on Ventura are depending on the business men. He referred to helping no one.

The Mayor spoke to Mr. Lembeck regarding the lease.

Mr. Lembeck said he wants rides moved, but not to the south parking lot.

Councilman Schneider spoke to Mr. Lembeck about moving out shacks. He referred to that as a fixed promise. He said that lessees are bound to do "that" regarding the plan.

Mr. Lembeck said that buildings are adjacent to rides.

Councilman Burgener spoke to Mr. Lembeck regarding moving of the rides away from the alcoholic atmosphere.

Mr. Lembeck said that he wants to hear from the operator of the amusement park, who is present. He said that parking is important. He referred to using up the parking area.

Councilman Schneider spoke to Mr. Lembeck about usurping the manager's right. He said this is not a thing to thrust on the City.

Mr. Lembeck said that he had used the word "explore".

RESOLUTION 123087, promising Bert Lembeck that situation at Mission Beach Amusement Park, referred to him, will be explored by the administration, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Mr. Lembeck said that other people are here, interested in the subject. He said it is not necessary to "penetrate". He referred to a conference held.

Councilman Schneider stated that it is between the City Manager and the operators of the amusement center.

Councilman Burgener told Mr. Lembeck that the Council and the City are trying to do their best.

Mrs. Lynch spoke to Councilman Burgener regarding a Lembeck question.

Councilman Burgener said that the Council is aware of the problem.

Councilman Schneider said that there is a heavy financial responsibility, and that a conference with the City Manager would be welcomed as a possibility.

Councilman Wincote pointed out that the City had made adjustment in the Austin and Finley lease.

Mr. Austin said he was making statement as a property owner in the area, regarding the amusement area. He said that why there is hiding of things has not been explained to the taxpayers. He declared that 1 partner had fled; is not ill; is working. He said that the manager has gone. He said that if there is movement to the south, property owners are sunk.

The Mayor spoke to Mr. Austin about difficulty in negotiating with 200 property owners. He pointed out, as he had before, that he is a beach property owner. He said that it is a long, involved lease.

Howard Turrentine, attorney, spoke of willingness to meet with the City Manager at any time. He said that the question is if the lessees operate the park.

There was discussion between Councilman Burgener and Mr. Turrentine regarding the operation.

Mr. Turrentine said that lessee is liable under the lease.

Councilman Burgener asked if the lease has been paid.

Mr. Hagar said that there is \$10,000. on file.

Councilman Wincote said he wants a financial statement.

City Attorney J. F. DuPaul said that it is a valid lease; lessees are not in default; financial statement is not needed. He said that the lease does not have to be negotiated because a former operator says it can't be done.

Councilman Wincote referred to condition 2.

Mr. DuPaul said that No. 2 is by agreement.

RESOLUTION 123088, referring to the City Manager and to Council Conference for investigation to see if lessees are interested in modification of present lease in Mission Beach Amusement Center, and for discussion, 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 request for rezoning from R-1A Zone to M-1 Zone, portion Block E, all Block F Addition to Silver Terrace, portions of Blocks 356, 357, 358, 386, 387 Old San Diego and portions of Pueblo Lots 110 and 1101, in vicinity of Gaines and Azusa Streets - east of Morena Boulevard, south of Riley Street, west of Benicia Street, and north of San Diego River floodway - report from Planning Commission, signed by P. Q. Burton, was read to the Council. It says that R. E. Hazard, only signer of the petition, owns about 7-1/2 acres; City owns about 2.7 acres; San Diego Gas & Electric Co. owns about 2.8 acres, and remaining 1 acre of the 14 acres proposed to be rezoned is owned by Mr. Asakawa. It says, also, that letter of approval was received from Mission Valley Property Owners' Development Association. It says that more than 1/2 of land concerned lies below 25-foot contour line, that main building below the line is Hazard stable in A. P. Jones Sub., land above 25-foot contour is occupied by City's dog pound, the substation of S.D.G.&E. Co., and 1 old house on Hazard property south of Gaines Street. It goes into great deal of detail on existing M-1 zone on portion, and petition of protest; letter mimeographed, headed "San Diego College for Women" dated January 21, 1955, bearing typed name "Mother C. Parks" submitted to Planning Department as reason for so many signatures from such distant places. In addition to other details, letter states that Planning Commission voted 5-0 to recommend that the zoning, shown on attached drawing B-633, be adopted. It suggests that matter be forwarded to City Attorney's office for drafting of proper ordinance.

Councilman Godfrey entered

During reading of the report, Councilmen and Glenn A. Rick, City Planning Director, looked at a map.

Mr. Rick said that petition was sponsored by Roscoe Hazard, and is generally south of Cudahy. He pointed out areas, under zone, on a map. He said hearings had been held on the petition, and on City-owned land. He pointed out that a modification was made. He said that C-1A, recommended, was not satisfactory; R-1A is not satisfactory, either. Mr. Rick said that C-1A permits business, with parking for 50%; M-1A does not permit pollution of the air.

There was discussion between Councilmen Wincote, Schneider and Mr. Rick.

Mr. Rick said that the J. P. Jones Subdivision property has no residences. He told of previous isolation hospital, and pointed out the existing Gas Co. station. He said it seems absurd to have a dog pound and a substation across from R-1A property. He spoke of there having been a number of variances.

O'Neill Martin, attorney, representing San Diego College of Women, was heard. He said that his client opposes any rezoning in Mission Valley, especially the westerly part. He said that the College has a substantial investment. He stated that the investment was made on the basis of the existing zone. He said that if this is granted, it is the first step toward industrializing Mission Valley - including the Polo Grounds.

The Mayor said that the Council has had a number of hearings regarding the Valley. He said there can be no overall plan. He stated that each case has to be considered on its own merits. He said that the Council is jealous of keeping the Valley attractive to the residences above, but that it can't hold up all development.

Councilman Schneider spoke to Mr. Martin regarding plan for trees, and for gardening, at the University.

Mr. Martin said he represented the Women's College, only, and does not know of all the plans.

Councilman Schneider spoke to Mr. Martin about controlling all the view from the College. He said that owners have right to use of their property, and have the right to request rezoning.

Mr. Martin said he realizes the problem, but that his client is not the only objector.

Councilman Wincote spoke to Mr. Martin regarding property to the north, in M-1 zone.

Will Hippen, representing Mission Valley Improvement Association, was heard. He told of a master plan, and wants to wait until it comes out. He said a compromise would be better: creates 4 zones, instead of 2. He said it is a little chaotic. He stated that he was told that the Caudell & Johnson matter was to simplify the zone in the Valley. Mr. Hippen said that the Planning Department told the Planning Commission, that it is in an obsolete corner of the Valley. He said he does not agree; it is at the mouth of the Valley, an entrance to the City. He said that the zoning is bad; there will be industrial use, and an opening wedge. He spoke of property to the south, regarding tax situation. He said Friars Road is to be widened to 4 lanes.

He said that commercial property (which this would be, if re-zoned) is expensive to buy for roadways. He said that a lot of the property is not usable for other than roadways.

Councilman Wincote spoke to Mr. Hippen about Friars Road. Mr. Rick showed Mr. Wincote a plat of that area.

Mr. Hippen spoke to Mr. Rick about C-1 zone and Friars Road. He referred to 2 plans. He said that under proposed plan cost would be heavier to property owners than if R-1A. He stated that Mission Valley should be recreational, that proximity to Mission Bay makes for an ideal recreational area. He said that it should be held, and not created M-1 for the convenience of 1.

Alice Neuber told the Council that she helped circulate the protest. She referred to there being \$2,000,000 in improvements on the rim, owned by residents who oppose commercial and industrial uses, which were referred to as adversely affecting the property. She said she reached approximately 200 persons.

Councilman Schneider spoke to the lady about giving weight to petitions only within certain distance (petition referred to contains names of individuals at a great distance from the area, and in several other cities). He said it is a difficult thing.

Miss Neuber said that there is more than the view; there would be smog, odors, and fumes. She said the non-confirming uses set the pace for the Caudell & Johnson operation.

Richard Steck, representing petitioner for the zone change said 2 hearings had been held. He said that Mr. Hazard would not be getting what is wanted, but that it is a good compromise. He said that it will improve the Hazard "jungle".

Councilman Schneider asked if 5-0 were in favor of the rezoning.

Mr. Steck's reply was "yes, sir".

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

Councilman Kerrigan said that there is going to be a continuing problem in Mission Valley. He said he wonders if protestants would form an organization, if bond money could be voted, to buy property in the Valley, to buy and publicly control it. He said he wants that discussed.

Councilman Burgener said that is idealistic, and that the City can't afford to buy 4500 acres to the west.

There was continued discussion between Councilmen Kerrigan and Burgener.

Councilman Wincote said that would be between 30 millions and 40 millions of dollars.

Councilman Kerrigan said that only public ownership can control the situation. Discussion followed between Councilmen Wincote and Kerrigan.

Councilman Wincote asked if a master plan for the Valley is under the way.

Mr. Rick replied that it is, and that it would come in - as a report - within the next 2 weeks.

Councilman Burgener said that the Council should provide a staff to work out a master plan; development can't be held up.

Councilman Godfrey moved to adopt the recommendation, and refer papers to the City Attorney for preparation of the Ordinance. Motion was seconded by Councilman Burgener.

The Mayor spoke to Mr. Rick, who told about the plan. He said it would not contemplate R-1A. He said that would be considered separately.

Roll was called on the motion, resulting in

RESOLUTION 123089, requesting City Attorney to prepare and present necessary ordinance for rezoning portion Block E, all Block F, Addition to Silver Terrace; portions Blocks 356, 357, 358, 386, 387 Old San Diego; portions Pueblo Lots 1100 and 1101, in vicinity of Gaines and Azusa Streets, in accordance with Document 507191.

The Mayor pointed out that D. D. Williams and Al Mix, candidates for the City Council, as well as R. L. Stevenson, candidate for Mayor. He invited them to Council conferences as well as meetings, and included other candidates in his invitation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of George M. Aposhian from decision of Board of Zoning Adjustment in denying his request for permission to operate rest home at 1203 Sunset Cliffs Boulevard, with maximum of 20 patients, Lots 17, 18, 19 Block 11 Sunset Cliffs, Zone R-1 "Finding of Facts" was read to the Council by the Clerk.

Councilman Wincote asked why this is before the Council again. He said that it had been heard 3 months ago.

Glenn A. Rick, City Planning Director, said that there is a new application, which the City can't prevent being made.

Ferdinand Fletcher, attorney, representing the applicant, shows pictures of the mansion in question, which he referred to as the old John P. Mills home. He said that it is a house of 22 rooms, with 6 baths, on 3 large lots, excluding the tennis courts. He pointed out the residence and the area, on a posted map. He pointed to the developed and undeveloped properties. He said that the house covers more than 1 entire lot. He said that there is a 5-foot wall, almost



around the entire property. He spoke of completion, and of small houses near which are facing the street. He said that the property had been purchased for single-family use (by Mr. Aposhian) for more than \$65,000 investment. He said that only his wife and daughter are with him now. Mr. Fletcher told of Mr. Aposhian having tried to dispose of the property as a single-family dwelling. Again he referred to the small single family units near. He said that the property is distressed property, and has caused trouble to the owners. He reviewed previous uses under variances. Mr. Fletcher stated that objectors are unduly concerned, on account of previous uses. He said that Jim Burke, a young attorney, is unduly concerned over the situation. He stated that the nearest property owner is making no objection. Mr. Fletcher repeated that there are 3 lots, and added that 3 dwellings could be put on them - with 15 people. He said that there would be elderly people in the rest home, proposed. Again, he said that a 5-foot wall almost isolates the property. He said that there would be no activity to unduly jeopardize nearby residents. He said that there will be fewer trades people (than there would be if there were 3 houses on the 3 lots). He referred to a public park being across the street. Mr. Fletcher said that Mr. Aposhian is an ordained Baptist minister, and has a church. He said that a Baptist organization is proposed, in the Baptist faith. Mr. Fletcher presented a letter from the Baptist Church, regarding use of the property as a rest home. He read it, and another letter, both of which he filed. One of the letters, dated February 17, 1955, is from Southern California Baptist Convention, Suite 500 Auditorium Building, 427 West Fifth Street, Los Angeles, signed by Frank M. Kepner. The other is from San Diego Baptist City Mission Society, 2210 Columbia Street, San Diego, dated March 9, 1955, signed by R. C. Fleischer, Executive Secretary. He spoke of there being no effort to produce anything to jeopardize the neighborhood.

The Mayor, in reviewing previous efforts to re-zone, said that the property is still R-1, and that there has been no break-down in the zone since 1938. He said that on the previous hearing the property did not qualify for the zone sought.

City Attorney J. F. DuPaul read conditions under which various could be granted. His reading was from San Diego Municipal Code.

Mr. Fletcher stated that it is a question of interpretation. He spoke of the zeal exhibited by an individual in connection with opposition to the previous attempt to re-zone. He referred to the Casa de Mana, in La Jolla, where he spoke of the Council's having granted a rest home. He said that there had been no comment regarding adverse effect in connection with that operation.

Councilman Schneider and Wincote spoke to Mr. Fletcher about that variance.

Councilman Wincote pointed out that the question involved at the Casa de Manana was regarding hospital - infirmary.

Mr. Rick added that it was in an R-4 zone.

Mr. Fletcher stated that property owners are unduly concerned. He said that the property is entirely confined to area behind walls. He contended that the Council should allow the variance. Mr. Fletcher said that Mr. Aposhian was here, and thought the Council might like to hear from him. He said that an excellent establishment would be operated. He said that the proposed operator would be willing to submit to a probationary period. He requested favorable action on the appeal.

Mr. Aposhian presented Dr. Robinson, of the Fairmount Baptist Church. Dr. Robinson spoke of growing awareness of the aging people. Dr. Robinson said that in his church, alone, the proposed home could be filled. He pointed out the increased life span, and that a question has arisen of what to do with older people. He said that 3 are ready there, now, to go into the home, regarding the fellowship which would exist. He said Mr. Aposhian is well thought of. He declared that it would be a marvelous thing to have the rest home. Dr. Robinson said he had been asked by Mr. Aposhian to serve on the board.

The Mayor said that in the interest of saving time, the Council has heard from individual property owners previously.

Councilman Schneider spoke to Mr. Aposhian regarding there being no structural changes.

Councilman Godfrey, looking at a map of protests, said that it is practically unanimous. He said that at an earlier hearing it had been found that there was a question of legal basis for granting. He said that there is the same conclusion as before.

Mr. Fletcher reviewed the variances, and said that most of the property owners had property there in 1948-50. He said that they had not opposed the boarding house.

The Mayor said that the Officers' Club and the boarding house were in connection with war conditions.

Councilman Burgener spoke to Dave South, of the Planning Department.

Mr. South said that there are more protests signed, now.

Councilman Burgener said that the City can't consider the financial aspects, in connection with request to secure zone variance.

The Mayor said that there is no legal basis for granting the variance, in the Municipal Code, from which the City Attorney had read.

Councilman Wincote asked if protestants had been considered.

Mr. Rick replied "yes".

Councilman Burgener said that property owners in R-1 zone have rights.

The Mayor said that the Council is acquainted with the situation.

RESOLUTION 123090, denying appeal of George M. Aposhian, 1203 Sunset Cliffs Boulevard, from decision of Board of Zoning Adjustment Resolution 8747, Application 13784, denying per-

Hearing

mission to operate rest home at 1203 Sunset Cliffs Boulevard with maximum of 20 patients, Lots 17, 18, 19 Block 11 Sunset Cliffs, Zone R-1; sustaining the Board of Zoning Adjustment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The next item was taken up out of order.

It was a Resolution approving original State Highway Route thru Logan Heights area without qualification, and authorizing and directing City Clerk to forward certified copy to the District Engineer.

Councilman Burgener said that he was not ready to act on the proposed freeway. He said that Councilman Dail should be here.

The Mayor spoke of asking Mr. Luckenbach of the State Highway Department to wait. He said the item can be continued until Tuesday.

Mr. Luckenbach said that the Highway Commission would not act until Resolution is adopted.

Councilman Godfrey said that he wants to be here to vote for the Resolution.

Councilman Wincote wondered if Councilman Burgener would reconsider.

Councilman Burgener repeated that he did not know that this was to be acted on.

By common consent, the item was held until Tuesday, March 15, 1955.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on communication from Washington Street Merchants and Property Owners Association requesting modification of "No Parking" signs on Washington Street, between 5th Avenue and Curlew Street, Joseph P. McDonough, attorney appeared. He was not heard immediately.

The Mayor said that the item should be referred to the City Manager and Traffic Engineer.

Councilman Wincote said that a hearing can be had at any time on the subject. He referred to his having been at a meeting, attended by Councilman Godfrey, also.

Mr. McDonough said that he and his group can return (it being 12:00 Noon at this point). He said that the reason had been stated on the agenda. He referred to a letter brought up about the widening of Washington Street between 5th and Hawk. He told of the item having been in the Budget several times.

Councilman Godfrey said that he wants to hear the discussion on the whole problem, and would therefore rather come back this afternoon.

The Mayor said that the widening of Washington should be considered by the Council in connection with next year's budget, on Gas Tax Fund. He said that there would then be a recommendation from the City Engineer. He spoke of having adhered to priorities.

Councilman Wincote stated that the Council did not adhere to "this priority".

Councilman Godfrey said that it would be acceptable for hearing at 2 P.M. today, or for the 1st item on the agenda for next Tuesday.

The Mayor pointed out that a new Council (which will soon be in office) is to be considered.

At 12:07 Noon, the Mayor declared the meeting recessed until 2:00 P.M., this date.

Upon reconvening at 2: 05 P.M., the roll call showed the following:

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

Absent---Councilmen Schneider, Dail

The hearing on Washington Street item, continued from the morning, was resumed.

James Reading, Traffic Engineer, reviewed past posting of the area. He said that some continue to park, despite receiving citations. He said that Tow Away Signs had been installed, as in San Francisco, when authorized by the courts. He spoke of improved conditions, as a result. He said that signals had been changed resulting in improved capacity of the system. Mr. Reading said that merchants along Washington Street knew that their businesses would be adversely affected at peak traffic periods. He spoke of having been asked at a conference if "Tow Away Zone" could be eliminated. He said that it would be made clear by Chief of Police Janson if the "Tow Away" is eliminated. He said that a committee had suggested smaller letters on the "Tow Away", subordinating the words to the other regulation. He showed the Council a list. He said that he, Capt. Thien of the Police Department and Chief Jansen have said that would boomerang, in that parkers would not realize that cars would be towed away at certain times. He told of a conference in his office, attended by his assistant and Capt. Thien. He told about a sign being worked out, as used in downtown Los Angeles. He exhibited it, but did not file it. He said that it had been agreed to fairly well. He spoke of there being no parking time on Washington Street. He said that it is contrary to policy to establishing time limit for parking, without establishment of meters. He said that the committee had requested review to see if the prohibited parking

Res. (Freeway) out of order - cont.  
Hearing on Washington St.

time shortening. He said that the hours and days, of prohibition, may be changed. He said that parking is not permitted at peak hours on Saturday. He spoke of there being agreement on the question of increased size on the permitted parking. He said that the "permitted" portion can be amended, and change on the permitted time size could be changed.

The Mayor asked if there is a recommendation on sign change.

Mr. Reading replied that it is recommended "with some misgiving".

Councilman Godfrey said that most people who park in the area are aware of the short time, and are short-time parkers. He spoke to Mr. Reading about the signs.

Mr. Reading said that while some had made various suggestions, it is a question for the Police and for the attorneys.

Councilman Burgener wondered about being the same as on Garnet.

Mr. Reading replied "yes".

Councilman Godfrey spoke about trying to get across 2 messages. He said that the big thing is having the tow away time clearly defined. He said there should be no room for misunderstanding.

Mr. Reading spoke about the bigger lettering.

Councilman Godfrey said that he wants an opinion on that.

City Attorney J. F. DuPaul said he is not ready to give an opinion.

The Mayor asked if proposal is acceptable to merchants.

Mr. McDonough said that it is desired to get rid of objectionable feature. He said that his clients do not like the "no stopping", and advocated the "tow away" in large letters.

Robert D. Whitson, 515 Washington St. spoke about proposed "parking permitted.." same size.

Councilman Godfrey moved that the matter of legality lettering on signs on Washington Street be referred to the City Attorney, that if it is found legal the size of the sign lettering as outlined by the Traffic Engineer it be done. Motion was seconded by Councilman Wincote.

Councilman Wincote questioned the "No stopping".

The roll was called on the motion, resulting in

RESOLUTION 123091, referring to the City Attorney the matter of legality of lettering on signs on Washington Street; that if the size of lettering as outlined by the Traffic Engineer is found to be legal, the signs be so lettered, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Godfrey asked if the attorney would report for Tuesday.

Mr. DuPaul replied "sure".

Mr. McDonough said that a fancy sign is not needed. He pointed out to the Council that the widening of Washington Street is the real problem. He referred to a meeting of an interested group 2 weeks ago. He said it was the consensus of opinion is that the real problem is the street itself. He said he admired the courage of Councilmen Wincote and Godfrey in connection with the Washington Street widening. He said that stated they did not know; it be 3 years. He spoke of never having complained. He said that the tow away is only a symptom of the whole problem.

The Mayor referred to the problem as existing for years. He said that Councilmen Wincote and Godfrey are aware of it.

Mr. McDonough said that the widening of Washington has not been in the plan of the City.

Councilman Kerrigan said that the money was allocated about 1946; it is in major street plan. He told of need for Gas Tax funds. He spoke to Mr. McDonough about there being no part in Capital Outlay, on account of Gas Tax Allocations. He referred to Morena Boulevard, and said that is should be discussed again at Gas Tax and budget time. He said he does not know when they are to be considered.

The Mayor referred to a \$379,600 cost; original appraisal of \$700,000 for the property, which is now \$900,000 to \$950,000. He said that the total would be \$1,025,000.

Mr. McDonough said that there had been no allocation since 1949. He told the Council that it can be approached from 3 points. He said that the Council can get so close to the problem that it doesn't realize the urgency. He declared it to be economically feasible. He told of the City, State and Federal governments having expended large sums on other projects, and having channelled all the traffic "into this 7-block area". He said that amounts to poor economics to do that. He said that maybe the urgency is not known. He invited the Council to take a trip from 5 Points to 5th and Washington tomorrow evening. He declared the situation to be intolerable. He spoke of building on both ends, and leaving the middle. Mr. McDonough said it has resulted in a bottleneck, and referred to emergency, civil defense, situations as well as the fire at Burnett's. He declared it to be an injustice to property owners on Washington Street. He told of their being unable to improve property because of future uncertainty - which has existed for 14 years. He spoke of representing a good portion of people of San Diego who use the arterial. He stated that some have axes to grind, but that is legitimate. He referred to a question of good planning. He said that a mistake has been made. He reminded the Council of a situation which has developed in Los Angeles, around the Union Station. He told of building an underpass, which the State is doing.

Councilman Godfrey was excused.

Mr. McDonough said that the project should receive favorable consideration in the

Hearing (Washington Street)



Highway Commission budget. He told of people having gone out of business, on account of this having become a blighted area. He said to the Council that the real reason for his coming, and others here on the subject, was not just on account of the signs. He spoke of wanting favorable consideration.

Councilman Wincote spoke to Mr. McDonough, about having called for map on the perimeter. He said he wants Mr. McDonough and the committee to come down on the priorities, and that the Council does not want to fool anybody. He spoke of taking care of first problems first, and that Pt. Loma people are provoked at him on account of his stand on the sewer

Councilman Burgener asked how long the \$500. limit on remodeling had been in effect. The question was not answered.

Mr. Whitson pointed to a map posted on the wall, and said that both ends had been widened out. He, too, spoke of the 7 block bottle neck, which would be like a dot on the completed highway. He said that the condition has existed 14 years. He told of not having to ask for a priority. He spoke of the expensive bridges, but the bottleneck having been left. He said that it is a matter of danger in peace time, a catastrophe in war. He referred to 60,000 people in Mission Hills being trapped in the bottle neck. He read from the President's plea for highways to get people out of danger areas. He told the Council that it gives funds to subdivisions with problems for highways, but that this one just stays. He said that this severe condition should be taken care of now. He told of having given a right of way 14 years ago.

There was discussion between Councilman Wincote and Mr. Whitson.

Mr. McDonough referred to Resolution in connection with Streets of Major Importance, and said that in 1946 Washington Street was declared to be a major street - probably further back.

Mr. Rick stated that there is no set back on Washington Street.

Councilman Kerrigan spoke of the City having acquired property, and of agreeing with Mr. McDonough.

H. L. Hangii, 419 West Washington Street, spoke. He said he was making an appearance on behalf of a representation which had been here this morning. He told of representing public interests in Mission Hills, etc. He said that many use Washington Freeway from Convair, and from North Island, but that is a small problem compared to a public emergency. He declared that the City Manager will not allow over \$500. expenditure on Washington Street structures. He pointed out on a map City purchases on Washington. He told of needing room to expand his business, but the City won't let him expand. He said that he wants to buy from the City property it has acquired, but won't need. He said that the City buys some, but it should sell what it does not need. He thanked the City for the signs. He said, however, that after 3:30 merchants on the bottleneck have no contact with the outside by telephone, up until 6:00 o'clock. He said he bought 9 years ago, and was told that there would be no problem after 2 years. He told of 1 going out of business, and of others who are suffering. He told of an empty rental. He asked why anyone should rent, if clients can't stop to do business. He maintained that property owners on Washington Street should have a definite answer. He said that Ogden (Howard Ogden, Property Supervisor) is buying property on Washington only "on a pencil sketch". He told of other City ownership, and of there being not much left to buy to get the ownership.

Councilman Wincote spoke of wanting the freeway shown on the map, and of the people in the area being a forgotten clan.

Wm. V. Stewart told of having lived on Washington Street at Albatross for better than 32 years. He said that safety is uppermost in his mind. He told of there having been 1 death at Front and Washington. He said that if Washington is widened to freeway standard, it would leave room for an island, and that pedestrians would have a chance. He said that traffic backs up from 1st Avenue back to Hawk - solid. He said that when a pedestrian gets to the middle on a signal, he has to wait for the other lane. He said that 4th Avenue and Washington is one of the worst. He said that synchronized overhead signals could be installed, to give people a chance to cross, and for traffic to get into the street without getting hit.

Councilman Godfrey returned.

Mr. Stewart said that such signals are used in New York City. He asked for elimination of hazard until the City gets the money to widen the street and put in islands.

Mr. McDonough thanked the Council for the hearing. He reminded them to remember the invitation for a ride to be taken through the area tomorrow.

Councilman Kerrigan said that the City can analyze on other streets.

The Mayor said that the City is confronted with more than \$3,000,000. He spoke of the problem in the many areas. He said that it is a matter of dollars.

Mr. McDonough said that there had been a priority 14 years ago.

Councilman Burgener said that the City has to work out a balance, there are new subdivisions: Allied Gardens and Clairemont.

Councilman Wincote said that Wabaska had a priority; it was shoved over. He said that Washington has not been treated too shabbily.

Mr. Hanggi said that Washington situation had existed long before Clairemont.

Councilman Wincote spoke about the Gas Tax and of the future Capital Outlay Fds.

Councilman Kerrigan said that the City could, of course, put more into the tax rate to provide these things.

Mr. McDonough spoke about improvement permits.

Mr. Haelsig started to speak.

Instead, the City Manager said that there is no setback on Washington, and there

Hearing (Washington Street)

is nothing prevented. He said he has instructed that Mr. Ogden that he can go out and try to acquire property on Washington, without new development. He said that the City is "trying to pick up these things".

Mr. McDonough asked what funds are available for the property acquisition.

The City Manager replied that for 3 or 4 years funds have been available for the acquisition of property; not just this street, but all over. He spoke of trying to protect the property. He said that it depends on negotiations with individuals.

Discussion continued between Mr. McDonough and various Councilmen.

Councilman Kerrigan told Mr. McDonough that property owners can't use the front 10 feet on Fairmount, and added that there has been a setback on the property since 1929. He said that there are many, and does not know how the condition can be cured. He said that he knows what the Washington Street problem is.

Mr. McDonough said that if property owners have been denied use of the property since 1929, there is a prohibition against due use of the property.

Councilman Wincote referred to property on 6th Avenue, between University and Pennsylvania Avenues having been given to the City (for widening). He said that lots were 140 feet. He talked to Mr. Rick about how lots face, on the Washington Street property, and if owners can "go back".

Mr. Hanggi spoke to Councilman Wincote about the Stewart situation.

Mr. Rick said that the City wanted a setback, to acquire right of way; the State wanted 100 feet, to spend Gas Tax money, rather than 80 feet.

Councilman Wincote spoke about being able to start west of Albatross Street, reasonably.

Councilman Kerrigan spoke to Mr. McDonough regarding acquiring property, and about State requirements.

Councilman Wincote spoke to Mr. Ogden.

Mr. Ogden told of trying to acquire 40 feet, 5th to Hawk.

Several persons looked at a map Mr. Ogden spread on the press table.

The Mayor said that the situation will be discussed by the Council, regarding Gas Tax moneys.

#### Councilman Godfrey returned

Petition of Bollenbacher & Kelton, Inc. for annexation of uninhabited territory, consisting of about 20 acres of land in Lot 65 Rancho Mission - northeast of Grantville and Northwest of Allied Gardens Unit 4 - was presented.

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

Communication from Harbor Commission, signed by John Bate, Port Director, submitting form of lease with Norman L. Darling, covering approx 5100 square ft. at Foot of Emerson Street, used primarily for retail sale of fish and cleaning, freezing, packing and smoking of fish caught by sportsfishermen, was presented. It refers to being sorely needed service adjacent to sportsfishing pier. It says lease is for 5 years with 3 5-year options to renew, at \$50. per month, subject to review every 2-1/2 years during lease and renewal periods. It says that lease conforms in all respects to established Harbor Commission and Council policy.

RESOLUTION 123092, ratifying, confirming and approving Lease, copy on file in office of City Clerk as Document 507682, between City of San Diego acting by and through Harbor Commission, as Lessor, and Norman L. Darling, as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 123093, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction, painting and outfitting boat docking floats, office and storage float, boat washing float, concessionaire's sales and storage building, float storeroom, fishing floats and motor storage boxes for El Capitan Recreation Station, Document 507797; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123094, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of 85-100 Penetration Paving Asphalt, Emulsified, and Liquid Asphalt for 1 year beginning April 1, 1955, in accordance with Document 507743, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Hearing  
Petition  
123092 - 123094



RESOLUTION 123095, approving plans and specifications for furnishing transportation and other expense necessary or incidental for construction, painting and outfitting outdoor toilet buildings and appurtenances for El Capitan Recreation Station, Document 507742; 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 Planning Commission, signed by Harry C. Haelsig, which had been continued from 2 previous meetings to this date, was presented. It recommends approval of Tentative Map of Bettles Acres, for 2-lot subdivision of portion Pueblo Lot 1256, located on Buckingham Drive easterly of La Jolla Mesa, across street from subdivision of Muirlands Acres Units 1 and 2, was presented. It recommends 11 conditions.

J. F. DuPaul, City Attorney, told the Council that Mr. Bettles was here.

Wm. Bettles showed the Council a map. He said that the original intent was for 1 parcel. He said that it is R-1B Zone. He read Resolution setting out requirements. He said that the unimproved street is not cut to grade.

Councilman Burgener said that the Corey property is to the south. He showed the Council the private easement.

Glenn A. Rick, City Planning Director, said that Councilman Wincote spoke about extenuating circumstances. He referred to the Corey variance, a record of survey with waived improvements. He said that the City should go back and pick up the Corey improvements. He showed the Mayor a map of the Corey property.

Mr. Bettles said that Mr. Wilson is subdividing 30 or 40 lots to the west and south of La Jolla Mesa Drive. He spoke of there being additional subdivisions in the same area. He said that it is different on the other side of the street. He said that house was put there 5 years ago. He referred to 12 houses on easements, no streets; 6 houses where there are horses. He said that the horses can't be ridden if City streets are installed. He said that his would be consistent with the property across the street and behind.

There was discussion between Councilman Burgener and Mr. Rick over mud.

Mr. Rick referred to there having been erosion.

Councilman Wincote said that he is trying to be consistent. He said that it had been stated that if others would improve, they (those already in) would.

Mr. Rick said that Mr. Corey was said to be an honorable gentleman.

Councilman Kerrigan said that the City has no power to enforce the improvements, and can get into a problem.

Councilman Burgener moved to delete sidewalk, curb and paving from the conditions. Councilman Wincote seconded the motion.

Mr. Bettles said that he will go along with the others. He told of agreements with the City.

Councilman Wincote said it should be all right if they don't complain regarding a problem when living out there, and becoming a problem.

Mr. Bettles referred to building 7 houses. He said that it is sandy, not muddy.

Councilman Burgener said the area might never be paved.

Councilman Wincote said that it is going to come, eventually.

Mr. Bettles said that it is an R-1B zone; roughly 1/2 acres, with little left to develop.

Councilman Wincote spoke to Mr. Bettles regarding conditions of the area.

Councilman Godfrey said that when the City starts to have "these things" there must be a line.

Councilman Burgener said that some of the property on Point Loma was the same thing. He said that the improvement comes when the bulk of the residents want the improvement. He referred to this as being different from the average subdivision.

Mr. Rick said that the Planning Department is bound to follow the Council policy.

Mr. Bettles told of having spent all day at this Council meeting. He stated that this is a rural area. He said that people who live there want that type of area. He said that there is lot of area for youngsters, and for having horses. He spoke of having made no protest to commercial area. He said that the Council is not in jeopardy. Answering Councilman Burgener, he said that the minimum for houses is \$35,000, to \$60,000.

Councilman Kerrigan asked where the consistency is. He contended that the Council should set up "rural areas".

Mr. Bettles referred to a subdivision in Redondo Beach, of 1 acre and more, which can't be cut up. He said that if there are paved streets and sidewalks, the area will not be rural. He said deed restrictions can be broken.

Councilman Wincote asked for a definition, and letting the Planning Commission make the decision.

Councilman Burgener said that it is hard for rules to be inflexible.

Councilman Kerrigan said it can be made subject to variance.

Mr. DuPaul said that there is a rule for requirements; people say that the Council is the boss.

Addressing Mr. Rick, Councilman Godfrey asked what's wrong with a rural area?

Mr. Rick said that a man came from Los Gatos, and got the same thing on Point Loma. Now there is a new owner, who objects, according to Mr. Rick.

123095

Communication & discussion re  
Bettles Acres

Councilman Wincote observed that the man referred to by Mr. Rick is a friend of Rick's. He said that Mr. Bettles and Mr. Corey might sell, also.

The roll was called, resulting in

RESOLUTION 123096, approving Tentative Subdivision Map of Bettles Acres, a portion of Pueblo Lot 1256, approving conditions of the Resolution, but eliminating the conditions calling for Sidewalks, Curb and Street Paving, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen Schneider and Dail.

Communication from Planning Commission, reporting on continued item, being Resolution approving Tentative Map of La Jolla Lomas, a 2-lot subdivision of Lot 12, subject to 8 conditions, was presented. Accompanying the item was communication from Will A. Hubbard, 861 Muirlands Drive, La Jolla, stating that conditions seem to be reasonable and acceptable with one "condition" to be substituted. It asks for opportunity to present the matter to the Board and time for them to consider it.

On motion of Councilman Wincote, seconded by Councilman Burgener, it was referred to the Planning Commission.

Communication from California Highway Commission, dated March 1, 1955, by Chelso A. Maghetti, secretary, was presented. It submits policy of the Commission in regard to the adoption of Freeway Routes.

RESOLUTION 123097, referring to Council Conference communication from California Highway Commission, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Governor's Traffic Safety Committee, dated March 4, 1955, by C. M. Gilliss, Secretary, was presented. It submits a folder on automobile crash effects, together with photographs.

RESOLUTION 123098, referring to Council Conference from Engineering Division, Governor's Traffic Safety Conference, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the San Diego County Assessor re letter from Marie Krahill, objecting to tax on household goods, was presented. It says that the letter, concerned entirely with valuation and not with specific taxation or tax rates, should be answered by the Council. The Mayor asked that it be referred to him.

On motion of Councilman Wincote, seconded by Councilman Burgener, the file was referred to the Mayor for answer.

Communication from the City Clerk, The City of National City, enclosing copy of amended Resolution 6287, requesting consent of The City of San Diego for City of National City to annex uninhabited territory described in the Resolution, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, it was filed. (It was sent to the City Manager by the Clerk)

Communication from San Diego's Annual Institute of Government, dated March 3, 1955, signed by William E. Long, Chairman, 273 Civic Center, was presented. It requests endorsement of 1955 Institute to be held April 22, 1955, in Conference Building, Balboa Park.

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

Copy of communication from San Diego Building Trades Council, addressed to Governor Goodwin Knight, endorsing action on Senator Kraft's survey measure and subsequent affirmative action by the Legislature and State officials on tunnel between San Diego and Coronado, was presented.

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

Communication from San Diego Historical Days, Ass'n, 3133 El Cajon Boulevard,

dated March 3, 1955, signed by J. Francis Mergin, was presented. It outlines events to be held, and date on which they are to be given. It asks for assistance by allocation of \$2,000 from the City. It says \$2,000 is being asked for from the County, with \$3,000 raised from private sources for a total budget of \$7,000.

RESOLUTION 123099, referring to Budget Conference communication from San Diego County Historical Days Association, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from San Diego Rental Owners' Association, 499 West Broadway, dated March 7, 1955, signed by H. P. Jepsen, was presented. It objects to installation of paid telephone booths on the City sidewalks, and asks that the nuisance to traffic be discontinued.

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

Communication from Ocean Beach Kiwanians, dated March 4, 1955, signed by Beryl E. Wilhoit, was presented. It refers to the personnel situation at Ocean Beach Community Center, and asks that 2 additional recreational leaders be placed at the center.

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

Communication from Ocean Beach Unit 433 American Legion Auxiliary, 4542 Bermuda Ave., San Diego 7, dated March 3, 1955, signed by Myrtle A. Orrick, Secretary, was presented. It asks for adequate personnel of at least 4 qualified recreation leaders at the Ocean Beach Community Center.

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

RESOLUTION 123100, authorizing City Manager to employ Ets-Hokin & Galvan to install 65 square feet of sidewalk at points where new sidewalk will join existing sidewalk at end of block, shown on Drawing 2265-D in connection with improvement of Diamond Street, between Mission Boulevard and Cass Street, at not to exceed \$23.40, payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123101, authorizing City Manager to execute lease with Edgar W. Parks of portion Section 30 Township 12 South Range 1 West, San Pasqual Valley, for 5 years at monthly rental of \$125. for operation and maintenance of residence and farm (except goats or hogs shall not be raised for commercial purposes), form of lease setout in Document 507811; value of \$36,000, 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 Schneider, adopted.

RESOLUTION 123102, authorizing and empowering City Manager to execute, for and on behalf of the City, amended right of way contract whereby State of California agrees to pay to City \$8,085 as payment for relocation of City facilities in connection with easement for highway purposes across portion of Lake Hodges Reservoir for new bridge, and City agrees to relocate its facilities in the future and hold State harmless for cost thereof, under Document 507812, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123103, granting revocable permit to George Muilenburg and Henrietta Muilenburg (Sorrento): part of Lots 1 and 2 Sorrento Lands and Townsite, to install and maintain water service 2' northerly of south side of Sorrento Valley Road, under conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123104, granting revocable permit to Lloyd Ruocco, 3603 5th Avenue, San Diego: Lot 22 Alvarado Tract, to install and maintain underground conduit for electrical and telephone service at 5481 Toyon Drive, under conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123105, granting Roberta Phair, 3868 Acacia Street, San Diego 13, permission to widen existing 30-foot driveway on west side of 43rd Street between Alpha Street and Keeler Avenue, 10 feet to the north, between points 195 feet and 235 feet north of north line of Alpha Street, adjacent to portion Lot 68 Horton's Purchase, Ex-Mission Lands, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123106, granting Tide Water Associated Oil Company, 635 Spreckels Building, San Diego 1, permission to install 2 36-foot driveways on northerly side of Turquoise Street between points 7 feet and 43 feet and 86 feet and 122 feet respectively east of easterly line of Cass Street; also 2 36-foot driveways on easterly side of Cass Street between points 15 feet and 51 feet and 100 feet and 136 feet north of northerly line of Turquoise Street, adjacent to Lots 36 and 37 Block 12 Monte Villa Tract, and to Lots 37 to 40 Block 12 Pacific Beach Vista Tract, First Addition, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123107, granting Tide Water Associated Oil Company, 635 Spreckels Building, San Diego 1, permission to install 2 35-foot driveways on southerly side of Voltaire Street between points 7 feet and 42 feet and 97 feet and 132 feet west of westerly line of Catalina Boulevard; also 2 35-foot driveways on westerly side of Catalina Boulevard between points 10 feet and 45 feet and 70 feet and 105 feet south of southerly line of Voltaire Street, adjacent to Lots 26 to 28 Block 13 Loma Alta, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION 123108, authorizing and directing City Auditor and Comptroller to transfer funds in amount up to but not exceeding \$40,000. from Salary Account of Harbor Operating and Maintenance Fund to Salary Account of Harbor Development Trust Fund, for paying salaries of Harbor Department forces doing development work for fiscal year 1954-1955; and transfer funds in amount up to but not exceeding \$20,000. from Material and Supply Account of Harbor Operating and Maintenance Fund to Material and Supply Account of Harbor Development Trust Fund, for paying for materials and supplies used in development work for fiscal year 1954-1955, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123109, authorizing City Attorney to accept \$31.56 in full settlement of City's Invoice W06746 issued January 25, 1955, against Cameron Bros. in amount of \$63.12, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123110, authorizing City Manager to execute and accept, for and on behalf of The City of San Diego, agreement and grant of easement between the State of California and The City of San Diego wherein State grants easement and right of way for sewer line across portions of Pueblo Lot 1203 for providing sewer line for National Guard Armory, agreement filed in office of City Clerk as Document 507813, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123111, 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 O. D. Arnold & Sons all right, title and interest in and to Block 133 Choate's Addition; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to Grantee when he shall have received deed to land required by The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution says that City is desirous of acquiring land in Rancho Mission of San Diego lying northeast of Quince Street for Chollas Parkway purposes, that O. D. Arnold & Sons, owners, are willing to deed land to the City for exchange.

RESOLUTION 123112, accepting subordination agreement, executed by The Connecticut Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date February 15, 1955, wherein parties subordinate all their right, title and interest in and to portion of Pueblo Lot 1263, 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 Burgener, seconded by



Godfrey, adopted.

RESOLUTION 123113, accepting subordination agreement, executed by Federal National Mortgage Association, beneficiary, and Security Title Insurance and Trust Company, trustee, bearing date February 17, 1955, wherein they subordinate all right, title and interest in and to portion Lot 24 Redwood Village Unit No. 1, 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 Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123114, accepting subordination agreement, executed by Irving Trust Company, beneficiary, and Union Title Insurance & Trust Company, trustee, bearing date February 25, 1955, wherein the parties subordinate all right, title and interest in and to portion Lots 3330, 3306, 3329 and 3305 Clairemont Unit 16, 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 Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123115, accepting deed of Wilbert C. Elstermeyer, bearing date February 15, 1955, conveying Lots 18 to 22 Block 12 American Park 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 Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123116, accepting deed of Goldie Jones, bearing date March 1, 1955, conveying portion Lot 28 Eureka Lemon Tract; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123117, accepting deed of Marc S. Corbeille and Eleanore I. Corbeille, bearing date March 2, 1955, conveying portion Acre Lot 2 Pacific Beach; setting aside and dedicating to public use as and for public street; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123118, accepting deed of John Currie and Vinicent Currie, conveying easement and right of way for street purposes in portion of Lot C Block 12 Hensley's Addition; setting aside and dedicating land to public use and naming it Hensley Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123119, accepting deed of Union Title Insurance and Trust Company, bearing date March 2, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1237; setting aside and dedicating land to public use as and naming it Merrimac Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123120, accepting deed of La Jolla Country Club, bearing date February 2, 1955, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1263; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, adopted.  
Councilman Burgener, seconded by



RESOLUTION 123121, accepting deed of San Diego Unified School District of San Diego County, bearing date March 1, 1955, conveying easement and right of way for storm drain purposes; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123122, accepting deed of Austin Maurice Brown and Mildred M. Brown, bearing date January 19, 1955, conveying easement and right of way for storm drain purposes in portion Lot 24 Redwood Village 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading of next ordinance was dispensed with by vote of not less than 4 members of Council. Written or printed copy was available for consideration of each member of Council prior to day of final passage.

ORDINANCE 6431 (New Series), incorporating portion Lot 13 New Riverside into R-1 Zone as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance 5890 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading of next ordinance was dispensed with by vote of not less than 4 members of Council. Written or printed copy was available for consideration of each member of Council prior to day of final passage.

ORDINANCE 6432 (New Series), authorizing Mayor and City Clerk to execute quitclaim deed transferring portion Pueblo Lot 1299 to Regents of University of California, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

Ordinance says that on April 19, 1949, electors of The City of San Diego by municipal election authorized sale or transfer of west half of Pueblo Lot 1299, that City Manager has recommended exchange with Regents of University of California for purpose of aiding and effectuating development of theater and fine arts foundation in area involved. It says that Regents of University of California are deeding to The City portion of Pueblo Lot 1298 which has value of \$30,000, determined by qualified real estate appraiser; that City in exchange will deed to Regency of University of California portion Pueblo Lot 1299, which land has appraised value of \$30,000.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, next Ordinance was introduced.

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

ORDINANCE 6433 (New Series), appropriating \$1,741. from Capital Outlay Fund for acquisition by condemnation of property for Moraga Avenue, northerly from Balboa Avenue, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

The next item had been continued from the meeting of March 8, 1955.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Ordinance approving annexation to City of San Diego of territory in County of San Diego, State of California, designated as "Grantville-Rancho Mission Tract, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Ordinance authorizing execution of Agricultural Lease of portion Pueblo Lots 1231 and 1232 and property thereto, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider,

123121 - 123122  
6431 N.S. - 6432 N.S.  
Ords introduced

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance incorporating portions Blocks 42 and 43 City Heights into "C" Zone as defined by Section 101.0411 of San Diego Municipal Code, and repealing Ordinance 13057 insofar as it conflicts, was introduced, by the following vote: Yeas-Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays-None. Absent-Councilman Dail.

On motion of Councilman Wincote, seconded by Councilman Godfrey, Ordinance incorporating portions Lots 72 and 78 Rancho Mission into flight training zone FT-12-50 as such zone is defined by Section 101.0420 of San Diego Municipal Code, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays-Councilmen None. Absent-Councilman Dail.

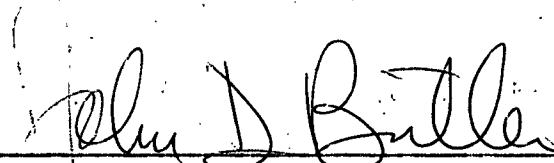
There being no more business to come before the Council at this time, the meeting was adjourned by the Mayor at 4:01 P.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

  
Mayor of The City of San Diego, California