

## REGULAR MEETING

Chamber of the Council of the City of San Diego,  
California, Tuesday, March  
15, 1955

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

Reverend Howard Lindstrom, Bethesda Lutheran Church, was presented by the Mayor. Reverend Lindstrom gave the invocation.

The Mayor said that it is coincidental that the Swedish ship Alvsnabben, warship is in port, in that Rev. Lindstrom is a Swede.

Councilman Burgener entered

A majority of members of the Council executed contracts with San Diego Gas & Electric Company:

Talmadge Park Lighting District No. 1;  
Talmadge Park Lighting District No. 4;  
University Avenue Lighting District No. 2;  
El Cajon Boulevard Lighting District No. 2.

Resolutions and Ordinances are recorded on Microfilm Roll 92

Awards, honoring long service with the City of San Diego, were awarded by the Mayor to the following City employees:

Charles E. Hasha, City Water Department, in charge of Distribution Division in La Jolla - 30 year pin, and a scroll;  
Joseph N. Otten, Battalion Chief of the San Diego beach area of the Fire Department - 30 year pin, and a scroll  
Joseph H. Lechien, Fire Captain of the Fire Department, in command of Fire Station No. 5 - 20 year pin;  
Joe L. Martin, Captain of the Fire Department, in command of Fire Station No. 12 - 20 year pin;  
Brawley H. Pyle, Captain of the Fire Department, in command of Fire Station No. 15 - 20 year pin.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, minutes of the Regular Meetings of Tuesday, March 8, 1955, and of Thursday, March 10, 1955, were approved without reading. They were signed by the Mayor.

The Mayor recognized Judge Edgar Luce, and asked if he wished to be heard. Judge Luce spoke regarding item 136 on the agenda - ordinance for introduction - amending Chapter VIII Article 7 of San Diego Municipal Code by amending Section 87.02 and by adding Section 87.03, Regulating Railroads (speed of trains). He spoke of being engaged in a hearing before the Railroad Commission on an action brought by the City of San Diego. As a result, he said that it has been impossible to prepare for this matter. He asked the Council for a 2-weeks continuance. He said, also, that it would be in general interest to consider the subject in conference. Then he said he would like 3 weeks, with a Council Conference, first.

Councilman Burgener opposed continuance of the Santa Fe trains going through Jellett Street, at what he said has been more than 80 miles per hour.

Judge Luce said that it is unfair to ask to have consideration on this item, in the midst of the other hearing.

Councilman Wincote asked Judge Luce if he could get trains slowed down

Councilman Wincote asked Judge Luce if he had any trains showed now.

Judge Luce's reply was "undoubtedly".

Councilman Wincote suggested Conference in 2 weeks; ordinance before Council in 3 weeks.

The Mayor said that there has been concern over getting into Clairemont at the busy hour, on account of the speeding trains.

Judge Luce said there has been offer made to reduce the speed.

Councilman Dail said that the City should have assurance of speed reduction, before continuing the proposed ordinance for 3 weeks. He said that the delay could be a blow to the morale of people using the intersection and crossing.

Councilman Burgener asked if a letter can be obtained from the Santa Fe.

Judge Luce said that he will call Santa Fe and try to get such a letter for Thursday.

On motion of Councilman Wincote, seconded by Councilman Burgener, the proposed Ordinance was continued until Thursday, March 17.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 122545 for paving and otherwise improving Taft Avenue, the Clerk reported protest from B. S. Finch.

The City Engineer said that it is a request for information.

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 filed.

RESOLUTION 123123, overruling and denying protest of B. S. Finch against improvement of Taft Avenue and Bellevue Avenue, Resolution of Intention 122545; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, the proceedings were referred to City Attorney for Resolution Ordering Work.

#### Councilman Godfrey entered

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 12546 of Preliminary Determination for paving and otherwise improving 40th Street, 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 protests were filed.

RESOLUTION 123124, determining that proposed improvement of 40th Street, Resolution No. 122546 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 122547 of Preliminary Determination for sewers in La Jolla Rancho Road, 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 protests were filed.

RESOLUTION 123125, determining that proposed improvement in La Jolla Rancho Road, Resolution 122547 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 of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 122548 for paving and otherwise improving 29th Street and E Street, the Clerk reported no protests received.

RESOLUTION 123126, determining that improvement of 29th Street, E Street, 28th 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 public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Before adoption of the Resolution, Councilman Wincote asked if the property is in the line of the freeway (freeway from 18th Street to Home Avenue).

The City Engineer replied that this is not a part of that.

The hour of 10:00 A.M. having arrived, time set for continued hearing on Assessment 2324 to cover costs and expenses of Storm Drains in Streamview Drive, 54th Street and Public Right of Way, Resolution of Intention 115496, the Mayor told of there being a modified assessment roll.

The City Engineer agreed; 25% assessed to the frontage, 75% to the area.

The Mayor told of there having been considerable consideration given to the issue by the Council. He declared that this is the best formula.

A. J. Jenson, who had been heard at length at previous hearings, spoke again. He referred back to the previous hearings, and asked what happened to the 60%-40% formula.

The Mayor asked the City Engineer if he recalled any statement to that effect.

The Engineer replied that at the hearing several bases had been discussed. He said that sort of thing was discussed, but not "necessarily this thing".

Councilman Burgener asked about the reduction.

Mr. Jenson said about \$5.00; he was not so interested in his own, but the fairness to others.

Mr. Jenson said that \$101. is down to \$79.19; a block away \$81. to \$27.01. He said others in the assessment area have \$240.08, etc., continuing to review various assessments.

A conference was held by the City Engineer, and members of the Council a map.

Councilman Wincote spoke to Mr. Jenson, and said that he was right about 60-40 basis for the assessment. He pointed out that the City's contribution to cost of the storm drain project was more than the anticipated 50%.

There was discussion between Councilman Wincote and Mr. Jenson.

Mr. Jenson stated that people on Streamview have gained tremendously, but are paying less than gain to their property.

Councilman Burgener spoke to Mr. Jenson about the amounts.

Mr. Jenson said that assessments go from large amounts, down, on large lots.

A man, whose name was not understood, spoke of \$285.00; originally \$320. He said there has been a drop on some. He said he is glad to pay. He said that the drain is beneficial to the area, but should not pay more than others.

The Mayor spoke to the City Engineer regarding setting of the rate, and the large areas.

The Engineer said that property had not been discounted; assessment is on a "straight basis". He said that up Streamview there has been a considerable distance including canyon and frontage. He said he could not see a way of discounting one area, and not another. He said that if there was relief there, it would "float on back to small lots".

Councilman Burgener addressed the unidentified man regarding contribution of the property to the water. Then, he wondered if the City should go into topographical assessment practice.

Mr. Jenson spoke of 91 lots on Streamview, and said that on a "lot basis" it would be \$71.00.

Councilman Wincote spoke of Streamview with frontage, plus area.

Mr. Jenson agreed that the assessment is not affecting him tremendously.

There was discussion between Councilman Wincote and an unidentified man regarding unusable land.

That man said he was protesting the amount of area, not the assessment.

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Councilman Burgener said that the City should make adjustment on large, unusable lots.

Councilman Wincote spoke generally to those at the meeting on this hearing, and said that the Council is having trouble on every single storm drain job. He said it is difficult to make it right.

Mr. Jensen referred to there having originally been a considerable group, but that he is now down here speaking for them. He told of having had sidewalk put in, and of putting in more, on his own. He told the Council that the people who petitioned are on Streamview. He contended that the property in Jackson-Scott Units 1 and 2 have no reason for being included in the assessment; they have adequate storm drain.

Councilman Burgener pointed out that the project could have been protested out.

Mr. Jensen agreed, but said the people wanted it. He said that they are getting off cheaper.

Councilman Burgener said "with exceptions".

An unidentified woman said she is on the same ridge, and has assessment of \$90.

Councilman Wincote said that Mr. Olson had stated there was an original protest of 17.3%.

Mr. Jensen told of having a protest, which he said was held in reserve.

Councilman Kerrigan, City Engineer Fogg, and Mr. Olson from the Engineer's office referred to having gone out to the people in the area, and of talking to them.

Councilman Kerrigan said that the undeveloped area is affecting the complication. He said that the people recognize need for the work. He repeated that the big complication is regarding the big area, unimproved.

Councilman Burgener and Kerrigan had a discussion regarding contributing to the drainage.

Mr. Olson showed the assessment to Councilman Burgener on the large portion. He said that it is \$1,300+ on one.

Councilman Dail said that the assessment had better be sent back to Conference.

Councilman Kerrigan spoke of getting into a problem. He said that the City should explore every possibility.

Councilman Burgener moved to refer the assessment to Conference.

Councilman Dail declared that this assessment reflects an unworkable system.

Councilman Wincote spoke of there being some peculiarities, and of being stymied on how to do the assessing.

Councilman Godfrey said that people are fair, but that the only way to avoid protest is for the City to pay 100% of the cost. He said that even when the City gets through, it is not perfect.

Mr. Jensen said he would like to attend the conference.

Councilman Kerrigan suggested that Mr. Jensen work with the City Engineer.

Councilman Burgener said that no matter what part is paid, it should be equitable.

Councilman Godfrey agreed that it should be equitable - and that it should be re-valuated.

Councilman Wincote said that the error made in the City's contribution, had resulted in a saving of \$25,000 on the property assessed.

Mr. Jensen said that it was a \$50,000 saving.

Councilman Godfrey asked if the City has not been trying a long time to make the assessment equitable.

Mr. Olson said "yes". He stated that Lots 84 and 85 do contribute to the drainage. He spoke of being not allowed to use the unit system on the assessment.

The Mayor said that property in the district contributes to the problem. He said that this was as far as the City could go. He said that the Council has gone over the problem in conference. He said he does not know what would be gained by a further conference.

Councilman Kerrigan reviewed the Conference considerations and discussions. He spoke of decision to try 25%-70%.

Councilman Wincote said it did not go to the 60%-40%.

RESOLUTION 123127, setting Conference for 8:30 A.M., Thursday, March 17, to consider Assessment 2324 covering installation of Storm Drains in Streamview Drive, 54th Street and Public Right of Way, Resolution of Intention 115496; continuing hearing on Assessment to 10:00 A.M., Thursday, March 17, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.



The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2333 made to cover paving and otherwise improving Alley Block 46 Ocean Beach, the Clerk reported appeals from Herbert J. Thomas and Mabel K. Thomas, and from M. C. Stuart and R. E. Myers.

Asked for a report, the City Engineer said that appeal amounts to 10.10%. The Mayor asked if any interested affected property owners were present to be heard.

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

RESOLUTION 123128, overruling and denying appeals of Herbert J. Thomas and Mabel K. Thomas, M. C. Stuart and R. E. Meyers from Street Superintendent's Assessment 2333; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2333 made to cover costs and expenses of paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, Resolution of Intention 11815; 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 diagram, warrant and assessment, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2334 made to cover paving and otherwise improving Alley Block 176 University Heights, the Clerk reported appeal from Mrs. Carrie Diethold.

Asked for report, the City Engineer said appeal amounts to 4.1% - on cost. The Mayor asked if any interested affected property owners were present to be heard.

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

RESOLUTION 123129, overruling and denying appeal of Mrs. Carrie Diethold from Street Superintendent's Assessment 2334 made to cover costs and expenses of paving and otherwise improving Alley Block 176 University Heights, Resolution of Intention 116283; 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 diagram, warrant and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2335 made to cover sewers in Roanoke Street, Rachael Avenue and Morningside Street, in Paradise Hills Units 2 and 3, the Clerk reported written appeal from Artie and Dorothy Manning.

Asked for report, the City Engineer said it amounts to 1.5%, appeal from people out of town.

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

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

RESOLUTION 123130, overruling and denying appeal of Artie and Dorothy Manning from Street Superintendent's Assessment 2335 made to cover costs and expenses of sewers in Roanoke Street, Rachael Avenue and Morningside Street, Resolution of Intention 115633; 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 diagram, warrant and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2336 made to cover paving and otherwise improving 29th Street, Resolution of Intention 119897, the Clerk reported no written appeals.

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

No one appeared, and no appeals were presented.

RESOLUTION 123131, confirming and approving Street Superintendent's Assessment 2336 made to cover cost and expenses of paving and otherwise improving 29th Street; 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 diagram,

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

Proposed Ordinance, which had been continued, by request, from several meetings was presented under Hearings.

Wanda Smith told the Ordinance, as submitted, is all right.

On motion of Councilman Kerrigan, seconded by Councilman Dail, Ordinance amending Chapter IV of San Diego Municipal Code by amending Section 41.07.2 and by adding to Article 2 Chapter IV Sections 42.0127, 42.0127.1 to 42.0127.6 inclusive, 42.0128 and 42.0128.1 to 42.0128.6 inclusive, Regulating Food and Liquid Vending Machines, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The hour of 10:00 A.M. having arrived, time set for hearing on proposed annexation of territory described as "Western Salt Company Tract", the Clerk reported no protests had been filed.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Ordinance approving annexation to The City of San Diego of uninhabited territory in the County of San Diego, State of California, known and designated as "Western Salt Company Tract", was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Proposed Resolution re State Highway Route through Logan Heights area (XI-SD-2-NatC,SD) - cross-town freeway from National City to Highway 101 - the Mayor asked that it be taken up out of order. It was brought up for consideration, and the Mayor stated that Ralph B. Luckenbach, from the State Highway Division Office, was here.

Councilman Godfrey moved to adopt the Resolution on the agenda.

Councilman Dail said that questions had been raised on cost of alternate route suggestions. He asked that Mr. Luckenbach give an explanation. Mr. Dail read from Conference minutes.

Mr. Luckenbach stated that Councilman Dail was correct.

Councilman Dail wanted to know about projected cost on 4 overpasses, asked for.

Mr. Luckenbach said he was not sure it had been requested in Resolution, on the overpasses. He said that pedestrian overpasses can be put in for \$25,000.

Councilman Dail spoke to Mr. Luckenbach regarding the hearing that had been held on alternates as suggested, in connection with Logan Avenue being not so isolated on the north. He said that there is a complete trading area on the north.

Mr. Luckenbach said that complete overpasses could not be put in, but that ramps are provided. He said he understood that reference had been made to the pedestrian overpasses only. He said that vehicular overpasses would be prohibitive.

Councilman Burgener asked if it would be \$20,000,000.00.

Mr. Luckenbach said that figures had not been released, but that is approximately right. He said it might be \$40,000,000.00, including right of way. He stated that every time \$1,000,000.00 is saved, it provides for development elsewhere.

Councilman Dail stated that Logan Avenue is on the edge of the trading area; M-1 and residential. He spoke to Mr. Luckenbach about feasibility of going to the south.

Mr. Luckenbach said that the cost is not the entire consideration. He said that the Planning Department would want to retain industrial area. Mr. Luckenbach stated that to go down and chop up the M-1 and M-2 into a narrow strip would be detrimental.

Councilman Godfrey said that customers are going to come to the shopping

area by auto or on foot.

Mr. Luckenbach said that overpasses are only 3 blocks apart.

Councilman Godfrey said that there would be ready accessibility by auto, and that pedestrian overpasses would be available. He contended that the people would not be isolated.

The Mayor said that sunken freeways are like a row of houses removed. He said that the area is improved.

Councilman Godfrey said that would eliminate undesirable isolation.

Councilman Kerrigan spoke of the Council's simply approving necessity for freeway.

Mr. Luckenbach said that is correct.

Councilman Kerrigan said that details would have to be worked out by the Highway Commission.

Mr. Luckenbach said that location is being determined, subject to change on request of the Council.

Councilman Kerrigan said that it will come back to the Council, and possibly go to the south.      bach

Mr. Lucken/said that the Highway Commission will adopt the route, if the Council approves. He referred to the overpasses, etc., and the separation. He said that there will not be construction details until the City has a freeway agreement.

Councilman Kerrigan said that it could be shifted.

Mr. Luckenbach said that if route is adopted as proposed, it would not be possible to shift.

Councilman Burgener asked if the freeway would dip under at Sampson.

Mr. Luckenbach said it would be under Sampson.

Councilman Burgener spoke directly to a committee seated at the back of the Council Chamber.

Councilman Godfrey said that there is no motion.

\* Councilman Godfrey moved to approve the route proposed by the State Highway Commission.

Councilman Dail said he does not want to be in the position of being against the highway. He said it would be fine to get the allocation from the State. He said that there is need for the freeway, but there is also the matter of injury to business to be considered. He said that it would completely wipe out a portion. He said the Council should prevail on the Highway Commission to re-route the freeway south of Logan.

Councilman Burgener stated that he is not convinced - either way.

Councilman Dail said that if there were dwellings to the south, there would not be such extreme objections.

Councilman Burgener asked if people would cross freeways to shop.

Councilman Godfrey told the Council that markets depend upon people getting to them. He declared that they will be available by foot and by auto, and will not be isolated.

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

Councilman Godfrey and Wincote said that the proposal would not hurt the businesses.

Mr. Luckenbach said that the people of San Diego expect a credit regarding good transportation; this would be 5 minutes, instead of an hour.

\* Councilman Wincote seconded the motion

Mr. Luckenbach said freeway would be over Crosby, under Sampson. He said that if there are more overpasses, it will take more area.

Councilman Kerrigan spoke directly to Mr. Luckenbach regarding Sears, on the freeway.

Mr. Luckenbach exhibited a map at which Councilmen looked.

Councilman Burgener said that on a project of this magnitude, an extra cost is not unreasonable.

Councilman Dail, referring to Conference minutes spoke of going south, and quoted a figure of \$607,000.

Councilman Godfrey said details are up to the Highway Commission.

Councilman Kerrigan asked if the Council adopts the route to the south what the action would be.

Mr. Luckenbach said the Commission would not take action until the Council acts.

Councilman Kerrigan asked, again, what action would be if the route goes to the south.

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Mr. Luckenbach said there would be a delay. He said the Highway Commission would ask for figure, and there would be a delay. He said the Highway Commission would not adopt a route contrary to Council wishes. Mr. Luckenbach told the Council there would be need for further study, if another route is considered. He said that the Council has listened to people on Logan, the Commission would say there is no agreement, and might abandon the project. That could happen, but he hoped not, according to Mr. Luckenbach. He spoke of having to consider the money. He told of having examined and approved the route, in advance of the hearing which the Council has held. He said that the Commission would still not adopt it, if the Council objects.

The Mayor declared that this is a sound route; the other "doesn't add up". He said that the area would not be isolated.

Councilman Godfrey said this is a project of careful engineering and economics. He said it is the best route, the fairest cost, and that it would not upset too many. He said that the route had been selected - not pulled out of a hat. He said that it had been carefully selected, and it is the best route.

Councilman Kerrigan said that the Council still can negotiate regarding overpasses.

By direction of the Mayor, the Clerk started to call the roll.

Councilman Burgener, the first on the roll, voted "no", and said that 1 month delay would not be detrimental.

The Mayor said nothing would be gained.

There was further discussion, and the calling of the roll was not continued.

Councilman Godfrey asked if the proposal had already been considered.

Mr. Luckenbach's reply was "yes".

Councilman Dail said that the Highway Commission has not conducted a hearing, because the Council held it. He asked if the Council is going to say "this is it"?

The Mayor asked the Clerk to complete the roll call.

Instead, Councilman Dail said that if this is approved, it shows that the objections have all been thrown aside.

Councilman Wincote said that the disagreement is not healthy, regarding the overall picture.

There was discussion between the Mayor and Councilman Dail regarding Mr. Dail having missed specifics on the alternate routes.

Councilman Godfrey said that the Council did not cast aside anything. He said that it has been considered carefully. He said "let's vote".

One man had been standing at the microphone, but had not spoken.

Councilman Godfrey said that it is unfair to hear one, unless the Council re-opens the hearing for all.

The man, who was unidentified, asked how careful the study was which had been made, when the State said that it did not know the area was a business district. He continued to ask questions, and said he wants to vote against it. He advocated asking the Highway Commission to come down for a hearing. He said he is for the southerly route.

The roll was called on the proposed Resolution, which says "This Council hereby approves the original State Highway Route through the Logan Heights area in said City (XI-SD-2NatC-SD) without qualification"..... The vote was: Yeas--Councilmen Wincote, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Kerrigan, Dail. Absent--Councilman Schneider.

\* Councilman Wincote moved to ask the State to hold a hearing. Councilman Dail seconded the motion.

Councilman Dail said he does not know why the Commission would hold a hearing, when it had already decided on it.

The Mayor left the meeting, and Councilman Wincote, as Vice Mayor took the Chair.

\* The Vice Mayor asked for a new motion, inasmuch as it was he who had made it.

\* The same motion was made by Councilman Burgener, seconded by Councilman Dail - with Vice Mayor Wincote in the Chair.

Councilman Kerrigan said that a motion would be in order to approve, with shifting to the south. He said that the State would graciously hold a hearing. He said if there is a shift, unanimous consent might be obtained. He said that the hearing has created doubts.

Councilman Godfrey said that if the route proposed is not approved, there should be a hearing.

The Vice Mayor wondered when the hearing would be.

Mr. Luckenbach said that the Commission would consider a motion on the 23rd (of March); then a hearing might be in 60 days; a transcription would then follow.

Councilman Kerrigan said that consideration has been under way over long years, that determination had been made over the studies. He pointed out the objections raised at the Council's hearing. The Vice Mayor said that the Council is ready to approve, if consideration is given to route to the south.

An unidentified man asked who would present the story to the State.

Mr. Luckenbach replied that it could be presented at a hearing in Sacramento. He said that is done at almost every meeting.

The same man spoke of being put on a spot.

Councilman Dail said that if route to the south is endorsed, the City should be represented officially.

Vice Mayor Wincote said that Mr. Dail should go up.

The man who had just spoken said he would be willing to let the case rest with Councilman Dail.

Councilman Dail spoke about being not an administrative function.

Councilman Godfrey said he would not vote for approval, with exception. He said that if Councilman Dail goes to represent 1 view, he would want to go to represent the other.

Councilman Dail said that the City Manager should represent the Council.

Councilman Godfrey asked what the City Manager would do - talk out of both sides of his mouth? He said that the Manager represents both sides of the Council.

Councilman Kerrigan spoke of wanting to approve the route, considering the objection, to shift the route to the south. He declared that the Council should support the people.

Councilman Burgener spoke of there being 7 members of the Council.

Councilman Wincote spoke of there being no action on the motion for Mr. Luckenbach to present to the State. He said he wanted Councilman Dail to go and represent Logan Heights.

Councilman Godfrey told of his sincere respect for Councilman Dail and for Logan Heights property owners. He said, however, that he has a different point of view. He said that Mr. Luckenbach speaks for the State; he speaks for the people.

The Vice Mayor requested that the motion be withdrawn. It was.

Councilman Kerrigan moved that this Council approves the freeway routing through the City of San Diego, and asks that serious consideration be given to people of Logan Avenue and giving serious consideration to shifting. Motion was seconded by Councilman Dail.

Another unidentified man said that it boils down to meetings in the area. He said he knew they had to be united, and have unanimous route vote - south of National Avenue, or at least south of Logan.

The man asked if it would be possible to have the hearing here.

Councilman Kerrigan said it would be just a presentation to the Commission.

Councilman Dail said he will go.

Councilman Godfrey asked to have the motion stated.

The Vice Mayor asked the Clerk to read the motion.

The motion was read.

Councilman Godfrey said he does not like the wording - it should say to the south.

Councilman Burgener asked if the City Attorney would prepare a Resolution.

The Vice Mayor asked the City Attorney to draw a resolution for presentation at the afternoon meeting of the Council.

Councilman Godfrey asked for such a resolution. Motion was seconded by Councilman Kerrigan.

Comments were made by members of the Council to the City Attorney for guidance in preparing the Resolution, which was to be here for the afternoon session.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the Council took a recess at 12:12 o'clock Noon, until 3:00 P.M. this date.

Upon reconvening, at 3:04 o'clock P.M. the roll call showed the following:

Hearing on cross-town  
freeway  
Recess  
Reconvene

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

Beryl Phelps asked the Council to take out of order item 27 on the agenda. It was communication from City Planning Commission returning papers re proposed rezoning portion Lot 41 Ex-Mission Lands of San Diego, and reiterating Planning Commission's original recommendation that rezoning be denied.

It was not taken up.

Councilman Kerrigan declared that it would not need 5 votes.

The Mayor suggested waiting for representative of the Planning Department.

Councilman Burgener asked what happened to people who were present at the morning session.

to The Mayor said that Mrs. Mary Faye (candidate for member of Board of Education) was berate the ruling of the City Attorney.

The City Attorney said Mrs. Faye would not berate him; she had been advised that her recourse is in the Court. (Mrs. Faye questions the decision of the City Attorney in connection with 2 of the 3 candidates for Board of Education being elected at the Primary Election, rather than all 3 going on the ballot for the General Election).

Councilman Wincote said this is the first time the issue has come up, and it needs to be clarified in the Charter.

The Mayor referred to letters protesting the decision of Mr. DuPaul.

Councilman Kerrigan said that the School Board is to meet today, and will ask for an opinion from the Attorney General on the point involved.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, letter from Carroll Weldin, cards from Henrietta A. Raaf, Nina Hockenbrock, Beulah Dawson, and another on which signature could not be deciphered, were ordered filed.

Certificate of the City Clerk, pursuant to Section 10 Article II of the Charter, and to Resolution 123086, on results of canvass of Municipal Primary Election, held Tuesday, March 8, 1955:

(a) Whole number of votes cast in the City was 75,340

For office of Mayor

Total vote was 73,882

Emilio P. Adams received 1,220 votes

Sol Blanc received 1,357 votes

Charles C. Dail received 29,097 votes

Gerard A. Dougherty received 1,396 votes

Harry L. Foster received 20,286 votes

Richard L. Parsons received 985 votes

Jerome W. "Jerry" Rudrauff received 16,810 votes

Robert L. Stevenson received 2,731 votes

For office of City Attorney

Jean F. DuPaul received 59,295 votes

For office of Councilman, District No. 2

Total vote was 9,792 votes

Charles B. Wincote received 5,108 votes

Dudley D. Williams, Jr. received 4,233 votes

For office of Councilman, District No. 5

Total vote was 12,396 votes

Dorothy W. Conte received 1,700 votes

Francis E. "Frank" Curran received 1,960 votes

W. West Kennerly received 3,613 votes

Ole B. Randall received 1,046 votes

Bessie Irene Smith received 1,901 votes

Moleno L. Smith received 611 votes

Elmer F. Whitworth received 791 votes

Discussion re zone

Discussion re election

City Clerk's certificate of resolution of canvass  
 of 3/8/55 Municipal Primary Election



For Office of Councilman District No. 6  
 Total vote was 11,664 votes  
 Dr. Edmund W. Barringer received 2,308 votes  
 Don D'Agostino received 2,168 votes  
 Justin C. Evenson received 2,732 votes  
 William Hillman received 828 votes  
 Al Mix received 2,969 votes

For Members of the Board of Education  
 Total Vote was 74,070  
 Robert C. Dent received 39,338 votes  
 Mary L. Fay received 38,277 votes  
 Dr. Frank Lowe received 43,630 votes

Total vote cast in San Diego Unified School District Outside the  
 City of San Diego was 102 votes  
 Robert C. Dent received 68 votes  
 Mary L. Fay received 52 votes  
 Dr. Frank Lowe received 72 votes

Measures and or propositions voted upon, and number of votes given for  
 and against each measure and or proposition follow:

Proposition 'A'  
 (Amend Section 12 Article III of Charter of the City of San Diego)  
 Total vote was 70,125 votes  
 For said proposition 33,205 votes  
 Against said proposition 36,920 votes  
 (Proposition 'A' had to do with the Council)

Proposition 'B'  
 (Amend Section 24 Article IV of the Charter of The City of San Diego)  
 Total vote cast was 70,468 votes  
 For said proposition 33,873 votes  
 Against said proposition 36,595 votes  
 (Proposition 'B' had to do with the Mayor)

Proposition 'C'  
 (City of San Diego Waterworks Revenue Bond Ordinance)  
 Total vote was 71,437 votes  
 For said proposition 56,432 votes  
 Against said proposition 15,005 votes

The number of votes given in each precinct to each person, and for and  
 against each measure or proposition, will be recorded in the election returns book.

RESOLUTION 123132, declaring result of Municipal Primary Election held in  
 The City of San Diego, California, March 8, 1955, and the Municipal Primary Election held in  
 that portion of the San Diego Unified School District lying outside the corporate limits of  
 The City of San Diego March 8, 1955, in pursuance of provisions of Section 10 Article II of  
 the Charter of The City of San Diego, and of the provisions of Ordinance No. 6385 (New Series)  
 adopted January 25, 1955, for nomination of candidates for -

Mayor - two to be nominated;  
 Member of the Council from District No. 2 - two to be nominated;  
 Member of the Council from District No. 5 - two to be nominated;  
 Member of the Council from District No. 6 - two to be nominated;  
 For City Attorney - two to be nominated  
 For Members of the Board of Education - four to be nominated

(Results of the election for candidates are as shown in the certificate of  
 the City Clerk which precedes this Resolution)

(Results of the election on proposition A, to amend Section 12 Article III  
 of the Charter; on proposition B, to amend Section 24 of Article IV of the Charter; are the  
 same as shown in the certificate of the City Clerk which precedes this Resolution - except  
 that City of San Diego Waterworks Revenue Bond measure is not covered);

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

Report of Purchasing Agent on bids for storm drain in 52nd Street and Pirotte Drive - M. H. Golden Construction Company low bid of 8 bids; \$15,000.00 - was presented.

RESOLUTION 123133, accepting bid of M. H. Golden Construction Company for construction of storm drain in 52nd Street and in Pirotte Drive; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next item on the agenda was a report from the Purchasing Agent on bids for storm drain in 47th Street and Franklin Avenue.

City Attorney DuPaul told the Council that the award should go over for 1 week in that right of way had not been acquired.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was continued 1 week - to March 22, 1955

Report of Purchasing Agent on bids for Traffic Signals and Safety Lighting Systems on G Street between 12th Avenue and Kettner Boulevard - Ets-Hokin & Galvan low bid of 2 bids: \$53,300.20 - was presented.

RESOLUTION 123134, accepting bid of Ets-Hokin & Galvan for installation of traffic signals and safety lighting systems on G Street between 12th Avenue and Kettner Boulevard; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent on bids for improvement of Illion Street - Daley Corporation low of 7 bids: \$3,076.15 - was presented.

RESOLUTION 123135, accepting bid of Daley Corporation for improvement of Illion Street; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent on bids for improvement of intersection of Waring Road and Alvarado Canyon Road - R. E. Hazard Contracting Co. low of 5 bids: \$10,382.50 - was presented.

RESOLUTION 123136, accepting bid of R. E. Hazard Contracting Company for improvement of intersection of Waring Road and Alvarado Canyon Road; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123137, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 3/4 Cu Yd capacity wheel-type Tractor Loader, re Document 507841, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION 123138, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for replacement of sanitary sewer in Alley Block 4 Carmel Heights, Document 507814; 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 123139, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Las Penquitos Creek Bridge and approaches, Document 507815; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Loma Linda, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 123140, authorizing and directing City Manager to execute, for and on behalf of City of San Diego contract with Custom Builders, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Loma Linda 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 123141, adopting Map of Loma Linda Subdivision, subdivision of portion of Southwest Quarter of Quarter Section 81 Rancho De La Nacion; accepting on behalf of the public Cumberland Street, Edgewater Street, Calle Gaviota and unnamed easements shown for public purposes; rejecting as dedication for public street land shown as "Reserved for Future Street"; 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, and that Council rejects 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 Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Sixty-Eighth Street Terrace, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 123142, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Al V. Carpenter and Jane A. Carpenter, for installation and completion of unfinished improvements and setting of monuments required for Sixty Eighth Street Terrace 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 123143, adopting Map of Sixty Eighth Street Terrace subdivision, subdivision of portion of West Half of Lot 36 La Mesa Colony and portion of Saranac Street closed to public use; accepting on behalf of the public Sixty-eighth Street and unnamed easements shown for public purposes; declaring them to be public street and unnamed easements and dedicated to public use; authorizing and directing Clerk to endorse upon map, as and for act of Council that street and easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on letter from C. W. Carlstrom by C.C. Harvey, General Manager of Linda Vista Development Company, requesting that Planning Commission and Council find that storage of Frontier Housing buildings purchased from United States Government, on portion Pueblo Lot 263 northerly of Cudahy Packing Plant, and portion of Pueblo Lot 242 just south of intersection of Midway Drive and Frontier Street, in Zone M-1 is no more obnoxious or detrimental than other permitted uses in same zone and vicinity, was presented. It says that letter points out that such uses as storage yard, contractor's yard, lumber storage areas, etc. are permitted in M-1. It makes a detailed report on conditions resulting from buildings to be moved, and of protests. The report states that it was the consensus of the Commission that buildings in process of being moved have been classed as M-2 use for years, it is not listed as M-1 use and since favorable ruling would set precedent for such use, a finding should be made that the storage of buildings in M-1 is not a use similar to, and is more obnoxious than, other permitted uses in M-1.

City Attorney J. F. DuPaul told the Council that if a different finding were to be made, 5 votes would be needed.

Councilman Burgener moved to make a finding that such use would be more obnoxious.

Mr. DuPaul said that this is the last resort. He spoke of trying to steer,

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but that he and Councilman Wincote were alone.

Councilman Wincote said that it would be smart to take action; that mandamus action could be taken.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, motion to sustain recommendation received the following vote: Yeas--Councilmen Burgener, Kerrigan, Mayor Butler. Nays--Councilman Wincote. Absent--Councilmen Schneider, Dail, Godfrey. (The motion lost, in that any motion needs a majority vote of the Council to carry).

On motion of Councilman Kerrigan, seconded by Councilman Wincote, there was reconsideration.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, papers were filed by vote of the 6 members of Council present.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition requesting that RC zoning in portions Blocks 19 and 20 Paradise Hills be changed to C Zone (from RC); was presented. It states that petitioner requested that petition be filed with no further action.

RESOLUTION 123144, filing petition requesting that RC zoning in portions of Blocks 19 and 20 Paradise Hills be changed to C Zone, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of Virgil S. Kipp for rezoning property on Market Street between 47th Street and Euclid Avenue, was presented. In addition to detailed report, it says the Planning Commission voted 6-0 to return matters to the Council reiterating former stand (regarding policy of Commission and Council to require subdivision of land prior to rezoning, as was done on land immediately south across Market Street).

Councilman Wincote said that there are not 5 votes present.

The Mayor said that the Council could, nevertheless, ask the City Attorney to prepare the ordinance.

Councilman Kerrigan moved to continue the item 1 week - to Thursday, March 22, 1955. Motion was seconded by Councilman Wincote.

Beryl Phelps, representing the owner, said he would prefer to have continuance 1 week, rather than action today.

An identical motion was made by Councilman Kerrigan, seconded by Councilman Burgener.

(The item was continued until March 22).

Communication from the City Manager, dated March 14, 1955, relative to present subdivision ordinance, contained in Sections 102.01 to 102.33 of Municipal Code, which provides for 3 alternative methods of procedure by subdivider for installation of improvements within streets, alleys and easements of subdivision and for filing Final Map (outlined in detail), was presented. It goes into possible determination by the Council, and relates administrative procedure permitted by State Real Estate Commissioner.

The City Manager said that the item should go to Conference for Council study.

RESOLUTION 123145, referring to Council Conference communication from City Manager, Document 508070 reporting on procedures for filing final subdivision maps, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from County of San Diego, signed by Cecil D. Hardesty, Superintendent of Schools and Secretary, San Diego County Committee on School District Organization, dated March 11, 1955, was presented. It dwells on policy relating to changes of boundary between City School Districts and surrounding areas, annexation of territory to San Diego Unified School District, etc.

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

\* Councilman Godfrey entered (at the end of the next item).

Councilman Wincote called for the Resolution which had been drawn by the City Attorney on the freeway (XI-SD-2-NatC-SD). He asked that the Council jump to the item. He asked to have it read, particularly the item objected to (in the morning session). The Mayor read the Resolution.

Councilman Wincote said that Councilman Kerrigan made the motion; this is slightly different.

Councilman Kerrigan moved that the Council approves the freeway, and requests that serious consideration be given in the Highway Commission meeting to exploration of possibilities of the other area.

Councilman Burgener asked for striking a portion of the resolution.

Councilman Kerrigan urged making a finding by the Council, and striking a portion.

The Mayor said that there could be stricken from the Resolution the portion which reads "and would better serve the future anticipated development of the entire system; and".

On motion of Councilman Burgener, seconded by Councilman Kerrigan, those words were deleted from the Resolution.

RESOLUTION 123146, approving original State Highway Route (XI-SD-2-NatC-SD) provided that State Highway Commission at next regular meeting hear protestants in Logan Heights area and/or their representatives upon suggested relocation of freeway between Gigsbee and 28th Streets to a more southerly route, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

\* Councilman Godfrey entered here.

RESOLUTION 123147, directing notice of filing of assessment and of time and place of hearing on Assessment 2345 made to cover costs and expenses of work done upon paving and otherwise improving Byron Street, Resolution of Intention 118860, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123148, directing notice of filing of assessment and of time and place of hearing on Assessment 2346 made to cover costs and expenses of work done upon paving and otherwise improving Mohawk Street, 71st Street, 72nd Street, Resolution of Intention 117539, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123149, directing notice of filing of assessment and of time and place of hearing on Assessment 2344 made to cover costs and expenses of work done upon paving and otherwise improving Wells Street, Resolution of Intention 116720, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD 123150, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park, Resolution of Intention 121773, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 11.8% below estimate.

In connection with the next item, the City Attorney pointed out that the bid bond for the low bidder was inadequate.

The Mayor suggested throwing out the bids, and starting over.

RESOLUTION OF AWARD 123151, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving Franklin Avenue and 28th

Street, Regulation of Intention 121775, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 2.8% below estimate; low bid had less than 10% bond, and cannot be accepted.

RESOLUTION OF AWARD 123152, accepting bid of H. C. Dennis, and awarding contract for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, Resolution of Intention 121776, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

City Engineer reported in writing that low bid is 24.8% below estimate.

RESOLUTION OF AWARD 123153, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for lighting ornamental street lights in Kensington Manor Lighting District No. for 1 year from and including May 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD 123154, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for Mission Beach Lighting District No. 1 - including maintenance - for 11 months and 16 days from and including May 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123155, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Calle del Oro and La Jolla Shores Drive, approving Plat 2697 showing exterior boundaries of assessment district; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123156, for paving Alley Block 8 La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123157, for paving and otherwise improving Guy Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123158, for paving and otherwise improving 31st, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123159 for closing portions of Newton Avenue and of Alley Block 7 San Diego Land and Town Company's South Chollas Addition, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123160, for paving and otherwise improving Calle del Oro and La Jolla Shores Drive, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 123161, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 113 Pacific Beach, was on motion of Councilman Kerrigan,



seconded by Councilman Wincote, adopted.

123162  
RESOLUTION ~~123162~~, ascertaining and declaring wage scale for sewers in Inez Street and Gage Drive, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123163, ascertaining and declaring wage scale for paving and otherwise improving Shafter Street, Upshur Street and Scott Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123164, approving diagram of property affected or benefited by work on paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 9 Ocean Beach Park, Resolution of Intention 120005; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123165, approving diagram of property affected or benefited by work on paving F Street, Resolution of Intention 120269; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123166, approving diagram of property affected or benefited by work on sewers in Gregory Street, Resolution of Intention 120405; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123167, approving diagram of property affected or benefited by work on paving Jamacha Road and Flicker Street, Resolution of Intention 117358; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123168, approving diagram of property affected or benefited by work on paving Kendall Street, Resolution of Intention 119896; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123169, directing City Engineer to furnish diagram of property affected and benefited by paving Carleton Street, Plum Street and Dickens Street, Resolution of Intention 122184 and to be assessed to pay expenses, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123170, directing City Engineer to furnish diagram of property

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affected and benefited by paving Franklin Avenue, Resolution of Intention 119895 and to be assessed to pay expenses, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123171, granting Roger D. Fuller permission for paving and otherwise improving Peck Place by private contract, under Document 507337, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123172, granting Wayne C. Neal permission to grade portions of 61st Street and Benson Street by private contract, under Document 505933, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION which was listed next on the agenda relative to the freeway was handled earlier in the meeting.

RESOLUTION 123173, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Columbia Street, between A and Ash Streets;  
establishing parking meter zone; directing City Manager to cause parking meters to be installed and parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123174, 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 Maple and Olive Streets;  
Both sides of Nutmeg Street, between 3rd and 5th Avenues;  
Both sides of 5th Avenue, between Maple and Olive Streets;  
establishing parking meter zone; directing City Manager to cause parking meters to be installed and parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123175, authorizing and directing S.D. Gas & Electric Co. to install 6000 lumen overhead street light at each of following locations:

Baxter Street at Conrad Avenue;  
Frink Avenue at Conrad Avenue;  
Brillo Street at Conrad Avenue;  
Ensign Street north of Conrad Avenue at curv;  
Ensign Street at Conrad Avenue;  
was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123176, authorizing and directing San Diego Gas & Electric Co. to install 6000 overhead street light at each of following locations:

Ebers at Coronado;  
San Jacinto at Santa Margarita;  
53rd at Santa Margarita  
Otay at Brooklyn;  
was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution authorizing City Manager to request Wildlife Conservation Board to contribute \$100,000., to be matched by City of San Diego, from current and proposed funds, for establishing recreation activities - particularly fishing and hunting - at El Capitan, Sutherland and Hodges Reservoirs; authorizing Director of Water Department to attend meeting of

Wildlife Conservation Board in Sacramento when called; authorizing expenses in connection with trip, was presented.

Asked about the Resolution, the City Manager said that the idea has been proposed.

Councilman Godfrey said that adoption of the Resolution would be tantamount to City putting up a matching \$100,000. He wanted to know about the program.

The City Manager referred to it as a proposal of Harley Knox, former Mayor, who is a member of the Wildlife Conservation Board. He read a report.

The Mayor said he wondered if it would be paid for out of water revenue.

Councilman Kerrigan said that the City is expending money which would fit right into this facility.

The City Manager said he has no idea if the City will get the \$100,000. from the State, but that it fits into the pattern of what the City does. He said that a statement of all lakes, elevation, etc., is what is needed. He spoke of picking out of a list, and contributing - if any. He said this is general, not set up by City and appropriated.

Councilman Wincote said that if the State acquiesces to the \$100,000. the City would do the same.

The City Manager referred to work being spread out, and that the City would have to do more than \$200,000. work.

RESOLUTION 123177, authorizing and directing City Manager to request the Wildlife Conservation Board to contribute \$100,000, which will be matched by City of San Diego from current and proposed funds, for establishing recreation activities, particularly fishing and hunting, at El Capitan, Sutherland and Hodges Reservoirs; authorizing Paul Beerman, Director of the Water Department, to attend meeting of Wildlife Conservation Board in Sacramento when same is called; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123178, authorizing and directing Property Supervisor to advertise for 5 consecutive days in official newspaper of the City, sale at public auction of portions of Lots 7 and 8 Block 252 University Heights, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says that William Urban has petitioned The City to put property up for sale, and has deposited \$100. to cover costs pertaining to sale including cost of title report, and as guarantee that depositor will bid minimum amount fixed by Council. It says that City Manager has recommended sale; reason for selling is that it is no longer needed for public purposes, that value as disclosed by appraisal made by qualified real estate appraiser is \$200.00 and that minimum amount Council will consider is \$200.00. It reserves right to reject any and all bids at the auction.

RESOLUTION 123179, authorizing and approving expenditure of \$3,100 by Property Management Division from Ordinance 5465 (New Series) for purchase of real property for extension of Fanuel Street, being portion of Acre Lot 2 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Ordinance Ordering, Calling, Providing for and giving notice of Special Municipal Election to be held Tuesday, April 19, 1955; for submitting proposition to incur bonded indebtedness for construction of Tenth Avenue Shipping Terminal, was presented.

The Mayor asked if it is too late to place anything else on the April ballot. He asked, also, if the Mayor's salary could go on.

The City Attorney said there is not time for a Charter amendment.

The Mayor spoke of being disappointed. He said he hopes the Council will put such a proposition on at a special election.

Councilman Wincote said he could not understand the vote on that issue in the Primary; not 1 person of several hundred who spoke to him about it spoke against an increase.

Councilman Godfrey stated that people who are informed voted for it. He said nobody did anything for the proposition, and there was no organized support. He wondered what it would take to get it on.

The City Attorney outlined the procedure, and said not more than 60 days, or

less than 40 days.

The Mayor wanted to urge consideration on the next election.

Councilman Kerrigan said he had made a prediction, and that the Council should resolve for the Mayor's pay, only.

The Mayor told that he would vote for the raise.

There was no action.

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

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

ORDINANCE 6434 (New Series), ordering, calling, providing for and giving notice of special municipal election to be held in City on Tuesday, April 19, 1955, for submitting to qualified voters proposition to incur bonded indebtedness - \$9,460,000 for acquisition and construction of Tenth Avenue Shipping Terminal in the Bay of San Diego and on adjacent municipal tidelands for receipt, storage and shipping of cargo and transportation of persons and property, including dredging, fill, bulkheads, dock walls, wharves, transit sheds, oil tanker dock, offices, railway tracks, drainage structures, water tank, utilities, access roads, paving and all appurtenances, structures and works necessary or convenient for Terminal - and consolidating with Special Municipal Election with Municipal General Election to be held April 19, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Wincote adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--None.

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

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

ORDINANCE 6435 (New Series), appropriating \$58,500. from Capital Outlay Fund, for providing funds for installation of Traffic Signals and Safety Lighting Systems on G Street, between 12th Avenue and Kettner Boulevard, was adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--None.

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

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

ORDINANCE 6436 (New Series), appropriating \$25,750. from Capital Outlay Fund, for providing funds for construction of Storm Drain from 47th Street and Franklin Avenue to South Chollas Creek, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

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

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

ORDINANCE 6437 (New Series), appropriating \$13,000. from Capital Outlay Fund for providing funds for construction of Storm Drain in 52nd Street, from Oak Park Drive to Kalmia Street, and in Pirotte Drive westerly from 52nd Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

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

On motion of Councilman Wincote, seconded by Councilman Godfrey, reading was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of passage written or printed copy.

ORDINANCE 6438 (New Series), appropriating \$12,000. from Capital Outlay Fund for improvement of intersection of Waring Road and Alvarado Canyon Road, including paving and construction of curb and installation of signs, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

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

On motion of Councilman Burgener, seconded by Councilman Godfrey, reading 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 6439 (New Series), appropriating \$3,400. from Capital Outlay Fund for improvement of Illion Street southerly of Orten Street, including paving and curb construction, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

In connection with the next item, the City Manager explained that appropriation has to do with celebration connected with return to San Diego of the First Marines.

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

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

ORDINANCE 6440 (New Series), appropriating \$500. from Unappropriated Balance Fund, and transferring same to City Manager's Fund (Department 04.01), was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

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

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

ORDINANCE 6441 (New Series), establishing grade of Gaines Street, between Southwesterly line of Hancock Street and Southwesterly line of Congress Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

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

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

ORDINANCE 6442 (New Series), establishing grade of Hancock Street, between

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northwesterly line of Rosecrans Street and northwesterly line of Gaines Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilman Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent-Councilmen Schneider, Dail. Nays-Councilmen None.

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

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

ORDINANCE 6443 (New Series), establishing grade of Jefferson Street, between southeasterly line of Gaines Street and southeasterly line of Camino del Rio, was adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent-Councilmen Schneider, Dail. Nays-Councilmen None.

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

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

ORDINANCE 6444 (New Series), establishing grade of Kurtz Street, between westerly line of Pacific Highway and easterly line of Camino del Rio, was adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent-Councilmen Schneider, Dail. Nays-Councilmen None.

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

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

ORDINANCE 6445 (New Series), establishing grade of Moore Street (1) between northwesterly line of Rosecrans Street and northwesterly line of Gaines Street; (2) between southeasterly line of Riley Street and easterly line of Camino del Rio, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent-Councilmen Schneider, Dail. Nays-Councilmen None.

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

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

ORDINANCE 6446 (New Series), establishing grade of Z Street, between east line of 38th Street and west line of 39th Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent-Councilmen Schneider, Dail. Nays-Councilmen None.

The next item listed on the agenda was a proposed amendment to San Diego Municipal Code Regulating Railroads. It was taken up earlier in the meeting, and was continued until Thursday, March 17, 1955.



In connection with the next item, Councilman Kerrigan made an explanation to Councilman Godfrey.

The City Manager told the Council that the ordinance consolidates 2 boards.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, ordinance amending Chapter IX Article 1 of San Diego Municipal Code by adding Section 91.03 establishing Board of Appeals, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

(Changes had been made in the draft, from 7 members to 9, and the word "act" as Secretary added).

Ordinance amending Sections 63.25.4, 63.25.5, 63.25.6, 63.25.7 and 63.25.8 of The San Diego Municipal Code regulating operation of Watercraft in Mission Bay, was presented.

RESOLUTION 123180, referring to Council Conference proposed Ordinance amending San Diego Municipal Code regulating operation of watercraft in Mission Bay, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Councilman Burgener moved that the Council meet in Conference on Thursday (March 17, 1955) afternoon. Motion was seconded by Councilman Wincote.

The Mayor expressed hope for a full Council.

Councilman Wincote said that sometimes when Conference somebody does not know of plans. He said that the Council is getting so far behind on the Conference docket, that sometimes strange things happen.

Councilman Burgener said that the Council has a decision to make on the Coronado tunnel. He said that the election is "going by".

Councilman Godfrey advocated continuing with conference until 5:00 P.M.

The Mayor stated that it had been resolved not to meet in Conference, unless it had been so resolved in advance.

There was no action.

The Mayor requested, and was granted unanimous consent to present the next item, not listed on the agenda. It referred to Social Security, and he said that the Resolution is "general".

Councilman Kerrigan moved to adopt the Resolution presented by the Mayor.

Councilman Wincote said he is not going to fight it.

Councilman Godfrey said he is not going to stand in the way.

Councilman Wincote said that when Retirement and Social Security "these" were not affected.

Discussions were held between Councilmen Kerrigan and Godfrey, then between Councilmen Wincote and Godfrey.

Councilman Godfrey asked if it would hurt to look at it Thursday.

Councilman Kerrigan pointed out that Social Security is not available to people in the Retirement System, and that the Council may approve both.

Councilman Wincote spoke of making it possible for consideration of all concerned.

Asked for a comment, the City Clerk, who is secretary of the City Employees' Retirement System, said that individuals have until July 1, 1955, to make up their minds if they want to join. He said that several employees in the City can, and will avail themselves of Social Security.

The Mayor said that if Councilman Godfrey wants to consider the matter further, the Resolution can be held until Thursday.

Councilman Kerrigan said that if he decides to join the pension system, he has to dig up \$1,600. and the City would dig up \$1,600.

Councilman Wincote spoke of having fought before, and of having no objection now.

The Mayor stated that is "only enabling legislation".

RESOLUTION 123181, authorizing Public Agency (The City of San Diego) to execute application and agreement and submit same to the State for acceptance and that the

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State be, and it is hereby, requested to include all eligible employees of the Public Agency in an agreement between the State and the Federal Security Administrator for coverage of said employees under insurance system established by Title II of Federal Social Security Act as amended, or as may be amended; designating for the purpose of application and agreement O. W. Campbell, City Manager, as Authorized Agent of the Public Agency and authorizing and directing him to execute application and agreement, as submitted, on behalf of Public Agency and to forward same to State for acceptance and further action; authorizing and directing Authorized Agency as representative of Public Agency to conduct all negotiations, conclude all arrangements and sign all agreements and instruments which may be necessary to carry out letter and intent of application and agreement and in conformity with all applicable Federal and State laws, rules and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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

He explained that it was for use of the hospital.

RESOLUTION 123182, granting permission to San Diego Hospital Association, 7901 Frost Street, San Diego 11, permission to erect, and maintain for period commencing March 16, 1955, and ending April 4, 1955, a 40' x 80' tent on hospital grounds in parking area adjacent to Emergency Room: March 16, 1955, dinner for 150 persons; March 17 to March 26, 1955 storage of bulk equipment arriving by train and truck before it is uncrated and moved into hospital; March 27 to April 3, 1955 meeting point for start of all public tours during dedication week; April 2, 1955 dedication services at 3:00 P.M. in event of rain, 300 guests only - under conditions specified in the Resolution - was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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

RESOLUTION 123183, ratifying and approving expenses incurred by Mayor John D. Butler, on trip to Sacramento for attendance at meeting of Sales Tax Committee of League of California Cities, held March 4, 1955, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 123184, ratifying and approving expenses incurred by Mayor John D. Butler and City Manager O. W. Campbell on trip to Brawley, California, for participating in meeting of League of California Cities on matters pertaining to sales tax and aviation problems, held March 14, 1955, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 123185, authorizing Councilman George Kerrigan to attend meeting of Citizens' Committee on State Water Problems, to be held in Sacramento March 18 and 19, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

City Attorney J. F. DuPaul introduced John Rhodes, new deputy in his office. He said that Mr. Rhodes had been City Prosecutor.

Discussion was held between Councilman Burgener and the City Manager regarding taking Torrey Pines Park as a State Park.

123182 - 123185  
Introduction of new Dep. City Atty.  
Discussion re Torrey Pines Park

The City Manager replied that the State has not committed selves to anything. He spoke of being not ready to ask people to vote. He said that the City is in the process of dealing with the State, and repeated that State has not committed selves to anything. He said the City is not ready to act.

There was no action.

Councilman Kerrigan called the Council's attention to the meeting of San Diego County Division, League of California Cities, to be held at Mission Valley Country Club, Friday, March 18, 1955, at 7:15 P.M.

The City Manager pointed out that San Diego is the host City.

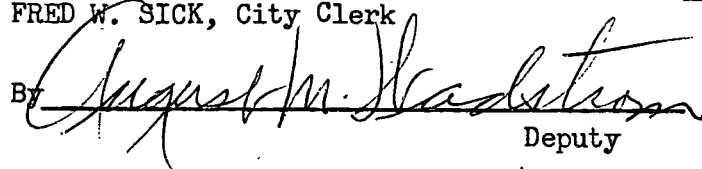
The Mayor declared the meeting adjourned at 4:05 o'clock P.M., there being no further business to come before the Council.

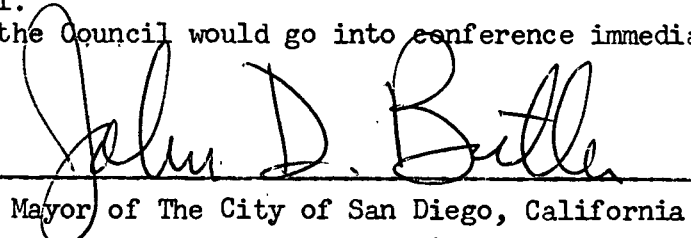
He announced that members of the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of The City of San Diego, California

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## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, March 17,  
1955

Present---Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey  
Absent---Councilman Schneider, Mayor Butler (in attendance at the welcoming of members  
of First Division, U.S. Marines, returning from duty in Korea)  
Clerk----Fred W. Sick

Resolutions and Ordinances will be recorded on Microfilm Roll No. 92

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Assessment 2324 made to cover costs and expenses of installation of Storm Drains in Streamview Drive, 54th Street and Public Rights of Way, Resolution of Intention 115496, communication from Street Superintendent recommending correction of Assessments 567, 568, 570 and modification in order that portions may be assessed separately. Also, communication from Street Superintendent was filed, recommending that Assessment 213 be ordered corrected and modified in order that portions may be assessed separately.

RESOLUTION 123186, adopting recommendations of Street Superintendent filed under Documents 504677 and 505059 in connection with Assessment 2324 made to cover costs and expenses of installation of Storm Drains in Streamview Drive, 54th Street and Public Rights of Way, Resolution of Intention 115496; directing Street Superintendent to modify and correct the assessment in accordance with his recommendations, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted

RESOLUTION 123187, sustaining appeal of Byrl D. Phelps from Street Superintendent's Assessment 2324 made to cover costs and expenses of installation of Storm Drains in Streamview Drive, 54th Street and Public Rights of Way, Resolution of Intention 115496; directing Street Superintendent to modify and correct the assessment, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION 123188, overruling and denying appeals of Lillian E. Joyce, Elmo B. Robison and Nancyann Robison, Dallas Pate, Bernard J. Mayrbat, Larry Aufdengarten, Mr. and Mrs. L. R. Billings, San Diego Associates, Inc., James L. Grigg and T. F. Brioady, Ruth Lewis Hardacker, Albert J. Jensen, from Street Superintendent's Assessment 2324 made to cover costs and expenses of installation of Storm Drains in Streamview Drive, 54th Street and Public Rights of Way, Resolution of Intention 115496, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION 123189, directing Street Superintendent to Modify and Correct Assessment 2324 made to cover costs and expenses of installation of Storm Drains in Streamview Drive, 54th Street and Public Rights of Way, Resolution of Intention 115496; continuing hearing on the Assessment until 10:00 A.M., Tuesday, March 22, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The next item was not on the agenda. Vice Mayor Wincote recognized City Councilman Robin Goodenough of Coronado. Mr. Goodenough said that the City Council of Coronado had authorized sending him and Mr. Goodbody (City Attorney of Coronado). He said he was not familiar with the Senator Kraft Resolution (bill, no doubt). He spoke to the Council about 50%-50%. He said that the Kraft bill might be amended to the effect, and the Council appropriate \$50,000. He said that the State has ideas what be in connection with the tube between San Diego and Coronado.

Vice Mayor Wincote said it has been discussed.

The City Manager said that \$50,000. would cover it, and that he could check it before entering into contracts.

Councilman Burgener said that it is different than a week ago; it would have been \$180,000 by the taxpayers.

The City Manager said there should be an understanding before both cities enter into it.

Meeting convened  
( Storm Drain on Stream-  
view (cont)  
(& 123186-123189

Mr. Goodenough said that the bill was \$200,000 or so much as necessary. City Attorney J. F. DuPaul told the Council that it could pass a motion authorizing the Mayor to proceed to Sacramento, and that he be instructed on what has gone on here.

RESOLUTION 123190, authorizing Mayor John B. Butler to attend hearing in Sacramento regarding Coronado Tube; authorizing him to incur all expenses in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Asked if he wished to be heard, Mr. Goodbody (J. R.) said that the bill has been set for hearing a week from Tuesday.

The Vice Mayor recognized Judge Edgar Luce.

Judge Luce told the Council that he had a letter from the Santa Fe, which he read. He told of putting out an order that speed limit is not to exceed 30 miles per hour. The letter was filed.

The letter on letterhead of Atchison, Topeka & Santa Fe Railway Company, 121 East Sixth Street, addressed to Messrs. Luce, Forward, Kenzel & Scripps, attorneys at law, San Diego Trust & Savings Building, dated 15th March, 1955, was signed by R. D. Shelton (Acting General Manager). It says writer has been informed by General Attorney, Robert W. Walker, that Judge Luce had taken up with Mayor and Council question of deferring hearing on railroad speed ordinance which is pending before the Council. It says that the Mayor and Council may be informed that operating bulletin instructing engineers not to operate head end of their trains across Jellett Street crossing at speed in excess of 30 miles per hour. It asks that there be expression of appreciation to the Mayor and Council for cooperation.

Councilman Kerrigan moved to continue introduction of ordinance for 3 weeks. Motion was seconded by Councilman Dail. Councilman Godfrey moved to hold a conference 2 weeks from today at 9:00 A.M. It was seconded by Councilman Burgener. The 2 motions were combined into

RESOLUTION 123191, referring to Council Conference at 9:00 A.M., March 31, 1955, proposed Ordinance amending San Diego Municipal Code regulating Railroads; directing that proposed Ordinance be listed again on the Council agenda for April 7, 1955, was adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions Blocks 42 and 43 City Heights into "C" Zone, and repealing conflicting Ordinance, the Clerk reported no protests.

The Vice Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Dail, 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 Council prior to day of final passage a written or printed copy.

ORDINANCE 6447 (New Series), 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 on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions Lots 72 and 78 Rancho Mission (within 12,000 ft. circle centered on crossings on main runways at Miramar Naval Air Station on Kearny Mesa) into Flight Training Zone FT-12-50 - limiting height of all structures, trees, etc. - the Clerk reported no protests.

The Vice Mayor inquired if anyone was present to be heard.

No written protests were filed.

Capt. Porter, USN, said that he is in favor of the zoning, and that he had no comment, unless there were questions.

On motion of Councilman Kerrigan, seconded by Councilman Dail, reading of

Hearings  
123190  
Discussion re train  
speeds  
6447 N.S.

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the next ordinance was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE 6448 (New Series), incorporating portions of 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 on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived; the time set for hearing on Ordinance approving and adopting proposed amendment of Section 4 of Rule II of Rules of the Civil Service Commission of The City of San Diego (Age Requirements), the Clerk reported no written protests.

The Vice Mayor inquired if anyone was present to be heard.

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

City Attorney J. F. DuPaul stated that the ordinance makes the rules conform with the Charter, as amended.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the Ordinance approving and adopting amendment of Section 4 of Rule II of Rules of Civil Service Commission, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

The next item was taken up out of order...

Carl Reupsch, of the Harbor Department, told the Council that proposed sub-lease is on the site of new tank farm. He said that it is for the rental as already paid. He referred to Standard Oil lease as of October 15, and said it would be dated back on the sub-lease agreement.

The City Attorney told the Council that the sublessee would not be permitted to drill.

RESOLUTION 123192, ratifying, confirming and approving sublease, copy on file in Office of City Clerk as Document 508083, between Standard Oil Company of California, a corporation, as Sublessor, and San Francisco Bridge Company, a corporation, as Sublessee, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution refers back to original lease to Standard Oil Company of California on or about 28th day of October, 1954, on file in Office of City Clerk as Document 501004.

Report of Purchasing Agent with City Manager's stamp of approval, on bids for furnishing Citation Books, Moving (6000) for Police Department - Sunset Business Forms, low bid; 4 bids - was presented.

RESOLUTION 123193, accepting bid of Sunset McKee Company dba Sunset Business Forms; 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 Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent with City Manager's stamp of approval, on bids for Small Water Replacements, Group No. 18 - Royal Pipeline Construction Company, Inc., low bid of \$137,215.25; 4 bids - was presented.

RESOLUTION 123194, accepting bid of Royal Pipeline Construction Company, Inc. for small water main replacements Group 18; awarding contract, authorizing and instructing City Manager to enter into and execute it 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 City Manager's stamp of approval, recommending purchase in open market of Repair Parts for Rich Fire Hydrants - total price of \$1,218.46 incl. tax, from Mission Pipe & Supply Company, sole agent, was presented.

RESOLUTION 123195, authorizing and directing Purchasing Agent to purchase from Mission Pipe & Supply Company repair parts for "Rich" fire hydrants, in accordance with list attached, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Public Notice relative to Review of Reports on San Diego, California - Corps of Engineers, U.S. Army, Office of The Division of Engineer, South Pacific Division, 130 Sutter Street, San Francisco 4, California, dated 11 March 1955, signed by P.D. Berrigan, Colonel, CE, Division Engineer - was presented.

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

Communication from Geo. M. Vermillion, Mayor, Long Beach, California, dated March 15, 1955, relative to proposed State Legislation contained in AB 3762, which is considered by him to be dangerous legislation threatening rights of agencies of local government to ownership of lands granted by State of California, was presented.

RESOLUTION 123196, referring to Council Conference communication from Mayor of Long Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Fred A. Heilbron, chairman of Board of Directors of San Diego County Water Authority submitting form of Resolution opposing Upper Colorado River Basin Projects proposed in S 500 and H.R. 270 and the Fryingpan-Arkansas project proposed in S. 300 and H.R. 412, pending on Congress, was presented. It urges adoption of that or a similar resolution.

Councilman Kerrigan moved to refer the item to Conference.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reference to Conference, which had carried, was reconsidered.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the papers were referred to the City Attorney for drafting of appropriate Resolution.

Copy of decision of Civil Service Commission in appeal of Able M. Gonzalez, Animal Regulation Officer, was presented.

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

Communication from The Atchison, Topeka and Santa Fe Railway Company for 21-year franchise to relocate existing track on Island Avenue, constructed under Ordinance 7905, was presented.

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

Communication from Alvan A. Appel, president, California Sewage and Industrial Wastes Association, dated March 1, 1955, was presented. It requests City of San Diego representation at annual conference at Mission Inn in Riverside California on April 28, 29, 30, 1955.

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

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Communication from Oscar L. Griffiths, 3813 Ray Street, San Diego 4, dated March 14, 1955, was presented. It opposes granting of application for license to operate card room at 3820 - 30th Street.

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

In connection with the next item, the City Manager said that the Mayor is active with the organization, and that he might want to attend.

Communication from Inter-American Municipal Organization, La Habana, Cuba, dated February 28, 1955, signed by Dr. Carlos M. Moran, Secretary General, was presented. It asks for participation in common objective of improving municipal government, community life and inter-American understanding.

RESOLUTION 123197, referring to Council Conference communication from Inter-American Municipal Organization, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Mona Williams, 3126 Garrison, San Diego, and from Margaret M. Keeney & Joseph T. Keeney, 3425 Albatross St., protesting City Attorney's decision re election of members of the Board of Education, were presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, they were filed.

Communication from La Jolla Town Council, Inc., 7776 Eads Avenue, La Jolla, dated March 9, 1955, signed by H. Bailey Gallison, Executive Manager, was presented. Communication, expressing interest of State of California and of its people that proper safeguards be placed on off-shore oil drilling. It says that right of local coastal community to decide whether or not it shall permit oil drilling within its territory, or in waters immediately off-shore, should be recognized and upheld. The communication states that La Jolla Town Council feels that off-shore oil drilling platforms and islands should be banned from ocean areas off beautiful San Diego coastline which is an outstanding scenic attraction and a preferred residential and resort city. It urges passage of resolution recommending State Legislature adopt as law S/B 1404 introduced by Senator Kraft amending Section 6873 of Public Resources Code re oil and gas leases in tide and submerged lands.

The letter was read to the Council.

Councilman Burgener spoke of statement having been made in Conference.

The City Manager told of supporting the idea.

Councilman Godfrey moved to file the communication.

On motion of Councilman Godfrey, seconded by Councilman Dail, the communication, accompanied by copy of the proposed bill, and of copy of acknowledgment by the Mayor of the L.J. Town Council communication, were referred to the City Manager.

Communication from The Mission Bay Ski Club, dated March 11, 1955, signed by Connie Melhorn, secretary, was presented. It states that the group, as a whole, is in complete accord and approval with proposed rules. It says that if enforced, the group will do all in its power and help introduce and enforce them to all other boaters and skiers in this area.

RESOLUTION 123198, referring to Council Conference communication from Mission Bay Ski Club, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Communication from Richard L. Parsons, 2660 ESt., dated Mar 15, 1955, was presented. It suggested that personnel used in sprinkling and grading streets be used to oil and surface them, was presented.

Councilman Burgener moved to refer the communication to City Manager.

Mr. Parsons spoke about creating dust, and said that the City should oil, as the County does.

Vice Mayor Wincote said that the City does not oil streets, unless there is a 1911 petition on file.

Councilman Dail said that if Mr. Parsons has property on those streets he could put in petitions to have them paved.

Mr. Parsons said that they are not worth paving, and declared paving to be a regular racket.

Councilman Dail said he felt that Mr. Parsons is sincere, but that he is not informed.

Mr. Parsons said that eucalyptus trees are ruining sidewalks.

The City Manager stated that the City is behind on its program.

There was continued discussion between several.

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

Communication from San Diego Chamber of Commerce, dated March 11, 1955, signed Arnold Klaus, Assistant Manager, was presented. It relates action taken by Board of Directors opposing passage of legislation which would authorize State to conduct survey of feasibility of tube connecting San Diego and Coronado; and recommends that Councils of San Diego and Coronado contract for survey of feasibility to guide electorate in subsequent vote.

Councilman Godfrey moved to file the letter. It was seconded by Councilman Kerrigan.

The letter was read to the Council.

Councilman Burgener said that the Council is aware of the situation, and the reduced cost.

Councilman Godfrey moved to refer the letter to the Mayor for reply, and then file it. Motion was seconded by Councilman Kerrigan. The motion carried.

Communication from San Diego Chamber of Commerce Aviation Committee, dated March 14, 1955, signed by William Mecke, Chairman, was presented. It submits a number of questions re problem of airport development.

The letter was read to the Council.

Councilman Kerrigan moved to refer it to Conference.

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

Communication from Edith Carson Smith, Principal, Marston Junior High School, dated March 15, 1955, was presented. It refers to proposed rezoning portion Lot 1203 Clairemont Unit 7. Communication says there is no objection to prescription-type pharmacy, but there is vigorous protest to any change that would permit now or at a later time, usage of property for undesirable type of business establishment adjacent to the schools.

The Council directed that it be filed <sup>with</sup> other papers on the subject.

Communication from Convention and Tourist Bureau, 924 Second Avenue, San Diego 1, signed by Kenneth A. Nairne, president, and Robert O. Peterson, chairman budget committee, was presented.

In addition to making a general report, the communication asks for \$50,000 in the 1955-56 Budget.

RESOLUTION 123199, referring to Budget Conference communication from San Diego Convention and Tourist Bureau, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, dated March 7, 1955 - copy of letter sent to all senators and assemblymen. It urges "no" vote on all bills which seek to divert oil royalty

money away from beaches and parks. It requests the Council to send a similar letter to members of the State Legislature.

RESOLUTION 123200, referring to Council Conference communication from Shoreline Planning Association of California, Incorporated, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123201, endorsing and recommending that Legislature adopt as a law of the State Senate Bill 1404 introduced by Senator Krafft; which bill seeks to amend Section 6873 of Public Resources Code, forbidding leasing of tidelands which have been artificially created since adoption of such bill and permitting leases of such artificially filled tidelands only upon tidelands which have been heretofore improved, and urges Senator and representative from this district in the State Legislature to do all within their power to support adoption of S/B 1404; directing City Clerk to forward certified copy of Resolution to each of representatives of San Diego in the State Legislature, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123202, authorizing City Manager to enter into agreement on behalf of The City of San Diego, wherein City will agree that that certain existing contract entered into by and between Coronado Water Company and Southern California Mountain Water Company 1912, for supplying water for use of Coronado and residents of area of County lying south of Bay of San Diego, contract assumed by City upon purchasing Morena, Barrett and Otay Water System from Southern California Mountain Water Company, may be modified so as to provide that obligations of contract may be complied with by City not only from waters of Morena, Barrett and Otay water system but also from any other waters City may have available for such use, and provide for standby charge to be paid by California Water and Telephone Company irrespective of amount actually purchased, and further that if any of area lying south of bay is annexed to The City of San Diego the City will furnish said water company such additional amount of water as may be necessary to supply inhabitants of annexed territory with water, which the water company agrees to furnish out of such additional supply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123203, declaring following intersection of streets to be "Intersection Stop":

45th Street and Ocean View Boulevard, affecting traffic in all 4 directions - 4-way stop; authorizing and directing installation of necessary signs and markings; that existing STOP signs affecting Ocean View Boulevard traffic be removed within 30 days, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION 123204, declaring through highways:

Twain Avenue and its continuation in 50th Street and Orcutt Avenue, between east line of Mission Gorge Road and west line of Waring Road;

Declaring intersection stop:

Shawnee Road and Rappahannock Avenue affecting all traffic - all directions; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123205, establishing Taxicab Stands:

South side of Broadway between points 64 feet and 81 feet east of 1st Avenue;

East side of 5th Avenue between points 97 feet and 119 feet south of University Avenue;

authorizing and directing installation of necessary signs and markings;

Abolishing Taxicab Signs, authorizing and directing removal of signs and markings:

West side of State Street between points 15 feet and 35 feet north of C Street;

East side of Fifth Avenue between 41 feet and 66 feet north of University Avenue, was on motion of Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123206, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Del Norte Subdivision and execute Notice of Completion and have same recorded, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123207, approving Change Order 4 dated February 10, 1955, heretofore filed with City Clerk as Document 508088, issued in connection with contract between The City of San Diego and Fred J. Early, Jr. Co., Inc., for construction of alterations to Sewage Treatment Plant, contract contained in Document 500820 on file in office of City Clerk; changes amounting to increase in contract price of \$252.00, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123208, approving Change Order 2 dated March 3, 1955, heretofore filed with City Clerk as Document 508090, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic lights and safety signals on F Street, between Kettner Boulevard and 12th Avenue, contract contained in Document 505369 on file in office of City Clerk; changes amounting to increase in contract price of \$97.16, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123209, approving Change Order 1, dated February 24, 1955, heretofore filed with City Clerk as Document 508092, issued in connection with contract between The City of San Diego and R. E. Hazard Construction Co. and W. F. Maxwell Company (A Joint Venture), for improvement of Grand Avenue, Pico Street to Pacific Highway, contract contained in Document 506411 on file in office of City Clerk; changes amounting to increase in contract price of \$575.00, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123210, approving request of W. V. Hutchison, dated February 14, 1955, contained in Change Order 2, for extension of 45 days to and including April 8, 1955, heretofore filed with City Clerk as Document 508094, in which to complete contract for construction of Balboa Avenue storm drain, contract contained in Document 500361 on file in office of City Clerk; extending completion time to April 8, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Proposed Resolution relative to proposed acquisition by Federal Government of property known as Plancor 20 - Consolidated-Vultee Plant 2 - requesting that local government interests be protected through some method whereby local taxes will still accrue to local governments, etc., was presented.

Councilman Kerrigan suggested that it be referred to the City Manager.

Councilman Godfrey asked from whom this resolution came (It was presented by the City Manager).

The City Manager said that the County adopted a similar Resolution, and wants a similar one adopted by the Council.

RESOLUTION 123211, referring to Council Conference proposed Resolution re acquisition of fee interest in property known as Plancor 20 - Consolidated-Vultee Plant

2 by Federal Government, and that the Resolution be placed on Council Calendar for Tuesday March 22, 1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 123212, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as northerly 25. feet of portion Lot 20 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 taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123213, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northerly 25.0 feet of portion Lot 20 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 taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123214, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northerly 25.0 feet of portion Lot 20 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 taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123215, 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 7 to 11 Block 9; Lots 6 to 9 Block 10; Lots 3 and 4 Block 11 Homeland Villas; Block 16 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 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 Burgener, adopted.

RESOLUTION 123217, 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 28 Eureka Lemon Tract, together with all penalties and expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123218, 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 28 Eureka Lemon Tract, together with all penalties and expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.



RESOLUTION 123219, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions Pueblo Lot 1264, together with all penalties and expenses in connection therewith, be cancelled; and that all deeds to The State of California, for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123220, 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 7 Block 21 The Muirlands, together with all penalties and expenses in connection therewith, be cancelled; and that all deeds to The State of California, for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123221, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 5.00 feet Lot 15 Gardena Home Tract, together with portion Gardena Place closed, together with all penalties and expenses in connection therewith, be cancelled; and that all deeds to The State of California, for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123222, granting revocable permit to Boren Investment Co., 4965 El Cajon Boulevard, to install and maintain 3/4 inch underground conduit to provide electric and telephone service to new service station building being constructed at 6101 University Avenue: Lot 19 Parcel "00" Rancho Mission, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123223, granting revocable permit to Manuel Daniels, 2152 Felspar Street, San Diego, to install and maintain retaining wall in front of 2152 Felspar Street: Lots 27 and 28 Block 178 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123224, granting revocable permit to Don DeLauer, 1085 Fresno, Lots 1 to 12 Block 5 Bayview Addition to grade banks on southeast corner of Fresno Street and Gaines Street, and bank on Fresno Street along Lot 12 Block 5, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123225, granting revocable permit to Purvis L. Martin, 2113 5th Avenue: 5 acre lot 1 of Pueblo Lot 1103 to install and maintain 2" galvanized water line over and under Benicia Street south from Gaines Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION 123226, granting revocable permit to Mrs. Bess G. Wicks, 3825 Eagle Street: north of extension of north line Lot 14, Lots 10, 11, 12 Block 3, and Lot 13 Block 2 Stephens Addition - west on Glendora Street and north on Revere Street, Pacific Beach, to install and maintain private water line from water main at Del Rey Street to

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6453 Pacific Highway, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION 123227, authorizing Leo B. Calland, Park and Recreation Director to attend 22nd Annual Conference of California Association for Health, Physical Education and Recreation, Riverside, California, April 1 through April 5, 1955; authorizing incurring all expenses necessary, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey adopted.

RESOLUTION 123228, authorizing Lieut. Ralph B. Lukehart, Commanding Officer of Juvenile Division of Police Department, to attend 6th annual conference of California State Juvenile Officers' Association, Santa Monica, March 23, 24, 25, 1955; authorizing incurring all expenses necessary, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123229, authorizing City Attorney to accept \$33.91 in full settlement of City's Invoice 35128 issued November 16, 1953, against Bessie I. Smith, in amount of \$67.81, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123230, allowing claim of Eunice D. Thrower, Document 507635; authorizing and empowering City Auditor and Comptroller to pay claim in sum of \$446.64, to be charged against cost of acquiring easement and right of way for sewer purposes, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123231, authorizing John McQuilken, City Auditor and Comptroller, to travel to Kingman, Arizona, and deliver address before public officials at Arizona Municipal League at annual conference May 5 to 7; authorizing incurring all expenses necessary, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123232, accepting subordination agreement, executed by Stearns Manufacturing Company, beneficiary, and Western Mutual Corporation, trustee, bearing date February 26, 1955, wherein they subordinate all right, title and interest in and to portion Lot 16 Block 11 Tres Lomas, to right of way and easement for sewer purposes heretofore conveyed to City of San Diego in property; 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123233, accepting deed (quitclaim) executed on 21st day of February, 1955, by Naomi R. Dixon, 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 Dixon's Subdivision No. 3; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123234, accepting deed of David M. Miller and Alice K. Miller, Jack L. Oatman and Elinor S. Oatman, bearing date March 3, 1955, conveying Lots 30, 31,

32 Block 13 American Park Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 123235, accepting deed of Winona Hobart David, bearing date February 21, 1955, conveying Lots 7 and 8 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123236, accepting deed of Ruth C. Redlingshafer, bearing date January 10, 1955, conveying Lots 7 and 8 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123237, accepting deed of Constance Taylor, bearing date January 7, 1955, conveying Lots 7 and 8 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123238, accepting deed of The Roman Catholic Bishop of San Diego, bearing date March 8, 1955, conveying portions of Lot 1 Block 8, and Lot 5 Block 11 Homeland Villas, Lots 11-2 Block 10, Lots 1 through 5 Block 12 American Park Addition; setting aside and dedicating land to public use as and for public street and naming it Morena Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of 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 123239, accepting deed of Florence May Seibold Colvin, bearing date February 14, 1955, conveying Lot 5 Block 33 Point Loma Heights; setting aside and dedicating land 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 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 123240, accepting deed of Edna Seibold Lawrence, bearing date February 14, 1955, conveying portion Lot 5 Block 33 Point Loma Heights; setting aside and dedicating land 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 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 123241, accepting deed of Julia Seibold Millener, bearing date February 15, 1955, conveying Lot 5 (portion) Block 33 Point Loma Heights; setting aside and dedicating land 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

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 123242, accepting deed of Homesites, Incorporated, bearing date March 7, 1955, conveying easement and right of way for sewer purposes in portion Lot 16 Block 11 Tres Loma; 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 Kerrigan, adopted.

RESOLUTION 123243, accepting deed of Estelle C. Levi, Ruth L. Rubin, Richard Carl Levi and Norman George Levi, bearing date March 2, 1955; authorizing and directing City Clerk to 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 123244, accepting deed of San Diego Unified School District of San Diego County, bearing date March 1, 1955, conveying easement and right of way for sewer purposes in portion Lot 13 Cave & McHatton's Subdivision; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123245, accepting deed of Wafer Homes, Incorporated, bearing date February 16, 1955, conveying easement and right of way for sewer purposes in portion Lots 3446, 3185 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123246, accepting deed of Rosa Z. Ochoa and William Ochoa, bearing date February 9, 1955, conveying easement and right of way for storm drain purposes in portion Lot 26 Block 247 Pacific Beach; 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 Kerrigan, adopted.

RESOLUTION 123247, accepting deed of Union Title Insurance and Trust Company, bearing date March 9, 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 6449 (New Series), approving annexation to The City of San Diego of territory in County of San Diego, State of California, designated as "Grantville-Rancho Mission Tract", was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail,

Godfrey. Nays--None. Absent--Councilmen Schneider, Mayor Butler.

In connection with the next item, Councilman Burgener asked if the proposed lease is north of Linda Vista.

The City Manager replied that it is north of Linda Vista, and that cows are over a mile away.

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

ORDINANCE 6450 (New Series), authorizing execution of agricultural lease with Daley Corporation of portion of Pueblo Lots 1231 and 1231 and property adjacent; 5 years annual rental \$225.00 according to Document 508282, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

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

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

ORDINANCE 6451 (New Series), appropriating \$60,210.00 from Capital Outlay Fund, for improvement of Grand Avenue between center line of Ingraham Street and southerly prolongation of easterly line Lot 15 Block 3 Mission Bay Park Tract; Jewell Street between Grand Avenue and westerly prolongation of northerly line of Alley Block 250 Pacific Beach; Balboa Avenue between Grand Avenue and Morrell Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

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

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

ORDINANCE 6452 (New Series), appropriating \$33,000.00 from Capital Outlay Fund for meeting obligations of City under agreement contained in Document 506000, on file in office of City Clerk for construction of additional paving and curb on Waring Road, from State's right of way to Allied Gardens Unit 4 Subdivision, and within Allied Gardens Unit 4 Subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance, listed next on the agenda, was continued 3 weeks - to April 5 - 1955, under an action at beginning of the meeting.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance dedicating portions of lots in Block 292 Seaman and Choates Addition for street purposes and naming same Gregory Street, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--None. Absent--Councilman Schneider, Mayor Butler.

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

Communication from Street Superintendent with City Manager's stamp of approval, recommending granting request of Cameron Bros. Construction Company for 30-day extension of time on contract for installing sewers and water mains in Roanoke Street, Rachael Avenue, et al, Resolution of Intention 115633 - to cover collection period of assessment roll - was presented. It says that construction was delayed due to late construction of outfall for the area.

RESOLUTION 123248, authorizing Street Superintendent to grant Cameron Bros. Construction Company 30-day extension of time for completion of contract for improvement of installation of sewers and water mains in portions of Roanoke Street, Rachael Avenue, et al, in accordance with recommendation, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The City Attorney requested, and was granted, unanimous consent to present the next item not listed on the agenda. He spoke about 12.3 of Penal Code regarding probation, and 12.301 also, re 2 years. He said that 293 of Vehicle Code conflicts re operators of cars re 1 year suspension limit. He spoke of having had bad cases. Mr. Du Paul said that a judge can't take a potential killer out of an automobile for more than a year. As a result, he said that 293 of Vehicle Code ought to be repealed by A/B 1435.

RESOLUTION 123249, putting the Council on record as recommending adoption of Assembly Bill 1435 in order to give Courts more flexible and just method of administering justice concerning violations dealing with operation of motor vehicles; directing City Clerk to send certified copies to State Senators and Assemblymen from San Diego County and to Chairman of Assembly Committee on Transportation and Commerce, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Councilman Dail requested, and was granted, unanimous consent to consider his going to Sacramento on Belt Line Freeway. He said that he wanted a Resolution on expressing the City's view.

Councilman Burgener said that Councilman Dail can support the City view.

Councilman Godfrey pointed out that there is a difference of opinion.

He agreed that it is all right for the Railroad Commission (State Public Works, Division of Highways) to give consideration. He said that request had been made to hear protests, not implying approval or moving of the route.

Councilman Dail said that the resolution requested the Highway Commission to give consideration.

The Resolution, as adopted, was sent for by the Clerk.

Councilman Wincote said that Councilman Kerrigan's motion was a good one. He said that Councilman Dail wants authorization to present the City's position.

Councilman Dail referred to the Resolution, as drawn.

Resolution 123146, prepared by the City Attorney, and changed during meeting by the Council, was presented by the Clerk.

Councilman Godfrey spoke against re-routing as proposed by Councilman Dail.

Said Resolution was then read by the Clerk, indicating the Council's deletion.

There was discussion between Councilman Godfrey and Vice Mayor Wincote, when the Clerk went out again to be sure it was the right one.

The Clerk re-read from the corrected copy, and it was as read the first time. (Deletion had been made, and the new, recopied resolution was as adopted).

Councilman Godfrey said that the whole Resolution resolves around the Highway Commission to hear the question.

Vice Mayor Wincote spoke of having argued the same way as Councilman /Godfrey. He said that Councilman Dail could do nothing more than represent people of Logan Heights. He said that it is embarrassing. He said that if Mr. Dail does not represent the City, there should be somebody from Logan Heights.

Councilman Kerrigan entered into discussion with Councilman Dail regarding his (Kerrigan's original) motion. He said "that's what the Resolution says".

There was discussion between several Councilmen over the effect of the Resolution adopted.

Councilman Dail spoke about not making request as a Council.

Councilman Wincote said that the original Kerrigan motion was to approve,



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and give consideration to the area south.

Councilman Dail said that he is not going to vote on a "watered down" Resolution. He said that it is regarding protection of rights of the people. He stated that the people of Logan Heights are the same as the people of the whole City. He said that Resolution as passed is not the intent of the motion.

Councilman Godfrey recognized that the district is part of the City, but all people of the City have rights.

Councilman Dail charged again that the Council is trying to "water down" the Resolution.

Councilman Godfrey said that the Council is "watering it up".

Vice Mayor Wincote said that the motion, as passed, was approved by Mr. Fillipi, who acted as spokesman for the Logan Heights group at the hearing before the Council.

Councilman Godfrey pointed out that an orderly process was involved in preparation of the Resolution adopted. He said he wants to discuss the merits of the Resolution. He said that he wants to be fair; the leader of the protestants approved the Resolution the Council adopted. He said that due to 50-50 split, he is not in a position to say which route should be adopted, and ignore the people.

Councilman Dail said that contrary to motion of Tuesday morning, Resolution had been prepared and adopted. He said it was the intent of the motion that the Council had held a hearing, and requested serious consideration to the re-routing.

Vice Mayor Wincote said he understood Councilman Dail to represent the protests. He said that he will tell the same story.

Councilman Dail said he is not going up.....(did not complete statement).

Councilman Burgener said that the administration should go up to Sacramento, representing the City. He said that he wanted 7 members here.

Councilman Godfrey referred to a misunderstanding.

Councilman Dail replied "no".

Councilman Wincote said "yes". He contended that the same story would be told, and that the State knows the story of Logan Heights.

Councilman Godfrey said that it is contrary to what the Council wants (the Logan Heights view). He said that it is election time (Councilman Dail is candidate for Mayor), and that Councilman Dail's view is opposite to his.

Vice Mayor Wincote said that Mr. Fillipi would want to represent the protest.

Councilman Burgener said that the written record can represent the City.

Councilman Dail said that the Resolution is an empty, meaningless thing.

Vice Mayor Wincote said he got his foot in it; he was in the Chair, presiding. He said that it makes no difference who goes to Sacramento; all would refer to the protest.

Councilman Godfrey said he could not represent the protestants. He stated it would be embarrassing if Councilman Dail were to represent others.

Councilman Dail said that protestants are not represented in the Resolution. He said it is "sloughed off now". He said he wants to be recorded "no" on the Resolution (already adopted). Councilman Dail said it was not the intent in the morning to have this kind of a Resolution. He said he would go to hearing not as a City official, but as an emissary of the district. He said that it is meaningless, as of the Resolution adopted.

Vice Mayor Wincote pointed out that there is a difference of opinion.

Councilman Dail said it would be ridiculous to represent the City.

Councilman Burgener said that Councilman Dail should not go up representing the City's point of view.

Vice Mayor Wincote said that Council Godfrey presented the situation correctly.

Councilman Burgener spoke of attention being focussed on 1 section.

The Vice Mayor spoke of wanting serious consideration, and of having made statement at the hearing.

Councilman Dail said that Mr. Luckenbach of the Highway Dept. had said that the State Highway Dept. had adopted "this" route.

Councilman Wincote said that Councilman Dail wants to be sent to San Francisco to represent the City, in the view of the Logan Heights people. He said that City Attorney J. F. DuPaul wrote the Resolution, and had their representative here. He said he could go up and represent the Logan Heights points of view, but he understands he is not going.

Councilman Dail said he would go up as a citizen, only, and will go and explain the protestants' view.

Vice Mayor Wincote said that would be wrong.

Councilman Godfrey said that for Councilman Dail to say that it had been sloughed off is unfair, when it was Councilman Dail had sloughed it off (Mr. Dail was absent when Resolution was adopted).



Councilman Dail said he wants to be recorded "no" on the Resolution, he does not want to go to Sacramento; and he would not be unfair.

Vice Mayor Wincote repeated he was embarrassed; he was in the chair.

Councilman Burgener said it was 3-3.

Vice Mayor Wincote said that Councilman Dail is not satisfied. He asked if Councilman Burgener would go.

Councilman Burgener replied "no"; it would be unfair.

Councilman Godfrey said that if Councilman Dail is to go on 1 side, he said he would go to represent the other.

Vice Mayor Wincote wondered how important, or wrong it would be to send Councilman Dail under that Resolution.

Councilman Godfrey said that Councilman Dail was under the impression it was a different thing. He said Mr. Dail will attend as a private citizen; not as a representative of the Council.

Councilman Dail said it is not his intention to delay, or obstruct the item. He said it is impossible for the Council to give credence to the protest.

Councilman Burgener said that the Council did not have a majority agreement.

Councilman Dail said he would have nothing to hang his hat on, with this Resolution. He said it should be brought up again next Tuesday.

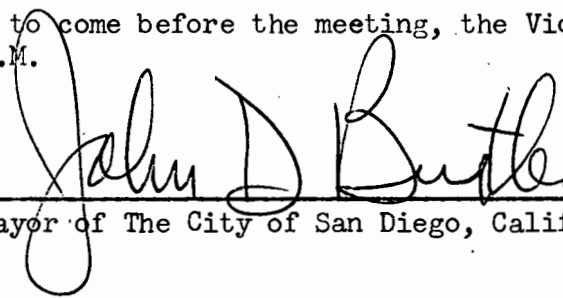
Councilman Godfrey said that Councilman Dail has been able and virogous in presenting the point of view of the protestants.

There was no action.

There being no further business to come before the meeting, the Vice Mayor declared the meeting adjourned at 11:35 A.M.

ATTEST:

FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, March 22, 1955

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

Resolutions and Ordinances for this meeting are recorded on Microfilm  
Roll 93.

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

The Mayor asked all present to rise for the invocation, which was given  
by Father Lawrence E. Geoghan, Assistant Pastor, Sacred Heart Church.

On motion of Councilman Kerrigan, seconded by Councilman Schneider,  
Minutes of the Regular Meetings of Tuesday, March 15, 1955, and of Thursday, March 17,  
1955, were approved without reading. They were signed by the Mayor.

The Purchasing Agent reported in writing that 3 bids had been received  
from T. B. Penick & Sons, Al E. Riley, Inc., John B. Henry, for improvement of Alley Block  
2 Swan's Addition.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a find-  
ing was made that bids had been publicly opened and declared; and they were referred to  
City Manager and City Attorney for report and recommendation.

The Purchasing Agent reported in writing that 6 bids had been received  
from M. H. Golden Construction Co., H. C. Dennis, R. E. Hazard Contracting Co., Sim J.  
Harris Company, Daley Corporation, Griffith Company, for improvement of Akron Street.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a find-  
ing was made that bids had been publicly opened and declared; they were referred to City  
Manager and City Attorney for report and recommendation.

The Purchasing Agent reported in writing that 5 bids had been received  
from M. H. Golden Construction Co., Griffith Company, R. E. Hazard Contracting Co., H. C.  
Dennis, Daley Corporation, for improvement of 51st Street, Polk Avenue, 52nd Street and  
Ottillie Place.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a find-  
ing was made that bids had been publicly opened and declared; and they were referred to  
City Manager and City Attorney for report and recommendation.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution  
of Intention 122704 for paving and otherwise improving Wawona Drive, the Clerk reported  
no protests had been filed.

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

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

On motion of Councilman Schneider, seconded by Councilman Wincote, pro-  
ceedings were referred to City Attorney for Resolution Ordering Work.

Meeting convened  
Invocation  
Reports on Bids  
Hearing

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution 122705 of Preliminary Determination for paving and otherwise improving Alley Block 80 Pacific Beach, Clerk reported no protests had been filed.

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

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

RESOLUTION 123250, determining that proposed improvement of Alley Block 80 Pacific Beach, Resolution 122705 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 Mayor recognized Carl Reupsch, of the Harbor Department, and asked him to present Harbor item.

Mr. Reupsch was heard in connection with letter from Harbor Commission, signed by Port Director. It states that work of restriping Lindbergh Field Runways and Taxiways can be accomplished by City Public Works Department to best advantage of the City.

RESOLUTION 123251, authorizing and empowering Director of City Public Works Department to do all work in connection with restriping Lindbergh Field Runways and Taxiways, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Mayor recognized Sherman Platt, attorney, representing San Diego County Bar Association, was heard. He said that the Association urged passage of legislation in Congress for a separate Judicial District. He reviewed the presentation which had been made by Ferd Fletcher, then president of the Bar Association, earlier. He spoke of being unable to have civil cases tried here, and told of research and work done. Mr. Platt stated that California was divided into 3 districts. He said that criminal cases in San Diego and Imperial Counties are greater than in Los Angeles, where there are 8 judges, with 1 judge here. He stated that cases are not coming to trial. He outlined reasons for number of cases, which have to do with proximity to the Border and to the presence of the military - which come under the Federal jurisdiction.

The Mayor stated that population figures of San Diego and Imperial Counties are great. He stated that the Council could direct the City Attorney to draft a Resolution in connection with the problem.

Mr. Platt stated that indices are kept in Los Angeles under the present system, and that it is necessary to go there to look at it, or to have set down. He said that in order to get a number assigned, it has to come from Los Angeles. He pointed out that Congress does not want to recommend assignment of resident judges.

Councilman Dail, who had looked at a previously-prepared Resolution, said that he finds it to be in order. He said that the Council can approve it.

Councilman Dail moved to adopt the Resolution. Motion was seconded by Councilman Kerrigan.

Councilman Schneider spoke to Mr. Platt over the effect of the Resolution.

The Mayor reviewed the proposed Resolution.

The roll was called, resulting in

RESOLUTION 123252, recommending to Congress of the United States that there be established a separate Federal Judicial District encompassing Counties of San Diego and Imperial, with 2 resident United States District Judges, including the present one resident Judge authorized therefor; endorsing, approving and urging passage of legislation now pending in the Congress of the United States designed to accomplish the purpose; authorizing and directing City Clerk to submit Resolution or appropriate parts thereof to United States Senators from California, the Judicial Committees of the Senate, the House of Representatives, Representatives in Congress from California, and such other interested Legislators, Members of Congress, officials and persons as may deem desirable or necessary, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

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Councilman Dail requested, and was granted unanimous consent to present an item, not listed. He said that gentlemen were here regarding Resolution adopted by the Council in connection with the cross-town freeway. He said that they want to see it, regarding going to Sacramento.

The Clerk sent for the Resolution adopted by the Council at an earlier meeting, and upon which there had been subsequent discussions.

(It will be shown later in these minutes, where Councilman Dail brought it up again).

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution 122706 of Preliminary Determination for paving and otherwise improving Electric Avenue, the Clerk reported no written protests had been filed.

Councilman Burgener spoke to the City Engineer regarding the Major Street Plan. No protestants were heard.

The City Engineer, looking at plans in his file, said that it is just to connect up with existing pavement. He said that this is not to enter into Major Street. He showed where it is to be paved.

Councilman Godfrey was excused

RESOLUTION 123253, determining that proposed improvement of Electric Avenue and Public Rights of Way in Lot 2 Pueblo Lot 1783, Resolution 122706 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 A.M. having arrived, time set for hearing on Resolution 122707 of Preliminary Determination 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, the Clerk reported no written protests had been filed.

The Mayor inquired if anyone was present to be heard.

J. Washington, Sr., told the Council that he was protesting, due to lack of information.

The City Engineer held a conference with the protestant.

The hearing was continued, and brought before the Council later.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution 122843 of Preliminary Determination for paving and otherwise improving Alley Block 262 Pacific Beach, the Clerk reported no written protests had been filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 123254, determining that improvement of Alleys Block 262 Pacific Beach, Resolution 122843 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 A.M. having arrived, time set for hearing on Resolution 122844 of Preliminary Determination for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street, Balboa Avenue, the Clerk reported no written protests had been filed.

The Mayor inquired if anyone was present to be heard.

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



A man whose name was understood to be Bogart or Beaugard, told the Council there is a bad situation.

The City Engineer said that improvement which was said to be lacking is included in Noyes Street - in the intersection.

Councilman Burgener said it is coming.

The protestant asked if the storm drain is coming.

The City Engineer replied "yes".

The protestant said that assessment district is inadequate; it had been cut down.

Councilman Burgener spoke of having had calls, and of advising people to come down.

The protestant asked when (apparently hearing on the Intention).

The City Engineer replied "2 months".

Marinus Petersen told the Council she was not protesting, but that she wanted to know if there were to be sidewalks. She asked about removal of curbs, which she said are good. She spoke directly to the City Engineer, then.

City Engineer said that property owners did not petition for sidewalks; curbs are to be left in; owners can put in sidewalks, or petition for them.

Councilman Burgener, and the Mayor, said that would be a separate job.

The Mayor said that it can be done as a private contract.

RESOLUTION 123255, overruling and denying verbal protest of Marinus Petersen et al against improvement of Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, Resolution 122844 of Preliminary Determination; overruling and denying other protests, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123256, determining that improvement of Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, Resolution 122844 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution 122845 of Preliminary Determination for storm drains and appurtenances in Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262, the Clerk reported no written protests.

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

David Pins said he is not protesting; Girard is 1/2 street, and is dangerous.

No protests were filed.

RESOLUTION 123257, determining that improvement of Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262 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 Burgener, adopted.

#### Councilman Godfrey returned

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2337 for paving and otherwise improving Thorn Street and Highland Avenue, the Clerk presented written appeals from Ernest E. Hayton and from Mrs. Anna B. Truitt.

The City Engineer reported 3.6% appeal: 1 regarding cut in assessment, the other which thinks split in property should be made. He said that the split has been made on the assessment roll.

E. E. Hayton, representing A. S. Hayton and J. A. Hayton, asked for a breakdown. He told of the various assessments, and it looks like assessment is too high.

The Mayor told Mr. Hayton that the letter had been reviewed.

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Willard Olson, from City Engineer's office, said that the split had been taken care of before protest was received.

Mr. Hayton said that it "seems higher".

The proceedings were held, temporarily.

The hour of 10:00 A.M. having arrived, time set for continued hearing on Assessment for storm drains in Streamview Drive, 54th Street and Public Right of Way (to be continued week-to-week until April 5),

RESOLUTION 123258, continuing hearing on Assessment 2324 made to cover costs and expenses of Storm Drains in Streamview Drive et al until 10:00 A.M., Tuesday, March 29, 1955, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, submitting Resolution accepting low bid of Sim J. Harris Company, low bid of 10 bids - \$23,435.98 - for storm drain in 47th Street and Franklin Avenue to South Chollas Creek, was presented again (having been continued from March 15, 1955).

RESOLUTION 123259, accepting bid of Sim J. Harris Company for construction of storm drain, awarding contract, authorizing and instructing City Manager to execute on behalf of The City 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 of Purchasing Agent, with City Manager's stamp of approval, submitting resolutions accepting low bids of Mission Pipe & Supply Co. @ \$5,530.00 less 1/2%; Southern Equip. & Sup. Co. @ \$1,075.10 less 1/2%; Crane Co. @ \$6,549.30 less 2% - all plus State Sales Tax - for furnishing various items of copper tubing and copper fittings - was presented.

RESOLUTION 123260, accepting bid of Southern Equipment & Supply Company for furnishing Item 4, Copper Tubing; awarding contract, authorizing and instructing City Manager to execute on behalf of The City contract pursuant to ~~plans and~~ specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123261, accepting bid of Mission Pipe and Supply Co. for furnishing Items 1, 2, 3, Copper Tubing; awarding contract, authorizing and instructing City Manager to execute on behalf of The City contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123262, accepting bid of Crane Co. for furnishing Items 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, Fittings; awarding contract, authorizing and instructing City Manager to execute on behalf of The City contract pursuant to 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, submitting resolution accepting low bid of M. H. Golden Construction Co. - \$15,311.13 - 6 bids - was presented, for Brookline Street, et al, improvement.

RESOLUTION 123263, accepting bid of M. H. Golden Construction Company for improvement of Brookline Street, Elm Street, Marilou Road; awarding contract, authorizing and instructing City Manager to execute on behalf of The City 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 City Manager's stamp of approval, submitting resolution accepting low bid of Sim J. Harris Company - \$125.00 per day - 2 bids - was presented, for rental of excavating machine for approximately 20 working days.

Hearings  
Purchasing reports  
123258 - 123263

RESOLUTION 123264, accepting bid of Sim J. Harris Company for furnishing Rental of Grade-All Excavating Machine (man-operated); awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, for furnishing City's Radio Tube Requirements for 1 year - recommending award to low bid of Shanks & Wright; 3 bids - was presented.

RESOLUTION 123265, accepting bid of Shanks & Wright for furnishing Radio Tubes; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, for South Muirlands 12" Feeder Main - recommending award to low bid of Utility Construction Company; 7 bids - was presented.

RESOLUTION 123266, accepting bid of Utility Construction Company for furnishing installation of South Muirlands 12" feeder main; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City 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 of Purchasing Agent, with City Manager's stamp of approval, for furnishing Gate Valves and Tapping Valves (for Storeroom), was presented.

RESOLUTION 123267, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Gate Valves and Tapping Valves, Document 508243, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, for furnishing 1 - 2490 K.C. Radio Transmitter, was presented.

RESOLUTION 123268, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Radio Transmitter, Document 508244, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, for furnishing Vibrating Screen Unit and appurtenances for use at Otay and Torrey Pines Filtration Plants (replacements), was presented.

RESOLUTION 123269, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Vibrating Screen Unit and appurtenances, Document 508245, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent reporting on sale of junked water meters and parts, was presented. It states that \$2,024.36 was received from Western Metal Supply Company, sole bidder; and that funds had been deposited with City Treasurer. On motion of Councilman Wincote, seconded by Councilman Burgener, it was filed.

RESOLUTION 123270, authorizing and directing Purchasing Agent to advertise

for sale and sell scrap material at Chollas Material Yard, no longer desirable for use or retention by the City; authorizing deduction of costs in connection with sale from proceeds, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next item, which had been continued from meeting of March 15, 1955, was considered:

Communication from Planning Commission, signed by P. Q. Burton, returning petition, and file, for rezoning property on Market Street between 47th Street and Euclid Avenue, was presented. It says the Planning Commission heard John O. VanKeuren explain proposed compromise re proposed rezoning portion Lot 41 Ex-Mission. It says that as Mr. Van Keuren explained, items to be done were not a compromise for reasons:

- (1) Proposal to eliminate access into Guymon St. cannot be done by rezoning because City Attorney has ruled such conditions are not proper in zoning ordinance;
- (2) Same situation applies to proposal to erect fence around property adjacent to residential areas;
- (3) Same is true of proposed landscaping along Buymon St. or Market St.; proposal to leave 10-ft space adjacent to streets is required under M-1A zoning so proposal is not a compromise.

Report says it has been policy of Commission and City Council to require subdivision of land prior to rezoning, as done on land immediately south across Market St. It says if subdivision map is submitted on the property, it must of necessity include dedication of portion to widen Guymon and dedication of Market as is proposed to be realigned under Major Street Plan. It says that if City buys land needed for Market and does not dedicate it for street purposes, petitioner would not have street frontage on Market; if City does dedicate for street purposes, then before accepted City should require some improvement by subdividing. Report says that Commission could not find there was actually any difference in situation now from meetings of January 12 and 26, 1955, and voted unanimously to deny proposed rezoning. It says Planning Commission voted 6-0 to return matters to Council reiterating former stand.

Asked by the Mayor for a verbal report, Mr. Burton identified property as being on northerly side of Market, between 47th and Euclid. He said it was recommended for denial by Planning Commission, and was referred back (by the Council). He stated there was to be additional information. He spoke of re-affirming denial, and of M-1A across the street.

Byrl Phelps, engineer, showed a map of the property sought to be re-zoned. He spoke of being "signed by property on other side". He told of adjacent property: 300 x 329 feet. He said City is proposing new highway through the property. He said he told the property owners they should reserve property for street purposes. He stated that the Property Division is willing to pay \$2,000 per acre.

Councilman Wincote asked what acreage is involved.

Mr. Phelps replied "1 acre for the road". He told of wanting to use property for contractor, whose property is in the way of the freeway. He showed photographs.

There was discussion between Councilman Dail and Mr. Phelps about a junk yard, to which Mr. Phelps referred.

Mr. Phelps spoke of going to lending institutions and learning no money would be lent for houses. He passed pictures around. He said that Planning wanted a map for subdivision. He said that owner is willing to do that. He said that Mr. Rick (Planning Director) said it was feasible. He told of proposing fences and planting, and wanting temporary road on Market Street. He said that would constitute access on the highway. Mr. Phelps identified it as being partly in canyon. He stated that even cheap houses could not go in. He said that developer would put culvert in for a yard. He said that there have been different thoughts on the part of members of the Planning staff. He spoke of having been taken care of regarding the road.

The Clerk read the report from the Planning Commission.

Mr. Burton said that plane to the east, referred to as a junk yard, in a contractor's yard. He said that moving in of another contractor's yard is not much of an asset, either.

Councilman Dail asked about use of the property.

Mr. Burton said M-1 use; by prior use. He said that surrounding property is zoned for residences, except the telephone office; telephone office is allowed in M-2. He referred to the large, existing Glendift across the line. He said that the Commission had said M should stay south of Market Street.

Councilman Schneider spoke to Mr. Burton regarding statement of lending institutions. He said that, nevertheless, there is a residential development. He told of

Burton

3 M-1 parcels zoned. Mr. Burton said that Langley Corporation uses only a portion. He Schneider said portion of other is rezoned M-1A adjacent to the railroad track, but development has not gone in. Mr. Burton said that pipe company got a rezoning, but portion was eliminated.

Councilman Wincote asked Mr. Burton if Guymon Street had been taken care of. He asked, also, if it had been agreed to by "everybody" regarding price of \$2,000. per acre.

Mr. Phelps said that Mr. Ogden agreed to it.

Councilman Wincote referred to a "good deal".

Councilman Wincote moved to overrule the Planning Commission, and grant the rezoning. Motion was seconded by Councilman Burgener.

There was discussion between Councilmen Kerrigan, Wincote and Burgener regarding access.

Councilman Godfrey said that if there are no plans for widening the street, the City better check with Bill Starke (who had objected, from time to time, regarding City buying land) regarding present land, and taking off the tax rolls of more land.

Mr. Phelps said it is a City map; is a highway.

Councilman Schneider said that if the motion carries, it would be to advantage to hold off until the City buys (land for the street).

Mr. Phelps said that the owner will file a map, and will stipulate that he will sell to the City, and will not build on the land.

The City Attorney said that the item should be referred to the Attorney for Ordinance, which he said would not go into effect until map is filed. He stated that the Council can't predicate a change of zone on a deal. Again, he asked that the subject be sent to the Attorney for an ordinance.

RESOLUTION 123271, referring to City Attorney for preparation and presentation of Ordinance to rezone portion Lot 41 Ex-Mission from R-2 to M-1A; that there shall be stipulation regarding filing of map, relative to land acquired for road, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

(Although roll was called at the end of this item, Resolution was shown here, where motion was made).

Councilman Kerrigan said that if there is a change of zone, the City cannot make requirements regarding walls, and trees. He said that he is not in favor of overriding Planning Commission regarding M-1 Zone north of Market Street.

Councilman Dail said that M-1 is there, and is in use. He said that if it is by non-conforming use, it is there. He said it is not possible to get into Glenclift; from Market Street; entrance is from 47th.

Councilman Kerrigan said that the Council should not continue to increase the existing situation. He said that E. Paul Ford (who had the contractor's yard) is dead and gone.

There was discussion between Councilmen Kerrigan and Dail.

Councilman Dail said it was 6 to 7 years ago.

The Mayor said if that is the case, it was then an illegal use. He stated that if there is a gap of 1 year in non-conforming use, it does not continue.

City Attorney DuPaul said that from his knowledge, E. Paul Ford had been there 20 years or more. He said that the court has approved a measure regarding non-conforming uses in residential areas; extensions can be given to continue, and then be terminated. He referred to having talked to Mr. Rick about presenting an ordinance on that subject, but it has not yet been done. He said that cities can eventually get occupants out, if they have non-conforming uses in residential area zone. He said that "they" can be given so many years to get out, then they can be moved out. He said that if it is charged that this is a bad case, the Council can adopt legislation to accomplish the same. He referred to a case as being 7 years, for a certain type of use.

Councilman Wincote said that it is a logical M-1A use.

The Mayor said that there is no objection to such an ordinance; the City need not be committed. He said that the Council can direct the City Attorney and Planning Director to prepare a new ordinance.

Councilman Wincote spoke of not wanting to move E. Paul Ford operation.

Councilman Dail said that most of the members of the Council were here when property was rezoned for Langley. He said that it was spot zone, and from that the M-1A was destined. He referred to little protest at the beginning, and no protests on more of the same zone. He said that the complexion has been changed, and that the area is agreeable.

Harry Haelsig, Asst. Planning Director, told the Council that he can foresee a problem. He said that subdivision ordinance requires dedication for major streets.



He said it will be a problem regarding the Tentative Map. He said it should be looked at, all at one time. He told the Council there would be several suspensions.

Mr. Phelps said that he had been working on this for 3 or 4 months, and that he will submit a map.

It was at this point that the roll was called which resulted in Resolution 123271.

RESOLUTION 123272, directing the City Attorney, the Planning Director, and City Manager to confer regarding an ordinance that would give the City the power to set a terminal date on non-conforming uses of property, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

At the request of Councilman Dail, the Council returned to the cross-town freeway item shown earlier in this meeting.

Councilman Dail said that City and interested parties are not too far apart, referring to the previously-adopted resolution. He said that there is no dispute re need for highway. He read from the resolution. Mr. Dail said that protestants would not need clearance from the Council (to appear in Sacramento). He stated that his motion in the morning (of the date Resolution 123146 had been adopted - March 15, 1955) was that the State give serious consideration to protests. If it had been heard by the State, hearing would have been held here in San Diego, Mr. Dail said. He said he requested that recognition be given to the protest. He stated that expedient approval should be given.

The Mayor said that action sympathized with merchants (in Logan Heights) but that it did not agree.

Councilman Dail read letter signed by E. E. Wallace, District Engineer, Division of Highways District XI, dated March 18, 1955. The letter refers to Council Resolution 123146 adopted March 15, 1955, and states that it had been referred to State Highway Commission with request that a place be provided on agenda of the next Commission meeting. The letter says that Mr. Wallace is in receipt of advice that Commission has reserved a place on the agenda for March 24, 1955, at 10:45 A.M., meeting to be held in Public Works Building, 1120 N Street, Sacramento. It says, also, that Logan Heights Committee has been advised through representative, Marshall Roth, and that Councilman Dail has been advised by letter.

(The Council did not take action to the letter. As a result, the Clerk added it to the file on the subject).

Councilman Dail said clearance is not needed for individuals to go up to Sacramento and protest. He said they have the right to appear, and that their anxiety should be recognized.

Councilman Godfrey said he wanted to be sure of fair treatment all the way down the line. He spoke of inclusion in motion out of deference.

Councilman Schneider said that the Commission has reserved a place, and that interested persons will be heard.

Councilman Godfrey said it would be a benefit to the whole City.

Councilman Wincote spoke of the 3-3 motion, out of which came the Resolution. He said that story of the plight should be told, but that none would be different. He said the Resolution was passed and reviewed by Mr. Fillipi. He said the Commission will give consideration.

Councilman Dail said that the Resolution did not carry out the original intent of the morning motion.

Councilman Wincote's comment was that it says exactly what the City is trying to accomplish.

Councilman Burgener wondered how strongly the Council would want to draw objections to the Commission's attention.

The Mayor said that the Commission is going to give serious attention.

Councilman Godfrey said that the Resolution states the position of the Council, and that it would be awkward if the Council says it doesn't want it. He pointed out that any protestant can be at the State hearing. He said it is not necessary to re-state the Council's position.

Councilman Dail said that the Resolution says nothing. He said that data from the Highway Commission is wanted regarding overpasses. He told of request for other

123272

Discussion, again, re cross-town freeway.



considerations. He said that the Council "has no view".

The Mayor said that the Commission will give serious consideration.

Councilman Wincote spoke of there being a degree of difference between Councilmen. He referred to having to drive 3 blocks on El Cajon Boulevard, to make a left turn.

There was discussion between Councilman Wincote and Councilman Dail regarding recognition of protest.

There was discussion between Councilman Burgener and Councilman Dail.

Councilman Dail spoke of importuning the Commission re serious consideration on the protest.

Councilman Godfrey said that it is a hearing; Councilman Dail does not have to represent Godfrey; he can represent the protestants.

Councilman Wincote said he would much prefer a block or 2 south, in the area.

Councilman Godfrey said that the Commissioners are reasonable men, and that they understand the factors. He said that Commissioners are going to consider protests fairly and reasonably.

Councilman Schneider pointed out that the Commissioners offered to have a hearing here. He said that the Council acted unanimously.

Councilman Kerrigan said that the Council substituted for the Commission; the Council held the hearing. He said that it was indicated that the Council had no objection to the general routing, except for a portion. He said that it is a regular meeting of the Commission, and that the item would come on the agenda. He reviewed the Resolution. He said that the question is only a word or two.

Councilman Godfrey asked "how many times the Council is going to re-do this thing. He said that it is fair, and complete.

Councilman Dail asked if he was to go representing the Council, or not.

Councilman Dail moved that Dail represent the Council on Thursday

Councilman Wincote moved that the City instruct Councilman Dail to attend the meeting of the Highway Commission, to bring out protests made to the Council.

Councilman Godfrey said that maybe it would be better to send the other side. He said that Councilman Dail could not represent him.

The Mayor stated that there is no motion, and he declared the floor clear.

Councilman Schneider said that the problem is known, that there may be need for overpasses or underpasses. He said that nobody should protest for the City. He said it would be a property owners' protest. He said that it should not become political.

Councilman Burgener said that 1 or 2 things can be done. He said if there is Council representation there would be 7 votes; or a written resolution which would speak for itself.

The Mayor spoke of being free to attend the meeting.

The Council returned to the hearing held earlier in the meeting on Resolution 122707 of Preliminary Determination for paving and otherwise improving 33rd Street, et al.

The Mayor asked James J. Washington, who had spoken, if he is satisfied.

Mr. Washington said no, but that he understands there is to be another hearing.

RESOLUTION 123273, overruling and denying protest of James J. Washington against improvement of 33rd Street, Durant Street, Webster Avenue, Gillette Street, Steel Street and Public Right of Way in Lot G Central Homestead, Resolution 122707 of Preliminary Determination, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION 123274, determining that improvement of 33rd Street, Durant Street, Webster Avenue, et al, Resolution 122707 of Preliminary Determination is feasible and that lands to be assessed to pay therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The Council returned to the hearing held earlier in the meeting on Resolution of Intention 118861, Assessment 2337, made to cover work of paving and otherwise improving Thorn Street and Highland Avenue.

RESOLUTION 123275, overruling and denying appeal of Mrs. Anna B. Truitt, and of Ernest E. Hayton, from Street Superintendent's Assessment 2337 made to cover costs and

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expenses of work of paving and otherwise improving Thorn Street and Highland Avenue, Resolution of Intention 118861; 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 Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lots 6, 7 and portion 8 Block "D" Garden Grove, located on east side of Cotton Street northerly of C Street near Chollas Street northerly of C Street, near Chollas View housing project, subject to 3 conditions, was presented.

RESOLUTION 123276, approving Tentative Map for resubdivision of Lots 6, 7 and portion 8 Block D Garden Grove, subject to conditions of Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of Homesites Unit 2, 53-lot resubdivision of portion Tres Lomas, was presented.

RESOLUTION 123277, suspending Sections 102.12-8 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Homesites Unit 2, 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 Homesites Unit 2, resubdivision portion Tres Lomas and portion Lot 76 Rancho de la Nacion, subject to 13 conditions, was presented.

RESOLUTION 123278, approving Tentative Map of Homesites Unit 2, subject to conditions of Resolution, 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 portion Lot "I" Block 9 Las Alturas Villa Sites #3, located on southerly side of Naranja Street easterly of Euclid Avenue, subject to 5 conditions, was presented.

RESOLUTION 123279, approving Tentative Map for division of portion Lot I Block 9 Las Alturas Villa Sites #3, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to close west 100 feet of Palm Street, between State Street and Union Street, was presented. In addition to giving a detailed report, it recommends that closing be denied.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued until Thursday, March 24, 1955.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for improvement of Morrell Street, between Grand Avenue and Pacific Beach Drive, be amended to include intersection of Morrell Street and Pacific Beach Drive, etc., was presented.

RESOLUTION 123280, adopting recommendation of City Engineer, Document 508203; recommending amendment to proceedings for improvement of Morrell Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Wm. P. Elser, president, San Diego City Civil Service Commission, reminding the Council of the joint City Council-Civil Service Commission hearing on 1955-1956 salary proposals scheduled by previous agreement for 7:00 P.M. Friday, March 25, 1955, in Council Chamber, was presented. It states that full publicity to employees was accomplished by notice which was attached. It gives a reminder of joint meeting of Council and Commission at 2:00 P.M., Thursday, April 21, 1955. Communication states that, as in the past, Mr. Elser will preside over the March 25 hearing.

Communication from DeGraff Austin, Supervisor (County of San Diego), Fourth District, dated March 17, was presented. It refers to May 18, 1954, petition signed by more than 600 residents of University Heights requesting traffic control light signal at intersection of Washington, Lincoln, and Richmond Streets, which was referred to City Manager for study and report. It reports that to date no word as to disposition has been received. (Clerk's office, A.M.W., telephoned Mr. Austin's office when information was obtained from City Manager's office re priority which has been assigned). It asks that time be set aside at March 29 meeting when representatives may discuss with the Council the growing need for the traffic control.

RESOLUTION 123281, setting hearing for 10:00 A.M., March 29, 1955, to consider petition requesting installation of traffic control light signal at intersection of Washington, Lincoln and Richmond Streets, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Edmund H. Hogan, 6165 Tooley Street, San Diego 14, dated March 15, making application for permission under Section 53.10 of San Diego Municipal Code to discharge firearms on private target range to be located at said address, was presented.

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

Communication, a copy, from Committee of Mission Beach Residents, signed by Mrs. John Merrick, Chairman, Mrs. Lynn C. Chamberlain, Harold I. Lush, Dave Walker, was presented. It has to do with proposed changes in location of roller coaster and other rides, and concessions, in the Mission Beach Amusement Center.

Mrs. Merrick had requested the Clerk's office, by telephone, to hold the item until Thursday.

The Council referred it to the City Manager, and the Council re-listed it on the Thursday agenda.

Copy of communication from Milton G. Wegforth, commodore of San Diego Yacht Club, addressed to Mayor John B. Butler, dated 17 March 1955, was presented. It tells of the Club sponsoring its 4th Annual Inter-national Power Cruiser Predicted Log Race from San Diego to Ensenada, Mexico, Saturday, July 23, 1955. It mentions previous trophies by Governor of Baja California and by Mayor of Ensenada. It says that protocol alone would require the City of San Diego to reciprocate in a like manner of presenting a trophy for the event.

Mayor Butler told of Mr. Wegforth wanting a Mayor's trophy. He said that the City can't get into the business of giving trophies. He asked that letter be referred to him for answer.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the Mayor for answer.

RESOLUTION 123282, directing Notice of Filing Assessment 2347 and of time and place of hearing, made to cover costs and expenses of paving and otherwise improving Alley Block 255 Hoel's Subdivision, Resolution of Intention 120265, was on motion of Council-

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man Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123283, approving plans, etc., and Plat 2681 showing boundaries of district to be assessed, for paving and otherwise improving Alleys Blocks 22, 23, and portion between Blocks 22 and 8 La Jolla Park, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123284, approving plans, etc., and Plat 2679 showing boundaries of district to be assessed, for paving and otherwise improving 53rd Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK 123285, for paving and otherwise improving Taft Avenue and Bellevue Avenue, Resolution of Intention 122545, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123286, for paving and otherwise improving Alley Block 113 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123287, for sewers in Inez Street and Gage Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 123288, for sewers in Shafter Street, Upshur Street, Scott Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 123289, for furnishing electric current for lighting San Diego Lighting District Number Two, for 1 year from and including July 1, 1955, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 123290, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District Number Three, for 11 months and 15 days, from and including July 16, 1955, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 123291, for furnishing electric current for lighting San Diego Lighting District Number Four, for 1 year from and including August 1, 1955, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123292 for paving and otherwise improving Alleys Blocks 22, 23, and portion between Blocks 22 and 8 La Jolla Park, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123293, for paving and otherwise improving 53rd Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION 123294, ascertaining and declaring wage scale for sewers in La Jolla Rancho Road, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123295, ascertaining and declaring wage scale for paving and otherwise improving 40th Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123296, ascertaining and declaring wage scale for paving and otherwise improving 29th Street, E Street and 28th Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123297, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 30 Park Villas, Resolution of Intention No. 120578; directing Clerk to deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123298, approving diagram of property affected or benefited by work of improvement to be done on paving Clove Street, Plum Street, Oliphant Street and Newell Street, Resolution of Intention 118395; directing Clerk to deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stated that Council granted petition for improvement of Electric Avenue, Resolution 120797, that work has been completed by private contract, and recommended rescinding Resolution, was presented.

RESOLUTION 123299 repealing Resolution 120797, and abandoning proceedings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending amending proceedings for paving and otherwise improving Gaines Street, Moore Street, Hancock Street, et al., was presented.

RESOLUTION 123300, authorizing amendment to proceedings for improvement of portions Gaines Street, Moore Street, Hancock Street, Kurtz Street, Smith Street and Jefferson Street, in accordance with recommendation of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent, with City Manager's stamp of approval, recommending 60 day extension on Griffith Company contract for paving and otherwise improving 54th Street, Blackton Drive, et al, in Balboa Vista Subdivision - completed but time required for assessment hearing and collection period - was presented.

RESOLUTION 123301, granting 30 day extension of time to Griffith Company for completion of contract for improvement of portions of 54th Street, et al, in Balboa Vista Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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Resolution, which had been continued from meeting of March 17, 1955, was presented (re-written). It has to do with proposed acquisition by Federal Government of Plancor 20 - Consolidated-Vultee Plant 2, etc.

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

Resolution authorizing and directing City Attorney to prepare or cause to be prepared legal history of The City of San Diego commencing with its organization as a Pueblo in 1934, etc., provided cost shall not exceed sum of \$5,000 per annum.

Councilman Godfrey wondered about the total figure.

City Attorney J. F. DuPaul said he had discussed with Richard Mansfield (former Evening Tribune reporter for the Civic Center), the work. He said that Asst. City Attorney Higgins had said that wage of reporters is \$113, and that Mr. Mansfield would be willing to work for \$100. per week. He said that if the Council passes the Resolution he could negotiate a contract.

Councilman Wincote moved to drop the words "per annum".

On motion of Councilman Wincote, seconded by Councilman Schneider, wording from "not exceeding....." was dropped from the Resolution.

RESOLUTION 123302, authorizing and directing City Attorney to prepare or cause to be prepared legal history of The City of San Diego commencing with its organization as a Pueblo in 1834, its change from a Mexican Pueblo to an American City in 1850, and its historical growth to date, and in this connection to employ such clerical and editorial assistance as may be necessary, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted. The final motion was for "not to exceed \$5,000.00".

RESOLUTION 123303, 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 Grape and Hawthorn Streets; establishing parking meter zone; directing City Manager to cause parking meters to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123304, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Silverado Street between Herschel Avenue and Ivanhoe Avenue; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123305, authorizing City Manager to employ H. C. Dennis to remove existing paving and resurface Alleghany Street at intersections where dangerous conditions exist, and install gutter; cost not to exceed \$604.20, payable from Ordinance 5341 (New Series), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

(In connection with 1911 Street Improvement Act proceeding for improving Alleghany Street.

RESOLUTION 123306, authorizing and empowering City Manager to do all work in connection with installation of storm drain in La Jolla Shores Drive, to replace inadequate and deteriorated drain near same location, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123307, authorizing and empowering City Manager to enter into

contract for and on behalf of The City of San Diego with Donald F. Morrison and Margaret E. Morrison, 5052 Pirotte Drive, San Diego 5, subdividers of Euclid View Annex, providing for installation of mains and appurtenances larger than necessary for subdivision, to be made at request of City, and for reimbursement by City to subdividers of sum of \$655.78 for difference in cost of installation of mains larger than necessary for subdivision but required by City, upon execution and delivery to City of Quitclaim Deed conveying all of right, title and interest of subdividers in and to water distribution system in Euclid View Annex Subdivision, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Resolution authorizing and empowering City Manager to execute for and on behalf of The City, contract with United States of America Public Housing Administration Supplement No. 1 of Contract for Bailment, contract filed in office of City Clerk as Document 477604, extending contract for Bailment for period commencing July 1, 1954 and terminating June 30, 1955, involving personal property in Linda Vista Community Center Building, more particular description and terms set forth in form filed in office of City Clerk, was continued 1 week - to March 29, 1955 - on motion of Councilman Wincote, seconded by Councilman Schneider.

RESOLUTION 123308, authorizing and empowering City Manager to execute, for and on behalf of The City, lease with R. C. Bradley of portion of Balboa Park lying westerly of Park Boulevard, northerly of Date Street Drive and easterly of Balboa Bowl Drive, shown on City of San Diego Property Department Map 154 for 5 years at \$250. per month, for operation and maintenance of public riding academy, club headquarters and boarding of horses (Silvergate Riding Club), etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123309, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Irving Louis Pressman and Hilda Lucille Pressman, of 11.05 acres in Section 31 Township 12 South Range 1 West, south and west of County Road Route 15 Division 1, for 10 years at monthly rental of \$70.00, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. (Land is between Escondido and Ramona).

RESOLUTION 123310, granting request of Griffith Company, dated March 4, 1955, contained in Change Order 1 for extension of 60 days to and including May 10, 1955, filed with City Clerk, to complete contract for improvement of Soto Street and Castelar Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123311, approving Change Orders 5, 6, 7 issued in connection with contract between The City and Fred J. Early, Jr. Co., Inc. for alterations to Sewage Treatment Plant; changes amounting to \$2259. increase, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123312, granting revocable permit to Melvin D. Miller, 2172-1/2 Felspar Street: Lots 23, 23, 25, 26 Block 178 Pacific Beach, to install and maintain retaining wall, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123313, granting additional 20 days to A. J. Newman, Manager of Coast Furniture Co., conducting "going-out-of-business" sale at 4025 Pacific Highway, terminating April 2, 1955, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



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RESOLUTION 123314, granting permission to Pioneer Women, Negba Club, to conduct ribbon tag sale on public sidewalks in Downtown area, North Park and 49th Street and El Cajon Boulevard, Monday, May 16, 1955, for raising funds for Child Rescue Fund of Israel, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123315, granting revocable permit to H. E. West and Gladys B. West, 2425 Bancroft Street, to install and maintain 4" cast iron sewer line, parallel with Herbert Street for 90 feet between sidewalk and curb, and 40 feet west in alley to City Line: Lots 6, 7, 8 Block 237 University Heights, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123316, authorizing Battalion Chief G. E. Brown, of the Fire Department, to attend Oil Fire Control School to be held at Bakersfield, California, March 24 through March 26, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123317, denying claim of Henry R. Malowney, Document 507789, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123318, allowing bill of San Diego Convention and Tourist Bureau, date March 15, 1955, \$3,166.18 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1954-1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 123319, accepting quitclaim deed of Donald F. Morrison and Margaret E. Morrison, March 10, 1955, to all water mains and appurtenant structures constructed for its use, located in public streets, within or without Euclid View Annex; 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 Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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 Council prior to day of final passage written or printed copy.

ORDINANCE 6453, amending Chapter IV of San Diego Municipal Code by amending Section 41.07.2 and by adding to Article 2 Chapter IV Sections 42.0127, 42.0127.1 to 42.0127.6 inclusive, 42.0128 and 42.0128.1 to 42.0128.6 inclusive, Regulating Food and Liquid Vending Machines, 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--None. Absent--Councilman Dail.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 6454, approving annexation to The City of San Diego of uninhabited territory in County of San Diego of San Diego, State of California, known and designated as "Western Salt Company Tract", was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Wincote, Burgener, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

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

ORDINANCE 6455 (New Series), amending Chapter IX Article 1 of San Diego Municipal Code by adding Section 91.03 establishing a Board of Appeals, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilman Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

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

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

ORDINANCE 6456 (New Series), appropriating \$16,850. from Capital Outlay Fund, for improvement of Brookline Street, from Elm Street to Marilou Road; Elm Street, from Brooklin Street to Tilden Street; Marilou Road, from 48th Street to Brookline Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by 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, next ordinance was introduced.

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

ORDINANCE 6457 (New Series), establishing grade of Frost Street between line parallel to and distant 50.00 feet easterly of easterly line of U. S. Highway 395 and line parallel to and distant 274.71 feet westerly of east line of Pueblo Lot 1202, 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.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance incorporating portions of Pueblo Lots 1100 and 1101, portions of Blocks 356, 357, 358, 386 and 387 Old Town, portions of Silver Terrace, and J. P. Jones Subdivision, into C-1A and M-1A Zones, and repealing Ordinance 1947 N.S. insofar as it conflicts, ~~was on motion of Councilman Burgener, seconded by Councilman Wincote~~ was introduced, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

Communication from Les Cassie, president, San Diego Youth Baseball Council, 4717 Austin Drive, was presented under unanimous consent granted to Councilman Kerrigan.

In addition to giving a detailed report of boys' activity, and what has gone into the situation, it tells of being granted permission to erect ball fields on location of KCBQ transmitters. It asks for approval of the City Council re hookup.

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

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

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

RESOLUTION 123320, suspending Sections 102.07-6 and 102.17-c of San Diego

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Municipal Code, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map, Lots 7 & 8 Block 4 Golden Park, subject to 4 conditions, was presented.

RESOLUTION 123321, approving Tentative Map of Golden Park, Lots 7 and 8 Block, subject to conditions of Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Councilman Wincote requested, and was granted unanimous consent to bring up the next matter not listed on the agenda. He wondered if it was the Council's plan to act on the Clairemont Medical Center (zone change or variance) which had been before the Council today.

The Mayor replied that the Council is to act April 7.

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

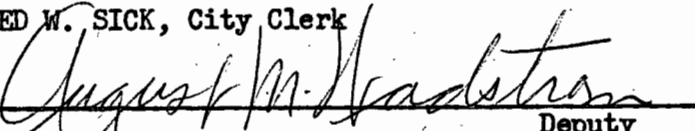
RESOLUTION 123322, opposing The Upper Colorado River Basin Projects as proposed in S. 500 and H.R. 270 and the Fryingpan-Arkansas Project as proposed in S. 300 and H. R. 412, now pending in Congress, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

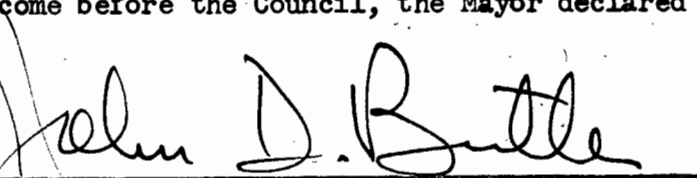
There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:55 A.M.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of The City of San Diego, California

Communication  
123221 by U.C. - also 123222 by U.C.  
Discussion re zoning in Clairemont #7 under U.C.

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, March 24, 1955

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

The next item was taken up out of order, at the request of the Mayor, to accommodate a large group present.

It was a proposed Resolution authorizing and empowering the City Manager to execute, for and on behalf of the City, lease with Girl Scout Council of San Diego County Inc., for portion of Balboa Park located at Upas and Richmond, for 50 years at annual rental of \$1.00 for operation of Girl Scout Headquarters.

The Mayor said that Girl Scout representatives, accompanied by LeRoy Wright, were here. He spoke of there having been request (from another organization) for a brief continuance. He said that the Boy Scouts - who now lease property from the City for headquarters in Balboa Park - want to make a proposal.

LeRoy Wright II, appeared. He mentioned the reason for the requested continuance. He said that the Girl Scout Council had made approaches to the Boy Scouts, but that there had been no interest expressed. He told the Council that when the matter came before Park Commission there was opposition by the Boy Scouts.

Councilman Godfrey spoke of not having seen the Commission, and asked what the proposal is.

The City Manager said that 6 months ago Girl Scouts requested authorization for a new building in Pepper Grove, where now located, that the Park Commission requested relocation to another site, on account of proposed relocation of Balboa Park. He said that would be between the Boy Scout area and Richmond. He stated that the Girl Scouts and the Park Commission approved, but that the Boy Scouts had said there might be a conflict on account of being so close together. He said he had the impression that had not been revoked. He said that Boy Scouts had been asked to write a letter. City Manager Campbell told the Council that he does not know the basis of the question, and that the basis may have been misunderstood. He said that the Boy Scouts wanted the item continued until Tuesday.

Councilman Wincote entered

Mayor Butler said that the Boy Scouts have a question, and that a short delay is indicated.

Councilman Godfrey stated that he has a high regard for the Boy Scouts and for the Girl Scouts. He told of another responsible organization wanting to build on the same location sought by the Girl Scouts, but that was denied. He reminded the Council that there can be a substantial protest from residents regarding the concentration in the neighborhood.

Councilman Godfrey said that people live there; there is the Roosevelt High school; at times there are tremendous numbers of young people.

The Mayor asked for continuance until Tuesday.

Councilman Godfrey suggested that Council discussion decisions be not final until ready "to go into reverse". He spoke of problem regarding being in a residential area.

Councilman Schneider asked about being happy over the movement (of the road, and of the Girl Scout Headquarters). He said that if not happy, decision of Park Commission should be weighed.

The Mayor stated that there is not a full report.

Mr. Wright said that Mrs. Goodrich, president of the Girl Scouts is here, but cannot be here at the later date.

Mrs. Goodrich told the Council of being happy to be on the petitioning side.

Girl Scouts, in Balboa  
Park, out of order.

3/24/55

She referred to the Girl Scouts being the larger of the 2 groups in discussion. She told of petition originating with the Community Welfare Council, and that it is a matter of public notice. She told of need for room. Mrs. Goodrich said petition was made at the present site, and of being happy where the Girl Scouts are. She told of being cooperative, although having resisted at first to the proposed moving. She said that an early decision would be appreciated.

Councilman Schneider told of wanting to know of the Park master plan. Mrs. Goodrich said that the straightening of Park Boulevard would go through the Girl Scouts office.

Councilman Wincote told of knowing of no plan.

Councilman Schneider said that "the Council is the court of last resort".

The City Manager and Councilman Godfrey spoke of getting a lucky break.

On motion of Councilman Godfrey the item was continued until Tuesday, and the City Manager directed to provide a report. Motion was seconded by Councilman Schneider.

The Mayor stated that he will have Park and Recreation Director Calland here.

The Clerk's Office, A.M.W., telephoned to the Mayor's Office and the City Manager's office were called by telephone as reminders.

The next item was taken up out of order, at the request of the Mayor. The Mayor said that Charles K. Fletcher was here to be heard on the next matter.

It was an ordinance appropriating \$8,000. from Unappropriated Balance Fund and transferring it to Health Department Fund.

Councilman Godfrey said that after Gahan left his (Mr. Gahan's) imagination began to work. He said he had a report from a good source that the place was on fire.

Mr. Friday, who had spoken to the Council previously re "build San Diego better", said that when Mr. Gahan was present he asked if the Apartment House Association knew of the plan. He told of having taken it up with the Apartment House Association and the Real Estate Board, but decision could not be made until a plan was made. He said that it is a personal issue; that Mr. Gahan is vindictive, and an obstructionist. He read from Board of Directors minutes regarding Build America Better. He told about there being nothing to argue about.

Mr. Fletcher stated to the Council that it is the Denver plan, and of agreeing with the plan. He told of cutting down the requested cost, and of having decided to go ahead.

Councilman Wincote spoke to Mr. Fletcher regarding plan making work mandatory where they are found to be sub-standard. He said that it would not be mandatory, except where health and safety were involved.

Mr. Fletcher said that enforcement policy would not be extended.

Councilman Schneider spoke to Mr. Fletcher regarding Fire and Health Departments carrying out regulations.

Councilman Wincote spoke to Mr. Fletcher about thousands of houses being not up to standards.

Councilman Burgener said that it is a step forward.

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 votes of the Council. A written or printed copy was available for consideration of each member of the Council prior to day of passage.

ORDINANCE 6458 (New Series), appropriating \$8,000.00 from Unappropriated Balance Fund, and transferring same to Health Department Fund (Department 19.00), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

Joseph Gahan, about whom comments had been made during the preceding item, appeared. He told the Council that he is now in favor of the "deal", regarding apartment houses. He told of having talked to Dr. Askew, the Public Health Director, who explained it to him. He stated that he was not being antagonistic.

The hearing, set as item 1 on the agenda, and which had been continued from time to time from last December, re request of Chiropractic profession for permission to make physical examinations required by Food Handlers' Ordinance, Francis Maher, attorney, told the Council that members had received a letter from him regarding business and professional code. He contended that chiropractors should be permitted to make the examinations. He told of wanting everyone to have an opportunity to go into it. He read a statement, not filed with the Council. He told of there being some chiropractors in the health situation, officially. He said that chiropractors have made great steps forward. He said that many laws are similar to doctors, for several life insurance companies and wherever medical certificates are required. He said that chiropractors are accepted by many, and that many accept their certificates.

Councilman Wincote (an insurance man) said he knows of only 1 company that goes through M.D.'s, Osteopaths, Chiropractors and Christian Science practitioners.

Mr. Maher told of the several deductions which are authorized - the same as for the medical men. He said that several have included chiropractors, and that there are chiropractors in the army. He said that when he went into the Army he had to have another trade; not a lawyer. He stated that chiropractors have the right to sign death certificates. He said that workmens' compensation law comes under such provisions, and that the Attorney General says they have the right to take blood. He expressed a difference between diagnosis and treatment. Mr. Maher said that the chiropractors are interested only in the diagnostic processes. He told about chiropractors being permitted in schools to sign certificates to excuse children from physical training. He spoke of dealing with things up in the air regarding sufficient education. He stated that M.D.'s will never admit that chiropractors have sufficient education; because they don't believe in chiropractors. He said that Askew has said that chiropractors had a pretty general right to diagnose, but that they could not treat, and that he is biased. Mr. Maher stated that there is a phase for chiropractors and M.D.'s where they are not in the way of each other. He spoke of being unfair to let one go out and practice on communicable disease, and then go out again. He said that chiropractors believe in theory, but that there is juxtaposition of the back bone. He said that article left by Dr. Christy was not questioned. He said that many big men use chiropractors for diseases and treatments. He said that chiropractors also send patients to M.D.'s. Mr. Maher contended that they don't want to practice medicine. He said that they don't want to take the same examination.

Councilman Wincote stated that the evidence is damaging.

Mr. Maher said that chiropractors don't want to be M.D.'s. He said that they have more education on some phases than M.D.'s. He stated that they do not study materia medica. He said that chiropractors don't want to write out prescriptions. He told of various treatments, and said that chiropractors do not treat by chemicals. He said that they "study other stuff better". He said that it again becomes involved in what is important. Mr. Maher said he has not seen the form of statement in the certificate. He said that it is not necessary to believe in the form of treatment; it is just diagnosis. He said that chiropractors have had many wonderful cases cured, where M.D.'s have given up. He told of having made offer to Board of Health to go up and examine school in Los Angeles, but that no one has accepted.

Councilman Kerrigan was excused

Mr. Maher spoke of just getting the medical board re-iteration of its stand. He told of the City having gone several months without food handlers' ordinance, and of there having been no serious outbreaks. He said, again, that they do not want to practice medicine.

Councilman Kerrigan returned.

Mr. Maher said that it is just progress.

The Clerk went out to get the ordinance for Councilman Wincote.

Mr. Maher said that the same is wanted, regarding adjunct to public health. He contended that the medical profession had trouble in the beginning, and that the chiropractors are having the same. He said that the medical profession opposes outside ideas. He said that Sister Kenny, but that her methods have not been accepted. He said it is not a new principle; it was used thousands of years ago.

Councilman Schneider spoke to Mr. Maher about training. He spoke about the Council being justified in putting in the ordinance permission for chiropractors to make tests.



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Mr. Maher maintained that the medical profession can't prove that chiropractors are not qualified, by education. He said that there are not epidemics on account of chiropractors practicing. He said that chiropractors would bar M.D.'s from going to their schools and teach. He said education is along similar lines.

Councilman Burgener spoke to Mr. Maher about there being no further continuance in the many-times continued hearings. He spoke of having been appointed to represent the City Council on the Board of Health. He stated that he had approached his position on the board objectively, and regarding qualifications of chiropractors. He stated that he purposely did not talk to any M.D.'s about the problem. He said that he had found that standards had been raised. He said that he found, also, that the practice of chiropractic is in relation to the nervous system. Mr. Burgener stated that the record bears that out. He stated that chiropractors have reported almost no communicable diseases. He spoke about their not having convinced selves about being qualified to recognize them.

Councilman Burgener moved to deny the request. Motion was seconded by Councilman Godfrey.

Mr. Maher spoke of having had Dr. Askew here regarding reports on communicable diseases. He said that reports made are by telephone.

Councilman Godfrey asked Mr. Maher if he thinks the Health Department does not have a record of communicable diseases.

There was a discussion between Councilman Godfrey and Mr. Maher regarding the Health Department's records.

There was discussion between Councilman Burgener and Mr. Maher over being primarily concerned with communicable diseases.

A man, who was identified later, when asked by the Mayor, stated that he was Dr. Sakarle. He stated that a cold is a communicable disease.

Councilman Wincote spoke to Mr. Maher and Dr. Sakarle about handling and treating communicable diseases.

Dr. Sakarle said that it would take several hours to explain.

There was discussion between Councilman Wincote and Dr. Sakarle.

Councilman Wincote said that Dr. Askew is adamant in not wanting to include chiropractors. He spoke to Dr. Sakarle regarding venereal diseases, specifically.

Dr. Sakarle spoke about gonorrhea and syphilis. He said that the doctor does not make the blood test; he just makes the smear.

Councilman Wincote asked if chiropractors turn such cases over to M.D.'s.

Dr. Sakarle said that they are turned over, and so is surgery.

Councilman Schneider said that tests are turned over to laboratories. He said that food handlers come under tests for communicable diseases. He spoke of being able to get diseases within a few hours of having received a food handler's certificate. He stated that individuals, in such cases, would be sent to M.D.'s regarding recognizable diseases.

Councilman Godfrey stated that what is being heard today is a re-hash of what had been heard several times before. He stated that he has many good friends who are chiropractors. He declared that they have a useful place in our society, but that they have limitations. He said that nothing new is being offered; the Council could stay until 4:00 o'clock listening to this same discussion.

Councilman Kerrigan asked about the personnel of the Health Board, and if they are all doctors.

Councilman Burgener and Councilman Godfrey both said no; only 2 are.

Councilman Godfrey said that there are 3 lay persons, 2 doctors, and a Supervisors' and Council's representatives.

Councilman Kerrigan asked if the action was unanimous not to change the present regulations.

Councilman Godfrey (who was formerly on the Board of Health) said "yes".

There was continued discussion between various Councilmen, Mr. Maher and Dr. Sakarle.

Dr. Sakarle spoke of the insane, the homicidal, which chiropractors can recognize. He said that chiropractors can and do recognize communicable diseases.

Councilman Wincote said that timing is bad, as he had said in other hearings. He said that the Health Board was unanimous to deny the request. He said he felt it would be smart to withdraw the request.

Councilman Schneider said it is agreed that there is a divergence between chiropractors and M.D.'s. He said that chiropractors have proved that they can accomplish 4 things required. He said that question is that they can and do, and that they have legal rights.

Motion was called to deny the request, and to file the various papers.

Roll call was: Yeas-Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays-Councilman Schneider. Absent-Councilman Dail, on Resolution 123323.

Hearing on appeal of Myrtle W. Curry - Resolution 123324 - shown at end.

The Mayor left the meeting

Vice Mayor Wincote acted in his place as presiding officer

RESOLUTION 123325, referring to Council Conference the basic uses in R-4 Zones, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for construction of Sanitary Sewer Main and Water Main to serve California National Guard Armory in P.L. 1203 - 7 bids - recommending award to Schafer & Stowers, low bidder, \$11,479.50, was presented.

RESOLUTION 123326, accepting bid of Schafer & Stowers for construction of sanitary main and water main, awarding contract, authorizing and instructing City Manager to enter into and execute same 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 Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for rehabilitation of deck of Ventura Bridge, Mission Bay - 5 bids - recommending award to Callahan Brothers, low bidder, \$29,221.00, was presented.

RESOLUTION 123327, accepting bid of Callahan Brothers for rehabilitation of deck of Ventura Bridge, awarding contract, authorizing and instructing City Manager to enter into and execute same on behalf of The City of San Diego pursuant to plans and specifications on file in office of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123328, authorizing and directing Purchasing Agent to advertise for sale and sell buildings:

Building 5110 - Foster Hotel Building, below San Vicente Dam;

Building 4005 - House located at Torrey Pines Filter Plant;

Building 4010 - house located at Torrey Pines Reservoir (with adjoining garage and shed)

One-story frame bungalow located at 3735 Morena Boulevard, four rooms and bath, approximately 40 years of age, and containing 588 square feet of floor space; to be removed;

no longer needed for City Purchases; directing that all expenses in connection with sale of the buildings shall be deducted from proceeds, 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 re Tentative Map of Conrad Terrace Annex, 4-lot subdivision located northeasterly of intersection of Federal Boulevard and College Avenue, was presented.

RESOLUTION 123329, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Conrad Terrace Annex, 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 Conrad Terrace Annex, 4-lot subdivision of portions Lot "A" and Lot 87 Conrad Terrace Unit 1, subject to 7 conditions, was presented.

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RESOLUTION 123330, approving Tentative Map of Conrad Terrace Annex, 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 of Municipal Code in connection with tentative map of Kozy Heights, a 4-lot subdivision of portion Block 4, was presented.

RESOLUTION 123331, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Kozy Heights, was on motion of Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Kozy Heights, subject to 8 conditions, was presented. It identified property as being located on 60th Street and Iona Drive, northerly of Brooklyn Avenue in Encanto area. It says 60th Street is improved with sewer and water mains and 30-foot strip of concrete paving; Iona Drive is being improved under 1911 Act proceeding.

RESOLUTION 123332, approving Tentative Map of Kozy Heights, 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 of Municipal Code in connection with Tentative Map of Block 13 Leavitt's Addition, was presented.

RESOLUTION 123333, suspending Sections 102.12-1, 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map for redivision of Block 13 Leavitt's 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 for redivision of portion of Block 13 Leavitt's Addition, into parcel 100 ft. x 274 ft, immediately east of property south of Camp Callan which City is proposing to sell in next few weeks and will front on proposed La Jolla Scenic Drive, was presented.

RESOLUTION 123334, approving Tentative Map of Block 13 Leavitt's Addition, 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 Minute Manor, 1-lot subdivision of portion Lot 9 La Mesa Colony, was presented.

RESOLUTION 123335, suspending Section 102.17-c of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan,

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Minute Manor, 1-lot subdivision of portion Lot 9 La Mesa Colony, on northerly side of Acorn Street, easterly of 62nd Street, proposed for church site, was presented. It specifies 10 conditions.

RESOLUTION 123336, approving Tentative Map of Minute Manor, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Attorney J. F. DuPaul told the Council that the Final Map of Allied Gardens may be approved.

Communication from Harry C. Haelsig, Asst. Planning Director, for Planning Commission, recommending approval of Final Map of Allied Gardens Addition, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 123337, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Walk Corporation, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Allied Gardens; directing City Engineer to present ordinance establishing official grade of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123338, adopting map of Allied Gardens Addition Subdivision, being subdivision of all Lot 131 and all portions of Lot 105 of Allied Gardens Unit 1; parcel marked "Reserved for Future Street" lying between Lots 143 and 144 Allied Gardens Unit 2; accepting on behalf of the public streets and unnamed easements shown as Elsa Road, Fenimore Way and unnamed easements shown thereon for public purposes; declaring them to be public streets and unnamed easements and dedicated to public use; authorizing and directing Clerk of City of San Diego to endorse upon map, as and for act of the Council that they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item had been continued from the meeting of March 22, 1955.

Communication from Street Superintendent recommending denial of petition to close westerly 100 feet of Palm Street, between State Street and Union Street, was presented.

On motion the communication, accompanied by petition with photographs attached, was continued until Thursday, March 31, 1955 - motion of Councilman Schneider, seconded by Councilman Kerrigan.

Continued communication from Committee of Mission Beach residents relative to proposed changes in location of roller coaster and other rides and concessions in Mission Beach Amusement Center, was presented.

RESOLUTION 123339, referring to Council Conference communication from Committee of Mission Beach Residents, on proposed changes in location of roller coaster, and other thrill rides, and concessions in Mission Beach Amusement Center, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Fred W. Sick, secretary, City Employees' Retirement System, advising the Council that 5 year term of Howard Ritter, banker member of Board of Administration of City Employees' Retirement System, will expire March 23, 1955, was presented. It says Charter provides that an officer of a local bank be appointed to fill vacancy.

RESOLUTION 123340, referring to Council Conference communication re expiration of term of Howard Ritter as banker member of Board of Administration of City Employees' Retirement System, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from San Diego Police Relief Association, Inc., signed by John P. White, chairman, dated March 21, 1955, was presented. It says that in past years the Council has arranged for Police Department to use Mission Beach Ballroom for San Diego Police Relief Association's Annual Ball. It requests like use of the ballroom May 7, 1955.

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

Communication from Central Community Hospital, 410 Elm Street, San Diego 1, dated March 18, 1955, signed by Clyde L. Walker, Mgr., was presented. It calls attention to condition of sidewalk at 1831 4th Ave., in need of repair.

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

Communication from Executive Board and membership of La Jolla Junior-Senior High School Parent-Teachers Association, signed by Mrs. Enid Hinds, secretary, was presented. The communication, dated March 22, 1955, calls attention and protests against an action about to be taken by the City of San Diego "which we believe is against the best interests of the City, and more especially the children and youth of La Jolla". It has to do with "drastic changes" in the La Jolla Community Playground.

RESOLUTION 123341, referring to Council Conference communication from La Jolla High School PTA; requesting City Manager to make report to Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Lomita Village Civic Association, signed by Robert Roark, chairman, 8160 Guatay St., San Diego 14, dated March 18, was presented. It mentions hope to work closely with existing agencies and solicits cooperation and support of San Diego City Council.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the Mayor for reply on behalf of the Council, with direction that it be filed following reply, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123342, endorsing program and giving support to Seventh Annual Institute on Government, sponsored by public employee groups in San Diego area, to be held in Conference Building, Balboa Park, Friday, April 22, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123343, authorizing City Manager to employ R. E. Hazard Contracting Co. to replace curb and sidewalk in easterly half of intersection of Dwight Street and Nile Street, and to replace necessary paving, shown on Drawing 11504-L, not to exceed \$95.57 from funds appropriated by Ordinance 5341 (New Series) - in connection with 1911 Street Improvement Act proceeding contract - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123344, authorizing City Manager to employ R. E. Hazard Contracting Co. to replace curbs, sidewalks and paving at intersection of La Jolla Hermosa Avenue and Via Del Norte, and resurface existing pavement near Mira Monte Plaza, shown on Drawing 2272-D, not to exceed \$228.30 from funds appropriated by Ordinance 5341 (New Series) - in connection with 1911 Street Improvement Act proceeding contract - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123345, authorizing and empowering City Manager to do all work in connection with installation of main police transmitter at Fire Alarm Station in Balboa Park, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123346, authorizing and empowering City Manager to do all work in

connection with making necessary water connections, installations of valves, and necessary sterilization, in connection with installation of small water main replacements, Group 19, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123347, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with De Falco's Market Company, owner and operator of DeFalco's Market, 3015 Clairemont Drive, San Diego 17, for collection of water bills of The City of San Diego; wherein and whereby collection agency agrees to collect and receive payment of City water bills in behalf of City and issue receipts for payments, and City agrees to pay collection agency 6.8¢ per bill collected, agreement to take effect as of 1st day of April, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123348, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, agreement with County of San Diego entitled "Second Supplemental Agreement to Basic Agreement for Public Health Service to be furnished by County to The City of San Diego", form of agreement 508664, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123349, authorizing and directing Mayor to execute for and on behalf of The City of San Diego, name of City of San Diego on certificate of ownership on Final Map of Linda Vista Unit 5, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123350, authorizing and directing Mayor to execute for and on behalf of The City of San Diego, name of City of San Diego on certificate of ownership on Final Map of Linda Vista Unit 7, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123351, authorizing and directing San Diego Gas & Electric Company to install 6 6000 lumen overhead street lights, and 1 10,000 lumen center suspension overhead street light, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123352, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against lots in Block 13 American 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 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 Godfrey, adopted.

RESOLUTION 123353, approving Change and Extra Work Order 1 dated March 14, 1955, Document 508580, issued in connection with contract between The City of San Diego and Raymond D. Haas for construction of Harbor Service Building, Shelter Island, contract contained in Document 506596; changes amounting to increase of \$710.00, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.



RESOLUTION 123354, approving change and extra work order 1 dated March 14, 1955, Document 508582, issued in connection with contract between The City of San Diego and Raymond D. Haas for construction of Launching Ramp Control Building on Shelter Island, contract Document 505623, changes amounting to increase in contract price of \$59.00, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 123355, approving change order 2 dated March 9, 1955, Document 508584, 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; increase in contract of approximately \$464.76, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 123356, denying claim of Ray R. Daenitz and Sylvia E. Daenitz, Document 501252, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next item, Councilman Schneider asked what it was.

The City Manager read a report.

RESOLUTION 123357, 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 Gas and Electric Company all its interest in Lot 101 El Cajon Valley Company's Lands heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to deliver the deed to Property Supervisor with instruction that same be delivered to Grantee upon receipt by City of deed conveying property as required by the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123358, 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 D. J. Sass portions of Lots 11 to 20 inclusive Block 113 Choate's Addition; 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 the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123359, accepting subordination agreement, executed by Central Federal Savings and Loan Association, beneficiaries, and Security Title Insurance Company, trustees, bearing date March 9, 1955, subordinating all right, title and interest in and to portion Lot 50 Ex-Mission Lands of San Diego, to right of way and easement for storm drain heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123360, accepting deed of Louise M. Richardson, dated March 15, 1955, conveying portion Lot 2 Pueblo Lot 1209; setting aside and dedicating land to public use 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123361, accepting deed of Edward J. O'Connor and Virginia O'Connor, dated March 11, 1955, conveying Lots 24 to 29 inclusive Block 13 American Park Addition; setting aside land to public use 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 Kerrigan, adopted.

RESOLUTION 123362, accepting deed of Paul K. Clyburn and Llewellyn Tromley Clyburn, January 4, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, adopted.

RESOLUTION 123363, accepting deed of Day and Night Plumbing and Heating Company, January 14, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, adopted.

RESOLUTION 123364, accepting deed of Morris Hoffman, January 5, 1955, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 104; 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 Kerrigan, adopted.

RESOLUTION 123365, accepting deed of Valley Coleman and Juanita Coleman, February 28, 1955, conveying easement and right of way for storm drain purposes in portion Lot 51 Ex-Mission; 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 Kerrigan, adopted.

RESOLUTION 123366, accepting deed of Elmer R. Holtgren and Rosine E. Holtgren, March 17, 1955, conveying easement and right of way for storm drain purposes in portion Lot 320 Talmadge Park Unit 2; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123367, accepting deed of Curtis Howell and Lula Mae Howell, March 1, 1955, conveying easement and right of way for storm drain purposes in portion Lot 51 Ex-Mission Lands; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123368, accepting deed of Prentice Jones and Emma Lee Jones, February 28, 1955, conveying easement and right of way for storm drain purposes in portion Lot 51 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123369, accepting deed of B. La Voice, March 7, 1955, conveying easement and right of way for storm drain in portion Lot 50 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

3/24/55

RESOLUTION 123370, accepting deed of J. P. Mulhall and Irene A. Mulhall, March 1, 1955, conveying easement and right of way for storm drain in portion Lot 51 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123371, accepting deed of William P. Odom and Ruth C. Odom, March 16, 1955, conveying easement and right of way for storm drain in portion Parcel "00" 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123372, accepting deed of E. E. Perry, E. Gordon Perry, Ada Lorraine Perry and Athlone Maude Perry, March 18, 1955, conveying easement and right of way for storm drain in portion Lot 42 Horton's Purchase of Ex-Mission Lands; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123373, accepting deed of Robert E. Ryan and Marie J. Ryan, March 17, 1955, conveying easement and right of way for storm drain purposes in portion Lots 30, 31, 32 Block 241 Block 241 University Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123374, accepting deed of James E. Sullivan and Dessie M. Sullivan, February 28, 1955, conveying easement and right of way for storm drain in portion Lots 4 and 5 Block 2 Homedale; 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 Kerrigan, adopted.

RESOLUTION 123375, accepting deed of Harvey Tribble and Clareatta Tribble, February 21, 1955, conveying easement and right of way for storm drain purposes in portion Lot 10 Block 2 Homedale; 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 Kerrigan, adopted.

RESOLUTION 123376, accepting deed of Arthur R. White and Lillian M. White, March 7, 1955, conveying easement and right of way for storm drain purposes in portion Lot 50 Ex-Mission Lands; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 6459 (New Series), approving and adopting proposed Amendment of Section 4 of Rule II of Rules of Civil Service Commission of The City of San Diego (Age Requirements), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey.

3/24/55

Nays-None. Absent--Councilman Dail, Mayor Butler.

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

ORDINANCE 6460 (New Series), dedicating portions of unnumbered lots in Block 292 Seaman and Choates Addition for and naming Gregory Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays-None. Absent--Councilman Dail, Mayor Butler.

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

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

ORDINANCE 6461 (New Series), appropriating \$12,650. from Capital Outlay Fund for providing funds for construction of sanitary sewer main and water main to serve California National Guard Armory in Pueblo Lot 1203, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays-None. Absent--Councilman Dail, Mayor Butler.

Vice Mayor Wincote requested and was granted unanimous consent to present the matter of City property leased by the Big Sister League, which is in the path of proposed freeway.

The City Manager told the Council that it would mean "replacement", and that it can be worked out with the State.

City Attorney J. F. DuPaul said that it should be referred to the City Manager.

RESOLUTION 123377, referring to City Manager the City property leased by the Big Sister League, which is in the path of proposed freeway, for making a determination with the State of California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Several items were discussed, apparently as "Conference" items. Although record was made, they are not made a part of these minutes inasmuch as they were not considered to be regular Council actions.

The next item, considered at the beginning of the meeting, is shown here. The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of Myrtle W. Curry from Board of Zoning Adjustment decision denying request of Myrtle and William L. Curry to operate beauty shop in existing garage, rear of 1423 Felspar Street, entrance from Alley, maximum of 24 hours per week, no signs; Lots 6 and 7 Block 200 Pacific Beach; Finding of Facts was presented and read.

D. E. South, Zoning Administrator, told the Council that property is in Zone R-4. He showed members of the Council pictures of the area. He stated that the Board felt it was a personal, and not unusual circumstance. He pointed that others are waiting to see what happens in this case. He said that across the alley there is C Zone, and then reviewed what is permitted in R-4.

Councilman Kerrigan said he felt it might be advisable to change the ordinance on the zoning, to include beauty shops.

123377

6460-N.S.-6461-N.S.

Hearing (from  
beginning of  
meeting)

Councilman Godfrey said maybe it should not be changed; he said it would require study.

Councilman Kerrigan said that if appellant is permitted to use property for purpose desired, everybody should have the same. He said this would set a precedent, if granted. He said that all rules can't be written into the ordinance.

Councilman Wincote said that another beauty shop had been granted by the Council.

Councilman Godfrey said it was Mrs. Williams, and referred to a commercial activity.

Councilman Schneider said there was a warehouse there.

Mrs. Curry said she was sure that in the average home the same thing goes on, unlawfully. She said that she wants to put her in on a legal basis. She contended that there would not be a stream of cars, and said she operates in San Diego now.

The Mayor said that the Council sympathizes with the appellant, but that if it breaks down the zone to permit the activity, it keeps going. He said that the City could turn down others. He said that granting would result in continual breakdown and depreciation of values.

Mrs. Curry said she did not want others to have to go through the same.

Councilman Burgener told Mrs. Curry that if neighbors are interested in zone change, they can apply for such a change.

Mr. South said there had been no mention of rezoning. He spoke of C Zone property, not used for C.

Councilman Wincote read from the Municipal Code on the subject.

Councilman Godfrey, dwelling on allowances under the Code, as read, said that maybe the answer is not to have doctors, etc. He said that the Council has been criticized for breaking down residence property. He spoke of having to draw a line some place. She said that maybe it should be tightened up.

Councilman Wincote said that insurance (he is an insurance man) is no more objectionable than a doctor's offices.

Councilman Godfrey said he would hate to live in a block where there are various uses.

Mrs. Curry spoke of having to abide by Health laws, and of the activity being not obnoxious.

Councilman Godfrey said that after the Council reaches a decision, it should refer the subject to conference. He said that the Council is hampered in granting, legally restrained from granting.

Councilman Kerrigan moved to deny the appeal, and sustain the decision. Motion was seconded by Councilman Schneider.

Councilman Burgener declared that Mrs. Curry is in the same position as many other property owners.

Mrs. Curry said she can't understand why permission is denied.

Councilman Wincote spoke of possibility of having variance.

Councilman Godfrey said "if it meets 4 conditions".

Councilman Wincote pointed out there is "C" Zone across the alley.

Roll was called, resulting in

RESOLUTION 123324, denying appeal of Myrtle W. Curry, 1421 Felspar Street, from denial of Board of Zoning Adjustment for variance to San Diego Municipal Code to permit Myrtle and William L. Curry to operate beauty shop in existing garage in rear of 1423 Felspar, with entrance from alley, maximum of 24 hours per week, no signs, Lots 6 and 7 Block 200 Pacific Beach, in Zone R-4; sustaining action of the Board, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilman Dail.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:55 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Kadstrom*

Deputy

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

## REGULAR MEETING

Chamber of the Council of the City of San Diego,  
California, March 29, 1955

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

The Reverend Peter H. Paulson of All Souls Episcopal Church, presented by the Mayor, gave the invocation.

Resolutions and Ordinance are recorded on Microfilm Roll 93.

On motion of Councilman Godfrey, seconded by Councilman Wincote, minutes of Regular Meetings of Tuesday, March 22, 1955, and of Thursday, March 24, 1955, were approved without reading. They were signed by the Mayor.

Councilman Kerrigan entered the meeting

The Mayor acknowledged visit of 50 students from Senior Problems Classes, Student Body Officers, from Mission Bay High School, accompanied by Mrs. Eleanor Kendall teacher in charge and Bernie Dillon ASB Council President. He explained procedure of Council in the meetings, and invited the visitors to his office.

At the request of the Mayor, the next item was taken up, out of order.

It was Resolution authorizing City Manager to execute lease with Girl Scout Council of San Diego County, Inc., of portion of Balboa Park - continued from meeting of March 24.

The Mayor Stated that the Boy Scouts, who purportedly had offered previous objection, do not now oppose the occupancy by the Girl Scouts.

LeRoy Wright, II, attorney, referred to this having been continued from last Thursday, on account of the Boy Scout Council. He spoke of session having been held in the office of the City Manager, and that they no longer oppose. He re-stated the proposed question, and said that the area had been suggested by the Park Commission. He said that there is a proposed 50 year lease before the Council. He spoke of there being representatives of the Girl Scouts here, if the Council wishes to question them.

Councilman Godfrey asked what the growth and experience is of the Girl Scouts. He predicted a rapid growth.

Mr. Wright replied that since 1949 340 groups had grown to 1,100, and that there are 16,170 Girl Scouts now; there were 6,900 in 1949. Functions of headquarters were outlined, regarding transacting of business; and he spoke of a 85 foot setback, for parking. He said it should not be confused with the idea that is where all activities will be carried out.

Councilman Godfrey pointed out that the Boy Scout leadership had requested an additional area, and that the Boy Scout growth is about comparable. He wondered about heavy investment. He said that land adjacent is steep, and that activity cannot expand.

Mr. Wright told about problem in connection with highways and golf course. He said that it is more or less vacant, waste land. He stated that it is not adaptable to general park development.

Councilman Godfrey said that area has to be available to the bus.

Mr. Wright spoke of need for being near institutions in the park.

Councilman Godfrey said there is a question of increasing membership and and increasing use. He said that if it is used by both groups, both will be hampered. He spoke of some objection from the residential neighborhood.

Mr. Wright said it is administrative function. He said that Boy Scouts' growth was at war time. He told of Boy Scout administration functions being in the Orpheum Theatre Building. He agreed that location is not too good, but that it would be conducive

Convened  
Invocation  
Minutes approved  
Girl Scout lease in Balboa  
Park discussion



3/29/55

Mrs. Gene McFall, executive director, Girl Scouts, spoke directly to Councilman Godfrey regarding the residential area. She said that a few girls would not add to confusion which exists on account of the Junior High School and the playground.

Councilman Dail asked that presentations be finished, without interruption by Councilmen.

Mrs. McFall said that it is the plan to relocate the Administration Building, used by adult volunteers. She said that a program similar to that of the Boy Scouts is contemplated, regarding camping units; smaller groups; but that there are not funds to develop that now. She said it would probably be necessary to wait for another cooky sale.

Councilman Schneider asked Mrs. McFall if that would be sufficient.

Mrs. McFall said it would be better than what is had now. She said she knew of no objections, but that the Girl Scouts would prefer to stay where they are.

Councilman Schneider told of having inquired from Leo Calland, Park and Recreation Director, where they might move.

Mrs. McFall said that it had been cleared with the Park Commission.

Councilman Godfrey spoke to Mrs. McFall.

Mrs. McFall spoke of building cost: \$75,00 for the building; \$10,000 for auditorium, \$10,000 for fence; with contributed labor, 4 camping areas \$15,000 each.

Councilman Godfrey asked about a pool.

Mrs. McFall said that is not contemplated.

Councilman Godfrey said he was not protesting; the Council had questions a year ago regarding another group. He said that in 5 years.....(not finished). He said that Boy Scouts have a quarter million; Girl Scouts would have \$400,000. He said there are real problems. He told of Boy Scouts having asked some time ago for more area.

Mrs. McFall said there has been no formal application for the area. She spoke to Councilmen Godfrey and Schneider, answering their questions. She said that the Girl Scouts are not dependent on this area for all camping.

Melvin E. Fisher, 1282 Upas Street, representing property owners referred to the small minority. He said that it is the custom in the United States for minority groups to hear. He said that opinion is unanimous, if it is to be used for some purpose, that the proposal is most acceptable. He said that all land opposite is now in use, and that the zoo had placed parking area for employees only. He spoke of the existing playground and the Roosevelt Junior High School. He referred to the Boy Scout camp which is heard all night long; there are bugles, etc. He said that also on Saturday mornings at 6:00 the bridle path comes into use. Mr. Fisher told the Council the same is true on Sunday. He said that fills up the week. He said there should be one spot left open to the public. He spoke of the fences which bar the public. He said that now it is proposed to section of another part. He said that another minority group - the Jewish Center and camp - applied for the area a year ago. He said that application was rejected by the City. He declared that the same objections exist; it is the same this year as last. He said objection is consistent with the former one. He asked the Council to deny the application.

Councilman Schneider spoke to Mr. Fisher regarding segregated units, on which there would have been individual church units. He said that the Boy Scouts and the Girl Scouts do not come in that same category.

The Mayor said that the Girl Scouts jeopardized Pepper Grove (the present location of the Girl Scouts headquarters). He said that this is regarding location to another area, and that the one proposed is the best location.

Councilman Godfrey said he favors space for Girl Scouts in Balboa Park. He asked if they had exhausted investigation of all sites. Then, he asked if all had been studied and eliminated.

The Mayor said that Calland (Leo Calland, Park and Recreation Director) had answered those questions in Conference.

The Mayor said that there was a committee that looked at sites.

Mrs. McFall said that sites had been studied carefully; this one had been recommended by the Park Commission.

Councilman Wincote recalled that last week there was Boy Scout objection.

Councilman Wincote moved to adopt the Resolution. Motion was seconded by Councilman Schneider.

Councilman Godfrey said that the Boy Scouts don't want to squabble.

The roll was called, resulting in

RESOLUTION 123378, authorizing and empowering City Manager to execute, for and on behalf of the City a lease with Girl Scout Council of San Diego County, Inc., of portion of Balboa Park located at Upas and Richmond, for 50 years at annual rental of \$1.00, for operation of Girl Scout Headquarters and appurtenances; terms and conditions in Document 509117; property has value of \$30,000.00.

Purchasing Agent reported in writing that 5 bids had been received for sidewalks in Pacific Beach Drive, from H. C. Dennis, John B. Henry, T. B. Penick & Sons, A. W. Thorpe, Al E. Riley, Inc.

The Council made a finding that bids had been opened on Friday, March 25, 1955, and referred them to the City Manager and City Attorney for report and recommendation - on motion of Councilman Schneider, seconded by Councilman Wincote.

Purchasing Agent reported in writing that 3 bids had been received for paving Alley Block 13 Swan's Addition, from T. B. Penick & Sons.

The Council made a finding that bids had been opened Friday, March 25, 1955, and referred them to the City Manager and City Attorney for report and recommendation - on motion of Councilman Schneider, seconded by Councilman Wincote.

The hour of 10:00 A.M. having arrived, time set for receiving bids for furnishing electric current for College Park Lighting District 1, for 1 year from June 1, 1955, the Clerk reported that 1 bid had been received from San Diego Gas & Electric Co. It was given Document 509118.

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

A majority of members of Council executed agreement with San Diego Gas & Electric Co. for current in Hermosa Lighting District No. 1.

The hour of 10:00 A.M., time set for hearing on Resolution of Intention 122840 for paving and otherwise improving Alley Block 19 North Shore Highlands, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

No one appeared, and no protests were filed.

On motion of Councilman Schneider, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 A.M., time set for hearing on Resolution of Intention 122841 for paving and otherwise improving Linwood Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

No one appeared, and no protests were filed.

On motion of Councilman Wincote, seconded by Councilman Godfrey, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 A.M., time set for hearing on Resolution of Intention 122842 for paving and otherwise improving 70th Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

No one appeared, and no protests were filed.

On motion of Councilman Schneider, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 A.M., time set for hearing continued from week to week on Assessment 2324 for Storm Drains in Streamview Drive, 54th Street and Public Right of Way, Resolution of Intention 115496 - to be continued again until April 5, by previous agreement,

RESOLUTION 123379, continuing hearing on Assessment 2324 made to cover costs

and expenses of installation of Storm Drains in Streamview Drive, 54th Street, Public Right of Way, until 10:00 A.M., Tuesday, April 5, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2338 for paving and otherwise improving Alley Block L Altadena, Clerk reported no protests. The Mayor inquired if anyone was present to be heard.

No one appeared, and no protests were filed.

RESOLUTION 123380, confirming and approving Street Superintendent's Assessment 2338 made to cover cost and expenses of paving and otherwise improving Alley Block L Altadena; authorizing and directing him to attach his warrant thereto and issue same in manner provided by law; directing Street Superintendent to record in his office warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2339 for paving and otherwise improving Quimby Street, Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

No one appeared, and no protests were filed.

RESOLUTION 123381, confirming and approving Street Superintendent's Assessment 2339 made to cover cost and expenses of paving and otherwise improving Quimby Street; authorizing and directing him to attach his warrant thereto and issue same in manner provided by law; directing Street Superintendent to record in his office warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2340 for sewers in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, Clerk reported appeals from Alyce R. Hyde, K. Diederichsen, John I. Olson and others. They were presented to the Council. Also presented was communication from Street Superintendent requesting that Assessment 81 be corrected and modified in order that divided lot may be assessed in separate portions.

The City Engineer reported 15.8% appeal by area - re cost, except that 1 is regarding damage. He said damage was done not by the contractor but by one putting in house connection.

The City Attorney, at the request of the Mayor, explained the procedure to the visiting students.

The Mayor stated that the job had been placed out to bid.

The City Engineer pointed out that completed cost was 31% under his estimate. He said that it is standard assessment form which was used.

The Mayor inquired if anyone was present to be heard.

John Olson, 1330 Madera Street, said to the Council that according to the notice it is an assessment estimate; not a bill. He spoke of cost on another job.

Councilman Dail said that there had been, up until this time, estimates only.

City Engineer explained that a good deal of the property is still agricultural - avocados - large lots.

Councilman Dail said that previous figures had been based on estimates.

The Mayor said that the job should have been a higher cost than it actually was.

The Engineer said that it had been estimated at higher than the cost.

Councilman Kerrigan stated that property owners are actually paying less than they normally would, due to favorable bid.

The City Engineer said that the most of the job is more than that of the pipe. He outlined all that went into the assessment. He said that all has to be added in.

Councilman Wincote wondered if it was a typical parcel of land referred to with now a bill.

Willard Olson, of the City Engineer's office said "no; estimate was given on a lot".

Several Councilmen spoke to Mr. Olson (the appellant) regarding final bill - unless changed.

Mr. Olson, the appellant, asked why assessment is higher now than a year ago, apparently referring again to another job.

Councilman Dail spoke about calls he had received and explanations made. He said that property owners had been given approximate figures, based on past experience. He said that the City does not know the cost, finally, until this hearing.

The Mayor spoke of estimate being on pipe - cost of pipe less; there are a number of other costs which enter into the entire project. He pointed out that on this job has a cheaper bid - therefore entire assessment being less - than it could have been.

Councilman Wincote spoke to Mr. Olson, the appellant about assessment being over \$800. on some parcel.

Mr. Olson said that it was he who circulated the petition.

The Mayor said that individual appeals can be checked with the City Engineer.

Councilman Wincote moved to overrule the appeal.

Councilman Dail pointed out that bid was 31% under the estimate of the City Engineer.

The City Engineer said there were 8 bidders.

Councilman Godfrey spoke to the appellant regarding low bid, which he said is lower than most. He pointed out that assessment did not go up, as Mr. Olson had stated; it came down.

Councilman Wincote said he thought there was confusion about the estimate.

Fred Wessock, on Tarbox Street, spoke. He said that property owners can't get correct estimates. He said that property owners have to come down and argue, after work is done.

The Mayor said that duty as assessing officer is placed on the City Engineer, and that final approval is by the Council. He told Mr. Wessock that estimate can be received - subject to a bid confirmation.

Councilman Godfrey spoke to Mr. Wessock about the method of assessing the property, and that he is sure it is fair.

Councilman Wincote spoke to Mr. Wessock about the bids, and pointed out that the Council had accepted the lowest bid.

Mr. Wessock insisted that property owners don't know how much.

Councilman Godfrey that property owners can call up and get the figures.

Mr. Wessock said that his son is away, and that he got the estimate for him.

The City Engineer referred to the "Engineer's Report" used formerly. He referred, also, to the volume of work which has bogged down the department, and that it couldn't handle it, if that method were still used. He said that there were more than 10,500 assessments for property improvements levied last year. He estimated people who call in for estimates to be small in number.

RESOLUTION 123382, adopting recommendation of Street Superintendent in connection with Assessment 2340 made to cover costs and expenses of installation of sewers in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hillger Street, Gibson Street, Tarbox Street, Madera Street and public rights of way, Resolution of Intention 117467; directing Street Superintendent to modify and correct the assessment in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123383, overruling and denying appeals of Alyce R. Hyde, K. Diederichsen, Property Owners, from Assessment 2340 made to cover costs and expenses of installation of sewers in Klauber Avenue, Pierino Drive, et al., Resolution of Intention 117467; overruling and denying other appeals, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 123384, confirming and approving Street Superintendent's modified and correct Assessment 2340 made to cover costs and expenses of installation of sewers in Klauber Avenue, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, Resolution of Intention 117467; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The students who were visitors at the meeting left.



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The hour of 10:00 A.M. having arrived, time set for hearing on communication from DeGraff Austin, Supervisor, Fourth District, for installation of traffic control light signals at intersections of Washington Street, Lincoln Avenue and Richmond Street, the Mayor stated that the Council has heard from Traffic Engineer James Reading. He declared that it is a tough problem.

Mr. Austin told the Council that he does not come as a Supervisor, but as an affected property owner. He said that he had fallen heir to an intolerable traffic hazzard. Mr. Austin referred to the petition of May 18, 1954. He spoke of the north-bound traffic on Cabrillo on a 2½ minute schedule. He told of having tried to get into flow of traffic, but that 86 cars had precedence. He said that relief needs to be provided hurriedly. He spoke of having requested the Council to provide for the Manager facilities to install 3-phase synchronized signals. He asked a large group, interested in the subject, to arise. In response to the request, many persons stood.

The Mayor thanked Supervisor Austin and the property owners who had come to this meeting on the subject.

Councilman Godfrey was excused.

Mr. Reading posted a map on the wall, which he explained, re not being able to cross flow of traffic. He agreed that it is a severe problem. He said that Washington has 42,000 to 45,000 cars per day. He corrected that to through the intersection. He said that there are 5,000 per hour during peak period. He said that Lincoln Avenue traffic trying to cross is 3%. He said that right turns are ordinarily not too difficult. He spoke of not wanting to create a worse situation. He stated he prefers 2-phase signals. He spoke of great back up on Washington Street. He said it is not always possible to synchronize. At times traffic might back into Cabrillo Freeway, according to Mr. Reading, who said that a worse condition is not wanted. According to him, signals don't necessarily correct such problems. He said that out of 10 intersections where there were accidents, 7 have signals.

The Mayor left the meeting

Vice Mayor Charles B. Wincote took the Chair

Mr. Reading said that the difficulty is regarding east-bound traffic on Washington trying to make left turn. He said he felt the City cannot take a chance on 3-phase signals. Mr. Reading said that would result in more difficulty.

Councilman Godfrey returned

Mr. Reading said there might be a worse condition than exists. He spoke of there being 30 different turning movements, and that it is a real problem. He said that trying to synchronize confronts the City with problems not easy of solution. He said that the State has studied the problem, and was afraid to put in signals. He said that there might be a pedestrian overpass, but that not many pedestrians would use it, unless fenced off so they would be forced to, because they won't go to the trouble. He asked for more time to study the situation. He said that might be dangerous, and cost from \$12,000 to \$15,000.

Councilman Dail spoke to Mr. Reading about pedestrian overpass.

Mr. Reading pointed out the area for such overpass on a map.

Councilman Schneider spoke to Mr. Reading regarding danger of throwing things down on passing cars.

Mr. Reading said there is not too much trouble on that score, but that boys do practice bomb dropping at times.

Councilman Dail asked about cost of overpass.

Mr. Reading said "maybe \$25,000."

Councilman Kerrigan thought it might be \$150,000 to \$200,000.

Mr. Saelers, 4145 - 10th Avenue, told the Council that he is unhappy over attitude of the safety engineer. He showed a map. He corrected the City Engineer regarding 3% traffic entering; it is 12% he said. He spoke of great number of intersections. He said there is a poorly-designed job. He said he only wants signal interrupted when someone wants to cross. He had a list of individuals, who could not appear at this hearing. He declared intersection to be a death trap. He said that the Traffic Engineer gives the appearance of active opposition.

Councilman Wincote said that Mr. Reading does not have an antagonistic attitude.

Mr. Saelers said he stands corrected. He spoke from a map regarding entering traffic, and of there being a steady stream. He said that persons can't safely proceed to shopping and to churches. He suggested that traffic can drop back to an area

he pointed out as much as 1/4 to 1/2 mile out of the way. He said that lives are involved, but situation could be remedied, and that correction is not as serious as the Traffic Engineer would have the Council believe.

Vice Mayor Wincote spoke to Mr. Saelers.

Councilman Kerrigan said suggestion was made that signals be operated only when a person wants to get over. He spoke to Mr. Reading.

Mr. Reading said that only that kind would be recommended, regarding pedestrian button and vehicles passing over tread.

The Vice Mayor said that signals on El Cajon are operated by switches in streets.

Mr. Reading said there are 2-phase signals on El Cajon Boulevard.

Councilman Kerrigan spoke to Mr. Reading about pedestrians getting 1/2 way across the street.

Mr. Saelers read figures which he identified as being from the Traffic Engineering office. He said that it is up to authorities to respect pedestrians, because they must walk inasmuch as state has taken away drivers' licenses.

Councilman Schneider spoke to Mr. Saelers about wanting to pursue the idea presented by Councilman Kerrigan.

Mr. Reading told of exploring every possibility, and of trying to find a solution to the problem. He said that he has no sympathy for a driver who does not permit yielding. He said that although he can't make a promise, he considers that the problem can be solved. He spoke of representing 12.6% traffic entering the street. He said that there is a bridge; a poor bridge.

A man whose name was understood to be Merrill Keaster, who resides in La Mesa, spoke. The speaker said that he works in the area, and plans to move into the area. He said that area is posted 35 miles per hour. He said that it would interrupt the flow of traffic if drivers were to obey. He said that with signals not much more hazard would be created than now. He handed in papers authorizing him to speak in behalf of persons who could not attend this meeting. He said that light could be regulated regarding there being no pile up.

Nicholas J. Haering, 2525 Jackson Street, was heard. He spoke to Mr. Reading, about footbridge - Vermont crossing over to Lincoln, which he said is obscured by Sears Roebuck. He said people often think that it is a private Sears Roebuck bridge. He said that if the bridge were exploited, it could save lives.

The Vice Mayor said that residents were aware of the bridge long before Sears entered the area.

Mr. Haering said that bridge "has been obscured and lost".

The Mayor returned to the meeting and assumed chairmanship.

Mr. Haering continued. He said that right hand turns should be permitted. He said that many drivers are not aware that they can turn right. He said something should be done to the problems regarding right hand turns.

The Mayor said that would be more study and recommendation, and be referred to Council Secretary for notification regarding hearing.

Councilman Wincote said that interested persons should know when to expect answer.

Mr. Reading said 8% of the 12% enters from Richmond, and turns right. He said that is no problem. He said 2% of 12% makes right turns from Washington. He said he realized that it seems unfair to have taken almost 1 year on the petition. He said there were 14 accidents last year, 3 of which might have been prevented. Mr. Reading spoke of the tremendous numbers of accidents and heavy traffic elsewhere, too. He said there are others a lot worse.

The Mayor asked what amount of time would be needed.

Mr. Reading said that if he were divorced from other things, it might be done in a month or 6 weeks, but that he could make no promise.

The Mayor said the item should be continued in Conference for 30 days.

RESOLUTION 123385, referring to Council Conference request of residents of University Heights for installation of traffic control light signal at intersection of Washington, Lincoln and Richmond Streets, with stipulation that report will be made in 4 weeks from date of Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan.

Councilman Godfrey said that Mr. Austin and Mr. Saelers should be advised, so they can advise others.

Councilman Dail said that there is need for giving consideration in the budget for funds to the Traffic Engineer.

(There was no action on either of the last 2 comments).

Hearing re traffic signals  
request at Washington,  
Lincoln & Richmond



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Louis Karp, attorney, appeared in connection with petition of Kays Jewelers requesting permit for Neon Sign on Marquee at 1026 Fifth Avenue. He wondered if the Council planned to meet this afternoon.

The Mayor said that the item could be continued until Thursday, and Mr. Karp be given priority,

Councilman Godfrey said, also, that Mr. Karp could be given priority on Thursday docket.

Councilman Kerrigan said that it is a question of violation re sign ordinance

On motion of Councilman Schneider, seconded by Councilman Godfrey, the petition was continued until the agenda of Thursday.

Petition of Georgie Ragland Welty, 3651 Alexia Place, requesting permission to address the Council re "loopholes in the Dog Regulation Ordinance", and the administration of ordinance by City Pound, was presented.

Mrs. Welty told the Council that she is not criticizing the police; that criticism is directed toward there being no fund to keep the pound open 24 hours a day, 7 days a week. She related past investigations. She spoke of pound being open 5 days per week on a 40-hour basis. She said that other pounds are open 6 days a week, with skeleton crews at night. She said that they are also open 2 to 5 on Sundays. She said that the City has a wonderful dog ordinance, which she has studied, but there is need to keep the pound open longer.

The Mayor said that subject should be referred to City Manager for report. He said that funds to keep open longer would have to be an item for next year's budget. He said that it could be considered by the Council, and that he wanted to hear from the City Manager on the subject.

Mrs. Welty said that no one has more respect for the Council than she, having covered meetings for the university women's club.

Mr. Wincote said that neighbors have come to him regarding dogs being out on Sundays.

Councilman Wincote moved to refer to the City Manager petition of Georgia Ragland Welty for report. Motion was seconded by Councilman Godfrey.

The City Manager said that the answer is the cost. He said that there are people on duty regarding early and late reports. He said he would report in a week.

Roll was called on motion, resulting in

RESOLUTION 123386, referring petition of Mrs. Georgie Ragland Welty re administration of Dog Pound Ordinance to City Manager for report to Council April 5, 1955, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Mrs. Welty said, after Resolution had been adopted, that people are holding up the Council to contempt.

#### Councilman Dail was excused

Petition of Dr. Eleanor (no other name on petition) suggesting uses of the Food and Beverage Building, in Balboa Park.

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

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of William H. Clint, \$4948.00 - 6 bids - for construction of Alvarado Canyon Trunk Sewer Connection to Highway 80 Sewage Crossings in Waring Tract West of Rasonia, was presented.

RESOLUTION 123387, accepting bid of William H. Clint for construction of Alvarado Canyon Trunk Sewer connection to Highway 80 Sewer Crossings in Waring Tract west of Rasonia; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low

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bid of Reliable Pipe Supply Company, Inc., total price of \$2,392.50 plus State Sales Tax, for furnishing 15,000 lbs. Caulking Lead (for Storeroom), was presented. - 8 bids

RESOLUTION 123388, accepting bid of Reliable Pipe Supply Company, Inc. for furnishing 15,000 lbs. Caulking Lead; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Braun Corporation at total price of \$2,274. plus State Sales Tax, for furnishing 20,000 lbs. of Polyphosphate (for Alvarado Filtration Plant) - 4 bids - was presented.

RESOLUTION 123389, accepting bid of Braun Corporation for furnishing 20,000 lbs. of Polyphosphate; 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 Wincote, adopted.

Report of Purchasing Agent, ~~with City Manager's stamp of approval~~, on low bid of A. O. Reed & Company at \$2825. for replacement of water pipes in Sky Chef Restaurant - Lindbergh Field Administration Building - 4 bids - was presented.

RESOLUTION 123390, accepting bid of A. O. Reed & Company for Replacement of Water Pipes in Sky Chef Restaurant - Lindbergh Field Administration Building - awarding contract; authorizing and instructing majority of members of Harbor Commission of The City of San Diego to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Southern Machinery Company @ \$1,553.28 plus State Sales Tax, for furnishing parts for Worthington Vacuum Pump - 2 bids - was presented.

RESOLUTION 123391, accepting bid of Southern Machinery Company for furnishing repair parts for Worthington Vacuum Pump; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123392, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for resurfacing streets: 23rd Street, A to G et al., Document 509191; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123393, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements Group 19, (Spec. 99), Document 508920; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Hoyt E. Ray, Deputy City Attorney, approved by J. F. DuPaul, City Attorney, giving opinion that sign exhibited by James Reading, Traffic Engineer, size of lettering on signs on Washington Street is legal as to size and other-

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wise, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, documents were filed.

Communication from Lloyd M. Harmon, City Councilman, 941 "J" Ave., Coronado, dated 24 March, 1955, was presented. It refers to conference between the Council and Coronado's City Attorney J. R. Goodbody and Councilman Robin Goodenough re proposed traffic tube to connect San Diego and Coronado under San Diego Bay. It says that no conference of Coronado Council has been held in the matter, and that the two agreed to splitting 50-50 cost of survey without authority of the Coronado City Council.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, communication was filed, and the Mayor requested to answer it.

Communication from Mrs. L. V. Toolson, 6233 Hobart Street, San Diego 15, re need for sidewalks in residential areas, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, communication was filed, and the Mayor requested to answer it.

Communication from F. E. Young Construction Co., 2141 Main St., P.O. Box 2872 San Diego, dated March 23, 1955, was presented. It says Plaza Associates have made definite proposal re conversion of Horton Plaza into Underground Parking Garage, plans, specifications and contract have been submitted. It asks for answer to proposal.

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

Communication from San Diego Municipal Employees' Association, Inc., dated March 25, 1955, signed by Mary E. Harvey, executive secretary, transmitting recommendations on salaries and related working conditions for fiscal year 1955-56, was presented. It says it is probable that it be desired to submit additional detailed material at a later date. It requests study and favorable action on recommendations.

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

RESOLUTION 123394, authorizing Auditor and Comptroller to draw warrant payable to T. T. Crittenden in full settlement; judgment rendered against City in Small Claims Case 15732 in amount of \$33.78, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123395, directing notice of filing of assessment and of time and place of hearing on Assessment 2350 made to cover costs and expenses of work upon paving and otherwise improving Alley Block 22 Ocean Beach, Resolution of Intention 117902, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123396, directing notice of filing of assessment and of time and place of hearing on Assessment 2349 made to cover costs and expenses of work upon paving and otherwise improving Alleys Block 4 Ocean View and Block 2 Sunset Grove, Resolution of Intention 120266, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123397, directing notice of filing of assessment and of time and place of hearing on Assessment 2348 made to cover costs and expenses of work upon paving and otherwise improving Jewell Street, Resolution of Intention 118979, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD 123398, accepting bid of John B. Henry, and awarding contract, for paving and otherwise improving Alley Block 2 Swan's Addition, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

City Engineer reported in writing that low bid is 17.8% below estimate.

RESOLUTION OF AWARD 123399, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Akron Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

City Engineer reported in writing that low bid is 3.7% below estimate.

RESOLUTION OF AWARD 123400, accepting bid of Daley Corporation, and awarding contract, for paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Otilie Place, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

City Engineer reported in writing that low bid is 25.1% below estimate.

RESOLUTION 123401, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 4 Carmel Heights; approving Plat 2687 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 Kerrigan, adopted.

RESOLUTION 123402, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley lying easterly of and contiguous to Lots 1 to 12 and Lot 15 Block D Sterlingworth, Alley Block C Sterlingworth, Alley Block B Teralta, Alley Block 37 Resubdivision Blocks H and I Teralta; approving Plat 2678 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 Kerrigan, adopted.

RESOLUTION 123403, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Frost Street; approving Plat 2700 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 Kerrigan, adopted.

RESOLUTION 123404, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue; approving Plat 2658 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 Kerrigan, adopted.

RESOLUTION 123405, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Roosevelt Avenue; approving Plat showing exterior boundaries of district to be included in assessment for work and improvements, directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION ORDERING WORK 123406, for paving and otherwise improving Wawona Drive, Resolution of Intention 122704, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 123407, for paving and otherwise improving 40th Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION 123408, for paving and otherwise improving 29th Street, E Street, 28th Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION 123409, for sewer in La Jolla Rancho Road, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION 123410, for furnishing electric current in Five Points Lighting District Number One, for 11 months and 27 days from and including August 5, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION 123411, for furnishing electric current in University Avenue Lighting District Number One, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION 123412, for closing portion San Fernando Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123413, for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123414, for paving and otherwise improving Alley easterly of and contiguous to Lots 1 to 12 and Lot 15 Block D Sterlingworth, Alley Block C Sterlingworth, Alley Block B Teralta, Alley Block 37 Resubdivision of Blocks H and I Teralta, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123415, for paving and otherwise improving Frost Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123416, for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 123417, for paving and otherwise improving Roosevelt Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123418, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 80 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123419, ascertaining and declaring wage scale for paving and otherwise improving Alleys Block 262 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123420, ascertaining and declaring wage scale for paving and otherwise improving Electric Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123421, ascertaining and declaring wage scale for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123422, for storm drains in Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123423, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123424, approving diagram of property affected or benefited by work of improvement to be done on installing sidewalk in 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street, Date Street, Resolution of Intention 119652, and to be assessed to pay expenses; directing Clerk of City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123425, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision, North and South Alley Block 27 H. M. Higgins Addition, and Broadway, Resolution of Intention 120577 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123426, directing City Engineer to furnish diagram of property affected and benefited by work and improving on paving Alley Block 15 Fairmount Addition to City Heights, Alley Block 2 Mountain View, Resolution of Intention 119346 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



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RESOLUTION 123427 directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 3 La Mesa Colony, Resolution of Intention 121183 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123429, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 255 Pacific Beach, Resolution of Intention 121325 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123430, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving A Street, Resolution of Intention 119096 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123431, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of installing sanitary sewer in 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way, Resolution of Intention 121327 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123432, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Quimby Street, Resolution of Intention 120407 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123433, declaring results of canvass of vote at Special Municipal Election on Ordinance 6402 (New Series) held in City of San Diego March 8, 1955:

"THE CITY OF SAN DIEGO WATERWORKS REVENUE BOND ORDINANCE: Shall Ordinance No. 6402 (New Series) adopted by the City Council of The City of San Diego February 8, 1955, providing for the expansion, extension, replacement of parts of, and betterment of the water impounding, treating and distribution system of said City and the issuance of \$6,000,000 of revenue bonds by said City to pay cost thereof, said bonds to be payable only from a special fund which shall consist of such revenues of the Water Department as are in excess of the amount needed to operate and maintain the Water Department, be approved?"

certified to the Council by the City Clerk on the 15th day of March, 1955:

Whole number of votes cast in the city at said special municipal election was 71,437;

That only measure voted upon at said special municipal election was the proposition stated in the recitals;

Number of votes given for said measure was 56,432, number of votes given against said measure was 15,005;

Number of votes given in each precinct for and against such measure are recorded in election returns book and are made part of record of Council and shall be considered part of such record;

That Ordinance No. 6402 (New Series) was approved by the vote of more than a majority of the electors of the city voting at said special municipal election and became effective March 15th, 1955;

Directing publication of the resolution by one insertion in the San Diego Union, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 123434, ratifying, confirming and approving agreement for Amendment of Tideland Lease, Amendment No. 4 between The City of San Diego and Kelco Company, Inc. - Document 509026 - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 123435, ratifying, confirming and approving agreement for amendment of Tideland Lease, Amendment No. 4 between The City of San Diego and San Diego Gas and Electric Company - Document 509027 - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 123436, authorizing and empowering Port Director to do all work in connection with construction of storm drains and catch basins at intersection of Harbor Drive and Wake Boulevard, by appropriate City forces in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The next item had been continued from meeting of March 22, 1955.

RESOLUTION 123437, authorizing and empowering City Manager, for and on behalf of the City, to execute with United States of America Public Housing Administration Supplement No. 1 of Contract of Bailment, contract filed in office of City Clerk as Document 477604, extending contract for Bailment for period commencing July 1, 1954 and terminating June 30, 1955, involving personal property in Linda Vista Community Center Building, description of property and terms to be as set forth in form of Supplement No. 1 Contract for Bailment filed in office of City Clerk under Document 509194, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 123438, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of stone grain near Cape May Avenue, Document 509122; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The continued item, listed on the agenda, re Girl Scout Council of S.D. County, Inc., Lease in Balboa Park, was handled at beginning of meeting, rather than where listed on agenda.

RESOLUTION 123439, requesting transfer of property from Federal Housing Authority to The City of San Diego:

Parcel 1 of Project CAL-4737;

Parcel 6 of Project CAL-4737

Portion of Pueblo Lot 307 (Riverlawn) of Project CAL-4094;

Parcels 2, 3, 4, 13 of Project CAL-4461;

together with personal property, appurtenances and materials held in connection therewith; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution requests, also, transfer of all contractual rights, including right to revenues and other proceeds in and with respect to temporary war and veterans' housing located in The City of San Diego, identified above. Resolution states that The City states that Parcels 1 and 6 of Project CAL-4737 will be used by Applicant as maintenance yard and facilities in connection with municipal housing project at Frontier; that portion of Pueblo Lot 307 of Project CAL-4094 will be used by Applicant as maintenance yard and facilities in connection with municipal housing project at Aztec Terrace; that parcels 2, 3, 4 of Project CAL-4061 will be used by applicant as public park; and that Parcel 13 of Project CAL-4461 will be used by applicant for highway purposes; that Applicant will negotiate with and purchase from United States of America the property at fair market value, to be arrived at thorough negotiated sale.

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RESOLUTION 123440, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, on resubdivision of Lots 7 and 8 Block 4 Golden Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123441, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Village Subdivision, and to execute Notice of Completion and have same recorded, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 123442, authorizing City Manager to accept work on behalf of The City of San Diego in Delta Heights Annex Unit 2 subdivision, and to execute Notice of Completion and have same recorded, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123443, consenting to and authorizing City Manager to approve, on behalf of the City, sub-lease agreement between Earl B. Hunter and Carl M. Rutherford, Lessors and Russell L. Brown, Lessee, of portion of Master Lease dated July 6, 1954 and filed in office of City Clerk as Document 493598, to cover operation of restaurant at Mission Bay Golf Course, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123444, notifying J. Harold Peterson, owner of Lots 3, 4, 9 Block 228 Middletown to remove structures erected between front property line and building setback line at his own expense and at no cost or obligation on part of The City of San Diego; authorizing and directing City Attorney to mail to J. Harold Peterson 2 certified copies of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution refers to Ordinance 401 New Series which established building setback line of 22.5 feet from property line abutting on Pacific Highway, and of agreements executed September 16, 1937, by Peterson Realty Company and executed May 10, 1941 by J. Harold Peterson re construction in the area and agreements to remove. It says that Council finds that structures constructed within building setback line should now be removed.

RESOLUTION 123445, granting revocable permit to Robert D. Ferris and Helen M. Ferris, 4761 Niagara Avenue, San Diego 7, to install and maintain private water line on east side of Gage Drive south of Charles Street: portion of southerly 2/5 of northerly 1/2 P.L. 172, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123446, granting Arthur L. Murphy, 1102 West Arbor Drive, San Diego 3, permission to install and maintain private water line to run in Arbor Drive from Murphy property to meter in Falcon Street: Lots 19 and 20 portion Lots 21-24 Block 28 Arnold's Subdivision and portion Lots 21-24 Block 28 Choate's Subdivision; on revocable basis; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123447, granting permission to Pacific Home Corporation, c - Walter C. See, 4460 Park Boulevard, San Diego 16, to install and maintain electric transfer vault under sidewalk at Coast Boulevard south between Jenner Street and Eads Avenue: Lots 1 to 27 Seaside Subdivision; on revocable basis; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123448, granting revocable permit to Ratner Manufacturing Company, 730 - 13th Street, to install and maintain private power vault under 13th Street in front

of 730 - 13th Street: Lots K and L Block 77 Horton's Addition, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123449, granting revocable permit to Ray O. Walker, 4611 Lenore Drive, San Diego 15, to install and maintain private water line to run in DuPont Street to serve new residence on East half of Lot 17 Block 3 Warner Villa Tract; on Revocable Basis; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123450, approving claim of Willie B. Cambron, Document 507915, in amount of \$50.00; directing City Auditor and Comptroller to draw warrant in amount of \$50. in full payment of claim, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123451, approving claim of Mrs. C. Scharf, Document 505782, in amount of \$6.25; directing City Auditor and Comptroller to draw warrant in amount of \$6.25 in full payment of claim, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123452, authorizing City Attorney to accept \$25.00 in full settlement of City's Invoice 38752 issued January 20 1955 against Pace Construction Company in amount of \$34.01, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123453, denying claim of Eugene Berger, Document 507665, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123454, denying claims of David S. Freed, Documents 506312 and 507561, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 123455, denying claim of Lo-Fare Cab Company of San Diego, Document 506321, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 Council prior to day of final passage written or printed copy.

ORDINANCE 6463 (New Series), incorporating portions of Pueblo Lots 1100 and 1101, portions of Blocks 356, 357, 358, 386 and 387 Old Town, portions of Silver Terrace, and J. P. Jones Subdivision, into C1-A and M-1A Zones; repealing Ordinance 1947 N.S. adopted October 1, 1940, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-None. Absent-Councilman Burgener.

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

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

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for consideration of each member of Council prior to day of final passage written or printed copy.

ORDINANCE 6464 (New Series), appropriating \$5,450.00 from Capital Outlay Fund for construction of Alvarado Canyon Trunk Sewer Connection to Highway 80 Sewer crossings in Waring Tract, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 Council prior to day of final passage written or printed copy.

ORDINANCE 6465 (New Series), establishing grade of Alley Block 201 Pacific Beach, between easterly line of Haines Street and westerly line of Ingrham Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 Council prior to day of final passage written or printed copy.

ORDINANCE 6466 (New Series), establishing grade of Boundary Street, between easterly prolongation of southerly line of Laurel Street and westerly prolongation of southerly line of Kalmia Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

ORDINANCE 6467 (New Series) establishing grade of 3 portions of Brooklyn Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

The ordinance was introduced on motion of Councilman Schneider, seconded by Councilman Kerrigan.

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 Council prior to day of final passage written or printed copy.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 Council prior to day of final passage written or printed copy,

ORDINANCE 6468 (New Series), establishing grade of Iona Drive, between northerly line of Kenwood Street and line parallel to and distant 17.00 feet northerly from said northerly line, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.



On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending Chapter IX of San Diego Municipal Code by amending Section 91.09, and adding Sections 91.09.1, 91.09.2 and 91.09.3 which concern establishment and delineation of Fire Zones within the City, was introduced, by following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Burgener.

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

RESOLUTION 123456, appointing A. Schreiber, Jr. as member of Board of Architectural Review to serve during absence of Walter Trevor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

RESOLUTION 123457, reappointing Howard Ritter as member of Board of Administration of City Employees' Retirement System, for full term of 6 years, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 123458, authorizing Street Superintendent to grant 10-day extension of time for completion of contract for improvement of portions of 44th and Olive Streets, in accordance with his recommendation in Document 508246, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

It was Resolution authorizing and directing Councilman Kerrigan to attend any and all meetings at which The City of San Diego is invited to be represented which are designed to be held for purpose of promoting and assisting in securing passage by Legislature of legislation as may be necessary to authorize the State to develop and transport surplus waters of the Feather River to Southern California, with understanding that if such project is undertaken and developed portion of waters will be committed for use of The City of San Diego and its inhabitants, and in said connection to incur necessary expenses of trips and to represent the City at said meetings.

Councilman Wincote said he thought the resolution was "pretty broad".

Resolution was modified for Thursday, March 31, 1955, with Councilman Kerrigan to attend.

RESOLUTION 123459, authorizing Councilman George Kerrigan to attend meeting Thursday, March 31, 1955, and represent City of San Diego re Feather River, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Mrs. Welty, who had talked to the Council earlier in the meeting regarding the "Dog Ordinance", stayed at the Microphone until other business was completed. Then she continued with her previous comments and said that the Dog Ordinance should be printed, for distribution, instead of being in the San Diego Municipal Code only.

RESOLUTION 123460, requesting the City Manager to give consideration to verbal suggestion of Georgie Ragland Welty that the City of San Diego have the Dog Ordinance printed separately, instead of being in the San Diego Municipal Code alone, as at present, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Godfrey said that there is a question of U.S. consideration of land for recreation in Linda Vista, which should be done immediately.

There was no action.

Ord introduced  
123456-123460 under U.C.  
Comment re recreation  
in Linda Vista



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There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:16 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, March 31, 1955

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

The meeting was called to order by the Mayor at 10:10 A.M.

Students from ASB of Lincoln High School - Jane Koike, Council President, Harold Palash, Faculty Advisor - were welcomed to the meeting by the Mayor. They stood at his request, for applause. He explained procedure of the Council meetings, and invited the visitors to his office.

At the request of the Mayor, the next 4 items, affecting the Harbor Department, were considered at this time, out of order. Mr. Reupsch, representing the Department, made a brief explanation of each.

Report of Purchasing Agent on bids - low bid of Griffith Company, \$3747.30, 6 bids - for paving sidewalk area adjacent to Bulkhead Wall between Foot of Columbia Street and 8th Street, was presented.

RESOLUTION 123461, accepting bid of Griffith Company for paving sidewalk area adjacent to bulkhead wall; 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 Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, recommending work by City forces for installation of underground electrical service along Emerson Street between Scott Street and Promenade Walk - \$1850.00, was presented.

RESOLUTION 123462, authorizing and empowering Port Director to do all work in connection with installation of underground electrical service along Emerson Street by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Adjournment - Convene  
Visitors  
Communications - 123461 & 123462 (Harbor) out of order

RESOLUTION 123463, approving Change Order 1 dated March 25, 1955, filed as Document 509188, issued in connection with contract between The City of San Diego and A. F. Andersen, for remodeling Men's Restroom in Administration Building, Lindbergh Field, contract contained in Document 507592; changes amounting to increase in contract price of \$400.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Petition of Harbor Department, City of San Diego, for special sewer permit re remodeling Men's Restroom, Lindbergh Field Administration Building, was presented, together with recommendations for granting signed by V. M. Capesius, Director, Building Inspection, and Assistant City Manager's stamp of approval.

RESOLUTION 123464, granting Harbor Department, City of San Diego, permission to install 2" c.i. traps on 2 stall urinals in Men's Restroom at Lindbergh Field Administration Building, for reason there is not enough available room to install 3" traps and maintain grade; subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Mayor stated that the Council had agreed to give preference to the next item - which was taken up out of order - inasmuch as it had been held over from previous meeting.

It was petition of Kay Jewelers, 1026 Fifth Avenue. It says they are modernizing and remodeling entire front at cost of \$25,000.00, that as part of remodeling program they are building marquee to extend over the street. It said that Building Inspection Department on January 24, 1955, by Employee #56 approved 15 sheets of remodeling plan, including plan for marquee. Petition states that plans also contain stamp of approval of Board of Architectural Review, and they were issued permit No. 41638, that marquee is now practically finished and is one of the finest and most beautiful in the city. It asks for placing upon face of the marquee neon lettering advertising Kay Jewelers, and identifies building as being between "tremendous buildings" of Grayson's and Walker's.

Louis M. Karp, attorney, told the Council of having a nasty problem. He said sign ordinance did not correct all problems. He stated that the remodeling is nearly completed, and showed drawing of sign on the marquee.

Councilman Burgener asked if plans showed the sign on the marquee.

Mr. Karp's reply was "no".

Councilman Burgener asked if shown on plans.

Mr. Karp replied "no" to that question. He said that Kays own only 25 ft frontage, and 1/3 of the lower floor. He said they can't have a flat sign; there is not room for a flat sign.

Councilman Kerrigan said that there is a question of legality.

Councilman Dail entered

Mr. Karp read from the Code. He said that the matter had been submitted to the Building Department, and then it went to Planning, next to Board of Architectural Review. He said that the Board stated that it can't go beyond the ordinance, and that Zoning Adjustment Board said it has no jurisdiction. Mr. Karp told the Council that he, on behalf of his clients is appealing from the several.

Councilman Godfrey said that the Council would be in a position of granting a variance.

Aaron Reece, Deputy City Attorney, said that the Ordinance does not provide for variance. He said that he would be glad to write an opinion, if the Council wants one.

Mr. Karp contended that the Council has the right to regulate over public property.

Councilman Godfrey said that the City now has an ordinance which says it can't do what is wanted; the Council has to go by the Ordinance.

Mr. Karp said that Council has granted relief in hardship cases.

Councilman Kerrigan spoke of having anticipated such situations.

Councilman Wincote stated that he wants a written opinion. He declared that the Ordinance may need changing. He said that he would want the opinion, and the ordinance change at 1 time.

Councilman moved to continue the appeal 1 week.

Mr. Karp asked for a temporary sign.

Councilman Schneider moved to continue 1 week. Motion was seconded by Councilman Wincote.

The Mayor said it should be Tuesday.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Attorney was directed to give an opinion, for Council meeting of Tuesday, April 5, 1955. (Miss Slocum was advised by A.M.W., by telephone, that opinion is expected for next Tuesday).

The hour of 10:00 A.M. having arrived, time set for hearing on request for rezoning from R-4 to M-1 of Blocks 263, 264, 265, 290, 291 and 304 Bergin's Addition; portion Block 263 Arlington - fronting on Cottonwood Street, Birch Street, Siva Street and Thorn Street, report of Planning Commission, signed by P. Q. Burton, recommending by vote of 6 to 0 denial, was read by the Clerk.

Mr. Burton showed Councilman Schneider a map, at his request. The map was passed around the Council table.

Asked by the Mayor if he had anything to add, Mr. Burton said that the report sums up the situation.

Councilman Schneider said that owners would not be forbidden use of their property, even if not re-zoned.

Councilman Burgener asked the present zone.

Mr. Burton replied "R-4".

The Mayor recalled that there had been an attorney in connection with the item, before the Council earlier. He asked who it was.

Mr. Burton said that it was Morey Levenson; later Eli Levenson.

The item was held temporarily, to determine if Mr. Levenson planned to appear.

Communication from Thomas D. Drake, 4321 Voltaire Street, San Diego 7, dated March 28, 1955, was presented. It says that in December 1952 Mr. Berthold Clearbrook of the City Engineering Department called on him and asked for sign of easement granting to the City easterly 10 feet of Lot 35 Block 12 Loma Alta No. 1 for sewer line. It says Mr. Clearbrook stated that City would not pay any land owner for easement. It mentions experience in Pacific Beach where he granted City alley and street right of way on promise of City Manager that City would never pay land owners for land granted for that purpose and later learned that it had paid his neighbor next door \$650 for similar grant after accepting his (Drake's) property for nothing. It goes into detail over statements made by Mr. Clearbrook to other owners on Mendicino Boulevard. It says that Mr. Clearbrook called a few days later and told him of error on his part that no one would be granted free sewer service. It says that on second assurance he paid City in January 1955 \$223.32 for sewer assessment on Lot 35. It reports having learned that his neighbor, Clarence Thrower, Lots 36 & 37 Block 12 Loma Alta No. 1 had been reimbursed \$446.64 by City upon his protest of having been promised by Mr. Clearbrook that he would not have to pay. It says that all property owners should be treated alike, and that if one is excused from paying all should be excused. It asks for reimbursement of \$223.32 paid for sewer upon false representation.

Col. Tom Drake stated that in 1954 an improvement district was created. He said that questions came up regarding how assessment would be made. He spoke of having written to the Council in December, 1955, but that he met with "some rebuff". He said he realized that the Council is not responsible for faulty administration. He read a letter from Mr. Clearbrook, and said that Mr. Clearbrook informed him that the City would not pay for the easement. He referred to a previous grant in Pacific Beach, mentioned in the letter. He stated that a neighbor had been granted \$625.00 for the same thing. He told the Council that Mr. Clearbrook had said that he would not be charged for the sewer if he granted the easement. He told of Mr. Clearbrook having called on him and having said that was a mistake. He stated that he paid his sewer assessment, but that his neighbor had been reimbursed by the City in connection with sewer assessment on 2 lots. He said that Alan Firestone, Deputy City Attorney, stated that it had been paid on account of a written statement. He declared it to be unfair, and that all should be treated alike. He asked for reimbursement.

Councilman Godfrey commented that "somebody sure made stupid mistakes along the way, but this is not fair". He declared that it is a poor policy. He said a guy who is smart enough to get a letter gets a break, but one who does not is trapped. He asked for a report from the City Engineer. He said that there is a moral point.

Councilman Schneider said that it has been pointed out that if the Council appropriates money to reimburse property owners it would come from the Councilmen. He said the City would have to require property owners, if they wished to be reimbursed, to sue.

Councilman Dail spoke of policy to acquire land without cost where it is an improvement to the community.

Councilman Burgener said that the Council should insist on consistency.

Councilman Wincote spoke to Colonel Drake about having received information from his neighbor.

Col. Drake replied that the information was late.

Councilman Wincote said that he should take the channel of a suit. He declared it to be a difficult problem, and that it needs to be sent to the Attorney.

Col. Drake said that the situation puts the taxpayer in an unfair position.

Councilman Wincote said that it was an error by an individual, which would not be condoned by the Council. He asked the price of the job (price not given). He said said that payment made for the easement was the same as the assessment. Again, he referred to entire amount of the mob.

Col. Drake said that all are assessed the same.

Councilman Kerrigan said that acquisition of property is subject to deviation. He referred to sidewalk width on 70th Street, and said that the City cannot have a hard and fast rule. He said that technique employed was probably wrong, but that the City cannot fix a hard and fast rule. He spoke of having to exercise the right of Eminent Domain. He referred to the situation on 6th Avenue (where it was widened); but that now in Rolando the City is going to have to use Eminent Domain.

Councilman Godfrey said that there are 4 things: a written legal opinion; a report from the City; and how it is handled now (he did not add the 4th one).

Col. Drake spoke of there being more than 1 employee.

Councilman Wincote said that it is so wrong that it is funny. He said that it is unfortunate; the Council admits a grave error. He wanted Colonel Drake to "pull of the hounds". He pointed out that Colonel Drake got the sewer.

Bill Wagner told the Council that he has 4 lots involved in the same thing. He said that Mr. Clearbrook came and told him that he had good news; the sewer was to be put in at no cost if he would sign the petition; there would be only connection cost. He pointed out that he did not want the sewer. He said that he signed for the 4 lots, which he has sold on the strength of there being no assessment.

Councilman Wincote spoke to Mr. Wagner regarding mistake in connection cost.

Councilman Godfrey read the grant by Mr. Wagner (note: it is the standard grant made for all sewer easements).

Councilman Schneider said that the grant says nothing about there being no cost.

Mr. Wagner told of having known Mr. Clearbrook prior to his coming to the City. He said that property owner to whom a City representative talks does not know the facts.

The Mayor said that this should be forwarded for report from the City Manager, the City Engineer, and the City Attorney regarding practice.

Councilman Godfrey said that it should be set again for 1 week.

RESOLUTION 123465, requesting the City Attorney to furnish a written legal opinion in connection with communication from Colonel Thomas D. Drake, 4321 Voltaire Street, San Diego 7, dated March 28, 1955, on his sewer assessment on property after having granted City easterly 10 feet of Lot 35 Block 12 Loma Alta No. 1, in view of statements made by Berthold Clearbrook that there would be no assessment, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 123466, requesting the City Manager to make a report, based on information obtained from the City Engineer what happened in the case of sewer assessment on property of Colonel Thomas D. Drake, 4321 Voltaire Street, and what is being done now in such instances, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

#### Councilman Dail was excused

Councilman Godfrey said that if there is a successful suit, it would lay a pattern.

Councilmen were told by Mr. Wagner that he did not want a sewer.

Councilman Godfrey pointed out that value of the property had been increased on account of the sewer which had been installed.

Mr. Wagner said that he had told buyers that they would not have to pay for the sewer.

Councilman Godfrey told Colonel Drake and Mr. Wagner that the Council will have the item, and that it will be put back on the agenda.

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The Council returned to the item considered at the beginning of the meeting re rezoning portion Bergin's Addition and Arlington Addition, from R-4 to M-1, upon being advised by John Ingram of the City Manager's office that attorney Eli Levenson did not intend to appear.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, papers were filed.

Communication from Purchasing Agent with City Manager's stamp of approval, reporting on sale by auction March 26, 1955, approximately items of Police Department unclaimed articles, was presented. It reports total of \$1,354.83, exclusive of State Sales Tax, received from 235 sales, deposited with City Treasurer.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code re Tentative Map of 1-lot division of portion Lot 1 Block 133 La Playa, was presented.

RESOLUTION 123467, suspending Section 102.17-c of San Diego Municipal Code in connection with 1-lot division of portion Lot 1 Block 133 La Playa, was on motion of Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for 1-lot division of portion Lot 1 Block 133 La Playa on northerly side of Lawrence Street between San Elijo and Rosecrans Street, 75 ft x 100 ft., Zone R-4, subject to 4 conditions, was presented.

RESOLUTION 123468, approving Tentative Map for 1-lot division of portion Lot 1 Block 133 La Playa, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission (by Harry C. Haelsig) but not signed recommending reapproval of Tentative Map of Linda Vista Unit 5, subject to amendment to last paragraph of condition 4, and addition of condition 12, was presented.

RESOLUTION 123469, reapproving Tentative Map of Linda Vista Unit 5 approved by Resolution 117175, subject to revision and addition of conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending amendment to conditions 5 and 10, and addition of condition 13, was presented.

RESOLUTION 123470, reapproving Tentative Map of Linda Vista Unit 7, subject to revisions and addition, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Two Resolutions in connection with 1-lot subdivision of Pueblo Lot 1176 were adopted on motion of Councilman Schneider, seconded by Councilman Kerrigan.

\* A man in the audience asked to be heard. As a result, action on both resolutions was reconsidered.

#### Councilman Dail returned

\* Kenneth Barwick told the Council that he had not been notified of consideration.

Councilman Kerrigan spoke of Mr. Barwick being interested in 7 conditions.

Harry C. Haelsig read the conditions.

Mr. Barwick stated that he cannot meet the condition regarding the public sewer. He said that the State says that the existing sewer is a good sewer.

Mr. Haelsig said that it was the Health Department that made the recommendation on the sewer.

Mr. Barwick said he knows he would be taking a risk. He said there is the matter of dedication of street. He said he would buy property, and dedicate it, but that he wanted to build on it now.

Councilman Kerrigan said that "it so states".

Mr. Barwick had a letter from PHA, which he read to the Council - dated February 8, 1955, which expresses willingness to grant access for ingress and egress.

Councilman Godfrey wondered about having letter from PHA, or Mr. Barwick, in City files.

His question was not answered.

Mr. Haelsig wondered what would happen if Mr. Barwick cannot purchase the property. He said that it is not likely that would occur, but if it did he would not have street frontage. He spoke of safeguard to property owner and City.

Mr. Barwick said that it can't be sold, since he has an easement.

Councilman Schneider spoke about there being nothing to worry about.

Councilman Godfrey wanted a letter from Mr. Barwick

Mr. Barwick told the Council that he is willing to give 6 feet in the back, if necessary.

Mr. Haelsig said that there is a "reservation for street".

Councilman Wincote said that letter should be made as the 8th condition, and that it be passed.

Councilman Burgener "so moved".

Mr. Haelsig said that it should be held in abeyance.

J. F. Shellaby, engineer with PHA, who was present on Linda Vista Units 5 and 7 subdivisions, was asked by the Council to be heard. He spoke of the church site in the area. He said that easement is to be given, and that it overcomes gap regarding map as of today.

Councilman Schneider spoke directly to Mr. Shellaby.

Mr. Shellaby told the Council that 25-foot easement will be granted.

Councilman Godfrey said that if it is not dedicated, owner still has access to property; there is no problem.

Mr. Haelsig said that it would still cross a water easement, and that it is "not a clear deal".

Mr. Shellaby said that the only cost would be for water service. He spoke of going "to clear things out".

Councilman Godfrey moved to tentative map, subject to condition of letter as an 8th condition. Motion was seconded by Councilman Burgener.

Mr. Haelsig said that it would be necessary to suspend another section.

Councilman Kerrigan moved to suspend an additional section. Motion was seconded by Councilman Godfrey.

RESOLUTION 123471, suspending portion San Diego Municipal Code in connection with Tentative Map of portion of Pueblo Lot 1176, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION 123472, approving Tentative Map of 1-lot subdivision of portion of Pueblo Lot 1176, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending filing petition for closing northerly 12 feet of University Avenue for 100 feet adjacent to portion Lot 29 Lemon Villa, was presented. It says that Commission was informed by City Attorney's office that action has been filed in Court, and there is nothing to do but file petition.

The next matter had been continued from meeting of March 22, 1955, until March 24, 1955; continued on that date until today. It was communication from Street Superintendent, with Assistant City Manager's signature of approval, recommending denial of petition to close westerly 100 feet of Palm Street between State and Union Streets.

RESOLUTION 123473, denying petition to close west 100 feet of Palm Street, Document 505975, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next item, the City Manager stated that there is another matter relating to it. It is a Resolution, he stated, authorizing the City Attorney to file a stipulation.

A man who did not identify himself, told the Council of being dedicated in



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Continuation of item follows:

\* Communication from Street Superintendent, with signature of Assistant City Manager, recommending that portion of Calle Pavana lying between Calle Tortuosa and easterly line of Tres Lomas (Map 2160) be closed, as requested, subject to filing of final subdivision map for Homesites Unit No. 1, was presented.

RESOLUTION 123474, granting petition to close portion Calle Pavana lying between Calle Tortuosa and easterly line of Tres Lomas, Document 508171, as recommended by Street Superintendent, subject to filing of final subdivision map of Homesites Unit 1; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

\* Communication from Assistant City Engineer and Street Superintendent, with Asst. City Manager's signature of approval, stating that City has no interest in property sought to be quieted by plaintiff's action 196105, after subdivision map for Homesites Unit 1 is filed of record, was presented.

RESOLUTION 123475, authorizing City Attorney, on behalf of The City of San Diego, in action entitled "Homesites, Inc., a California corporation, Plaintiff, vs. The City of San Diego, a Municipal Corporation and John Doe One to Ten, inclusive, Defendants", No. 196105 pending in Superior Court of State of California in and for County of San Diego, to file stipulation that upon recordation of final map of Homesites Unit No. 1 Subdivision, a decree may be entered quieting title against The City of San Diego to said real property described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from City Manager concurring with City Engineer in recommending that petition be denied for 1911 Act sewer job for portion of Arnold and Choate's Subdivision, in area outlined on an attached map - signed by 64.7 percent of property owners within the district. It says, among other things, that area, if to be developed, it is quite obvious that it should be resubdivided to obtain street layout that would fit the topography.

RESOLUTION 123476, adopting recommending of City Manager, Document 509170 to deny petition for 1911 Act sewer job for portion Arnold & Choate's Subdivision, because 92% of proposed district has no existing street access, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from La Jolla Town Council, Inc., 7776 Eads Avenue, La Jolla, dated March 25, 1955, enclosing list of 4 members of Youth and Recreation Committee of La Jolla Town Council, was presented. Among other things, it says that "the controversy over the landscaping will be settled at the next meeting to the mutual satisfaction of all concerned".

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

Communication from Local Union 569 International Brotherhood of Electrical Workers, 227 E Street, San Diego 1, signed by M. J. Collins, business manager, was presented. It sets a summary of remarks brought forth at hearing March 25, 1955, by Civil Service Commission and City Council re City personnel wages and salaries: City electricians, electrical inspectors and radio electronics personnel.

RESOLUTION 123477, referring to City Manager for conference on salaries communication from Local Union 569 International Brotherhood of Electrical Workers, Document 509148, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Copy of communication from Rose Automotive Service, signed by John A. Rose, Route 1 Box 403 San Diego 10, dated March 28, 1955, original addressed to Chief of Police, was presented. It asks to be placed on Police Tow Car list, being in Grantville area recently annexed to The City.

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

Communication from San Diego Transit System, 235 Broadway, San Diego 1, dated March 29, 1955, signed by E. L. Dawes, auditor, was presented.

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

Communication from Ray C. Eberhard, attorney at law, 1231 A. G. Bartlett Building, 215 West Seventh Street, Los Angeles 14, dated March 22, 1955, was presented. It replies, in behalf of Board of Directors of Santa Fe Irrigation, to letter of February 15, 1955, enclosing copy of Resolution 122611 stating that there has existed for some time in County of San Diego, and in portion of County providing drainage area and watershed of San Dieguito River period of continued drought of such character to create acute water shortage in San Dieguito water system, and that as result City of San Diego 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 San Dieguito watershed, to supply maximum needs of Santa Fe Irrigation District and other organizations named in Resolution as provided for under contracts, etc. It says that the District is advised that the City has completed Sutherland Dam, and is storing water behind the dam and diverting it, or intending to divert it out of the watershed of the river. The communication advises that the District denies the City right, under existing contracts to declare existence of water shortage in San Dieguito water system while, at the same time, diverting water at Sutherland, or to reduce maximum quantity of water to be delivered to the District under contracts while so diverting water at Sutherland Dam. It says that the District denied the City right to make any reduction in maximum quantity of water to be delivered to the District under contracts unless it is impossible to deliver such quantity by drawing on all sources owned in Santa Ysabel and San Dieguito watersheds, including pumping from underground waters underlying lands owned by the City in the bid of San Dieguito River or near or adjacent thereto as provided in such contracts. It also notifies the City that Santa Fe Irrigation District has arranged, or is arranging, to purchase water from San Diego County Water Authority supplied by Colorado River Aqueduct, but that by purchasing said water the Board does not intend to waive any of its rights under contracts referred to in Resolution 122611, or any other contracts between the District and the City or its predecessor in interest.

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

Communication from The Ellen Browning Scripps Foundation, dated March 25, 1955, signed by Margaret C. Hawkins (Mrs. W. W. Hawkins), was presented. It says that as chairman of Board of Trustees of the Foundation, created by her deceased husband, in accordance with wishes of Miss Ellen B. Scripps, she states that trustees of the Foundation and she completely endorse letter sent to the Council by La Jolla JrSr. High School PTA Association protesting building new tennis courts at La Jolla Community Playground, which would eliminate most of children's present playground area.

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

Communication from Thomas W. Sefton, vice president, San Diego Trust & Savings Bank, dated March 23, 1955, in behalf of Natural History Museum, Balboa Park, was presented. It urges due and special consideration in the forthcoming budget, and outlines activities and facilities of the museum.

RESOLUTION 123478, referring to Budget Conference communication, Document 508925, re budget allocation for Natural History Museum, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego County Traffic Safety Council, 435 West Broadway, signed by David Thompson, executive director, dated March 29, 1955, was presented.

RESOLUTION 123479, referring to Budget Conference communication from San Diego County Traffic Safety Council, Document 509171, requesting allocation of \$5,000. in 1955-56 City Budget, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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Communication from Harry Warburton, 4717 Maple Avenue, La Mesa, dated March 29, 1955, telling for urgent need for change in present traffic signals to 3-way type at El Cajon Boulevard and College Avenue, was presented.

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

Communication from Ruth Smith (Mrs. Raymond E. Smith), 2037 Thomas Ave., San Diego 9, was presented. It points out that "Build A Better Community" project has been allotted a very nice sum of money. She asks (in behalf of the steering committee of "City Beautiful" when members of "Build A Better Community" meet and if meetings are open to interested citizens. It says that since tax money is used, she would like a written reply.

(Copy of communication was furnished to Council Secretary).

RESOLUTION 123480, referring to Council Conference communication from Ruth Smith, Document 509147, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The Mayor left the meeting

Vice Mayor Charles B. Wincote assumed duties of chairman

Communication from Robin Goodenough, Councilman, City of Coronado, dated March 29, 1955, was presented. It refers to City Councilman Harmon's unofficial letter, and says that contrary to the Harmon statements, he had full authority on behalf of the City of Coronado to appear before San Diego City Council, with City Attorney Goodbody in connection with the San Diego-Coronado tube matter on March 18.

The letter was read to the Council by the Clerk

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

Nicholas J. Haering told the Council that it is of City-wide importance. He did not amplify the statement, and there was no action taken thereon.

Resolution authorizing work along Emerson Street handled at beginning of meeting.

RESOLUTION 123481, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement between the City of San Diego and San Diego Veterans' War Memorial Building, Inc., Document No. of lease, 442489, amended by Document 485638, Amendment to Lease Agreement filed in office of City Clerk as Document 509273, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123482, naming park dedicated by Ordinance 5317 (New Series) shown and described in Document 453655 "Colina Del Sol", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123483, prohibiting parking of automobiles:

Easterly side of 8th Avenue Drive, between Juniper Street and Cobblestone Drive;

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

RESOLUTION 123484, establishing 2 hour parking time limit between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Ivy Street, between Kettner Boulevard and California 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 123485, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 20 locations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 123486, authorizing City Manager to accept work on behalf of The City of San Diego in Dixon's Subdivision No. 3, and execute Notice of Completion and have same recorded, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer has certified that work and improvement required in Document 473078 has been completed to satisfaction and approval of City Engineer.

RESOLUTION 123487, authorizing City Manager to accept work on behalf of The City of San Diego in Loma Valley Subdivision, and execute Notice of Completion and have same recorded, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer has certified that work and improvement required in Document 469917 has been completed to satisfaction and approval of City Engineer.

RESOLUTION 123488, authorizing and empowering City Manager to do all work in connection with replacement of wooden floor with concrete floor at Sewage Pump Station 14, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next Resolution Councilman Schneider asked for information.

City Manager read a report.

RESOLUTION 123489, authorizing and empowering City Manager to do all work in connection with resurfacing of south half of Alleghany Street between Rio Drive and Sea Breeze Drive, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 123490, authorizing and empowering City Manager to do all work in connection with replacement of 4" water main on 7th Avenue between University and Robinson Avenues, with 8" water main, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 123491, authorizing and empowering City Manager to do all work in connection with installation of chancellization on University Avenue, between 10th Avenue and Normal Street, incorporating use of raised traffic bars outlining center island, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next item, Councilman Schneider asked if proposed work has to do with 1911 Improvement Act plan.

The City Manager replied that he imagined so.

RESOLUTION 123492, authorizing City Manager to employ Gilman Grading Company

to replace 512 square feet of existing sidewalks on 49th Street, Elm Street, Fir Street, Tilden Street, Street, Brookline Street, Duval Street and Date Street, in and near Arnold's Park Subdivision; cost of work not to exceed \$238.08, payable from Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 123493, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Southwesterly 5.0 feet Lot 6 Block 106 Roseville, 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 Schneider, adopted.

RESOLUTION 123494, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Southwesterly 5.0 feet of Lot 5 Block 106 Roseville, 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 Schneider, adopted.

RESOLUTION 123495, approving request of Ets-Hokin & Galvan, March 22, 1955, Change Order 3, for extension of 30 days to and including June 29, 1955, filed as Document 509191, in which to complete contract for installation of traffic signals and safety lighting on F Street, contract contained in Document 505369 on file in office of City Clerk, extending time of completion to June 29, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 123496, approving Change Order 2, dated March 24, 1955, Document 509193, issued in connection with contract between The City of San Diego and H. W. Grizzle for construction of Fire Station Building 27 in Clairemont Drive, contract Document 501370; amounting to increase of \$142.82; approving request dated March 24, 1953, Change Order 2 for extension of 15 days to and including April 30, 1955, and extending completion time to April 30, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 123497, granting permission, pursuant to recommendation of Director of Water Department with approval of City Manager, to Director of Water Department to continue to serve water to M. H. Golden Construction Company as heretofore authorized, subject to same restrictions, up to but not beyond April 1, 1955; and that upon that date service to be terminated, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution authorizing Harbor Department to do work in Lindbergh Field Administration Building was handled at beginning of the meeting.

RESOLUTION 123498, granting permission to The American War Mothers, Golden Poppy Chapter 14 and Chapter 68 to conduct Fifth Annual Sale of paper carnations: May 6 and 7, 1955, between 8:30 A.M. and 7:00 P.M., Downtown district, entrance to ferry on Market Street and Harbor Drive; East San Diego, North Park, Hillcrest, Normal Heights and Kensington Park, for raising funds for welfare work, which includes aid to needy veterans and their families and parties for hospitalized veterans at Naval Hospital, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 123499, granting permission to The National Multiple Sclerosis Society, San Diego Chapter, to conduct sale of lapel buttons on public sidewalks in downtown area of San Diego, Friday, April 4, 1955, for raising funds to be used to promote research and rehabilitation facilities for Multiple Sclerosis victims in this area and throughout the nation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124500, granting California Plumbing (By John A. Heilbron) for Dr. Wilson, dentist, at 4275 Boundary Street, to install dental unit connected to a "P" trap located in floor 5 feet from vertical vent, subject to the resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124501, granting revocable permit to James S. Copley, 6338 Muirlands Drive: east of Country Club Drive, La Jolla, subject to the resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124502, granting revocable permit to Verl R. Houston and Mary B. Houston, 4141 Wilson Avenue, San Diego 4: Lot 65 Point Loma Villas, to install and maintain 3" pressurized sewer line under easement in Lot 63 Point Loma Villas and under Poinsettia Street, to City sewer main in Poinsettia Street, subject to the resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 124503, granting Mrs. Wanneta Keyes and Arnett Pauley, Jr., 126 Grape Street, permission to connect 2 buildings (too low to get into public sewer on 2nd Avenue) to plumbing system now serving 3rd building - all under 1 ownership and fixtures requested will not overload line - installation to common house sewer at 2022 - 2nd Avenue; subject to the resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124504, granting Arthur L. Murphy (owner) 1102 West Arbor Drive, San Diego (Sheldon W. Cass, Plumbing Contractor) permission to run private sewer line 167 feet at 1/8" to the foot, elevation of building 8 feet, at 707 and 709 West Arbor Drive; subject to the resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 124505, granting permission to Walker Walters and Genevieve Walters to connect dwelling numbered 5010 - 67th Street, and second building on same corner lot, facing Mohawk Street, separately and independently, to City sewer lateral presently serving first building - connection to be made outside property line, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 124506, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Land Title Insurance Company, trustee, date March 15, 1955, subordinating all right, title and interest in and to portion Lot 2 Block 491 Old San Diego, 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 Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



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RESOLUTION 124507, accepting subordination agreement, executed by Warren L. Christianson and Inelda May Christianson, beneficiaries, and Land Title Insurance Company, trustee, date January 23, 1955, wherein they subordinate all right, title and interest in and to portion Pueblo Lot 104, to right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 124508, accepting subordination agreement, executed by Point Loma Development Corporation, beneficiary, and Land Title Insurance Company, trustee, date March 14, 1955, wherein parties subordinate all right, title and interest in and to portion of Pueblo Lot 104, to right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 124509, accepting subordination agreement, executed by E. F. Tangey, beneficiary, and Allison-McCloskey Escrow Company, trustee, bearing date March 21, 1955, subordinating all their right, title and interest in and to portion Lot 19 Muirlands Village Unit 1, to right of way for storm drain; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 124510, accepting subordination agreement, executed by E. F. Tangey, beneficiary, and Allison-McCloskey Escrow Company, trustee, bearing date March 21, 1955, subordinating all their right, title and interest in and to portion Lot 18 Muirlands Village, to right of way and easement for storm drain 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 Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 124511, accepting deed of Fred E. Perry and Minda B. Perry, March 8, 1955, conveying easement and right of way for street purposes in portion Lot 2 Block 491 Old San Diego; setting aside and dedicating land to public use as and for public street and naming it Juan 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124512, accepting deed of Joseph Francisco and Celina Marina Francisco, March 24, 1955, conveying easement and right of way for street purposes in portion Lot 12 Block 99 Roseville; setting aside land and dedicating it to public use as and for public street and naming it Lowell Street; authorizing and directing City Clerk to transmit easement and right of way for street purposes in portion Lot 12 Block 99 Roseville; setting aside and dedicating land to public use and naming it Lowell 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124513, accepting deed of San Diego Unified School District, March 22, 1955, conveying easement and right of way for drain and sewer purposes in Lot 22 La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124514, accepting deed of Mary Minney, March 24, 1955, conveying easement and right of way for earth fill purposes in portion Lots 27, 28, 29, 30 Block 1 S. Gurwell 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124515, accepting deed of Gordon S. Vaughan and Eloise E. Vaughan, March 25, 1955, conveying easement and right of way for earth fill purposes in portion of Lot 15 Block "H" Burlingame; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124516, accepting deed of Florence B. Armstrong, January 6, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104 Pueblo Lands; 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124517, accepting deed of Gordon W. Bailey and Lola B. Bailey, January 4, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; authorizing and directing City Clerk to file deed for record in office of Recorder San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124518, accepting deed of Harold G. Eales and Joyce E. Eales, January 3, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124519, accepting deed of George Gabrelcik and Verna Gabrelcik, March 16, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124520, accepting deed of George W. Kettenburg III and Virginia Nelson Kettenburg, March 18, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124521, accepting deed of Jenne I. Oldfield, March 17, 1955, sewer right of way and easement in portion Pueblo Lot 104; 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 Kerrigan, seconded by Councilman Burgener, adopted.

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RESOLUTION 124522, accepting deed of San Diego Unified School District, conveying easement and right of way for storm drain purposes in portion Lots 25, 26, 27 Block A Starkey's Prospect Park; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124523, accepting deed of Eugene E. Schmitt and Beulah M. Schmitt, March 18, 1955, conveying easement and right of way for storm drain in portion Lots 7, 8, 9 Block 23 Fairmount Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124524, accepting deed of Union Title Insurance and Trust Company, March 1, 1955, conveying easement and right of way for storm drain portion Pueblo Lot 1257; 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124525, accepting deed of William L. Canning and Jane L. Canning, March 15, 1955, conveying easement and right of way for storm in portion Lot 18 Muirlands Village Unit 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 124526, accepting deed of William L. Canning and Jane L. Canning, March 15, 1955, conveying easement and right of way for storm drain in portion Lot 19 Muirlands Village Unit 1; authorizing and directing City Clerk to file deed for record in office of Recorder San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

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

On motion of Councilman Godfrey, seconded by Councilman Burgener, reading was dispensed with by not less than 4 members of Council. There was available for consideration of each member of Council prior to day of passage written or printed copy.

ORDINANCE 6469 (New Series), appropriating \$13,000. from Capital Outlay Fund for construction of 4 sewer crossings across Federal Boulevard, between Euclid Avenue and College Avenue, re agreement between City and State in Document 493614, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

In connection with the next item, Nicholas J. Haering asked if it is in the interest of economy.

Councilman Schneider said that it is in the public interest; information is available now, and cannot be dug up again.

Councilman Wincote said that it will mean filling in history on the legal side.

The City Manager said that as a result of this, the City can save thousands in suits.

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

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading

was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of Council prior to day of passage written or printed copy.

ORDINANCE 6470 (New Series), appropriating \$5,000.00 from Unappropriated Balance Fund for expenses of preparation by City Attorney of legal history of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

In connection with the next item, Councilman Schneider asked for information.

The City Manager said that it has to do with a case involving a pumping station and allied installations.

Councilman Dail returned

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending Section 64.25 of San Diego Municipal Code, providing alternate procedure and costs payments for installation of trunk line sewers, sewage pump stations and appurtenant structures, was introduced.

The City Manager requested, and was granted, unanimous consent to present items in connection with final maps of Linda Vista Units 5 and 7.

After they had been adopted, Councilman Godfrey said that he wanted to be recorded "yes" on the resolutions (he was). Apparently the Council wanted Councilman Godfrey to be shown making the motions for adoptions of the Resolutions, so the action was reconsidered, voiding the adoption.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Linda Vista Unit 5, subject to posting adequate bond to insure installation of required improvements.

RESOLUTION 124527, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with The United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, under and pursuant to powers and authority contained in provisions of Lanham Act (42 U.S.C. 1521 et seq.) for installation and completion of unfinished improvements in Linda Vista Unit 5 with provision that City Manager shall not sign until furnished by Housing and Home Finance Agency, with copy of contract entered into between Agency and reliable contractor, for installation of improvements required by Document 499233 filed in office of City Clerk October 11, 1955, and Resolutions Nos. 171175 adopted by City Council March 18, 1954, and 123469 adopted March 31, 1955, respectively; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 124528, adopting Map of Linda Vista Subdivision Unit 5, portions of Pueblo Lots 1175, 1179, 1180 and 1190, accepting Drescher Street, West Drescher Street, Kramer Street, Goodwin Street, North Elman Street, South Elman Street, Tait Street, Kelly Street, Comstock Street, Lanston Street, Langmuir Street, Fulton Street, East Jewett Street, West Jewett Street, Ulric Street, portion Linda Vista Road, Alleys, walk and unnamed easements shown within subdivision, together with any and all abutters' rights of access in and to Linda Vista Road, Kramer Street and Tait Street, for public purposes, declaring them to be public streets, portion of public street, alleys, walk and unnamed easements and dedicated to public use; rejecting dedication for streets, land shown thereon 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, portion of street, alleys, walk and unnamed easements, together with any and all abutters' rights of access in and to Linda Vista Road, Kramer Street and Tait Street, are accepted on behalf of the public, and that the City Council rejects portions 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 Godfrey, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that final map be approved - Linda Vista Unit 7 - subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 124529, waiving portion of San Diego Municipal Code which requires

filing of faithful performance bond in favor of The City of San Diego; authorizing and directing City Manager to execute for and on behalf of The City of San Diego, contract with The United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, under and pursuant to powers and authority contained in provisions of Lanham Act (42 U.S.C. 1521 et sq.) for installation and completion of unfinished improvements in Linda Vista Unit 7, with provision that City Manager shall not sign contract hereinabove authorized until he has been furnished by Housing and Home Finance Agency, with copy of contract entered into between Agency and reliable contractor for installation of improvements required by Document 503385 filed in office of City Clerk January 3, 1955, and Resolution 117177 adopted March 18, 1954, and Resolution 123470 adopted March 31, 1955; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 124530, adopting Map of Linda Vista Subdivision Unit 7, portions of Pueblo Lots 1196, 1197 and 1198; accepting on behalf of the public Comstock Street, Ulric Street, Osler Street, Orr Street, Nye Street, Comly Street and Preece Street, Ulric Court, Comly Court, Preece Court, Bell Court, Appert Court, Zone Court, Waterman Court, Upton Court, Savage Court, Comstock Court, Valjean Court, Thomson Court and Roeblin Court and unnamed easements for public purposes; declaring them to be public streets and easements and dedicated to public use; rejecting dedication for public streets portions marked "Reserved for Future Streets"; 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 public; and that Council rejects as dedication portions marked "Reserved for Future Streets"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:27 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August W. Hadstrom*  
Deputy

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

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, April 5, 1955

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

Colonel Perry O. Wilcox, USA-retired, former chaplain, now director of special services, Council of Churches, was presented by the Mayor. Col. Perry gave the invocation.

Ordinances and Resolutions are recorded on Microfilm Roll 93.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, minutes of the Regular Meetings of Tuesday, March 29, 1955, and of Thursday, March 31, 1955 were approved without reading. They were signed by the Mayor.

Councilman Wincote entered

Communication from Purchasing Agent reporting that on April 1, 1955, he opened 1911 Act bids for improvement of Boston Avenue, from R. E. Hazard Contr. Co., Daley Corporation, Griffith Company, H.C. Dannis., was presented.

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

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Intention 122929, for paving and otherwise improving Alley Block 9 Ocean Beach Park, 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 protests were filed.

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 A.M. having arrived, time set for hearing on Resolution of Intention 122930, for paving and otherwise improving Alcott Street, the Clerk reported no written protests.

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

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

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

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution 124531 of Preliminary Determination for paving and otherwise improving Alley Block 10 Normal Heights, 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 protests were filed.

RESOLUTION 124531, determining that paving and otherwise improving Alley Block

Convene  
Invocation  
Hearings  
124531



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10 Normal Heights 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, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 123057, for storm drains and appurtenances in Dalbergia Street, Siva Street, Alleys Block 265 Bergin's Addition and Block 265 Boone Brother's Addition, Cottonwood Street, Alley Block 290 Bergin's Addition, Birch Street, 37th Street, 36th Street, Alley Block 304 Boone Brother's Addition, Alley Block 2 Subdivision of Lots 8, 9, 10 Skinner's Addition, Alpha Street, Alley Block 420 Duncan's Addition, 39th Street, Z Street, Alley Block 1 Leebrick's Addition, Public Rights of Way, Rigel Street, Alleys Block 266 Boone Brother's Addition and Block 266 San Diego Land and Town Company's South Chollas Addition, written protest from Fannie F. Schaffer was presented.

The City Engineer told the Council there was a protest of .08%; no explanation for objection, just opposition.

Councilman Dail wondered about connection with this, Nordica Heights, and construction of freeway so far as affected by the drain.

The City Engineer told the Council that it crosses the freeway right of way. He said that this project had been planned prior to the freeway plans.

The Mayor asked if anyone was present to be heard.

Mrs. Campro, daughter of Mrs. Gomez, was heard. She asked if the State highway is to go through the property why the owners should be assessed.

Councilmen Kerrigan and Schneider stated that if the State takes the property, for the freeway, it would assume the assessment.

Councilman Dail said that this is the first hearing.

The City Engineer said that it would be a long time before freeway would go in. He said that the State would have to acquire rights of way, close streets; this is a "dry run".

Councilman Dail said that the drain would not interfere with the State. He said that property owners may not even have bills before the State acquires the property.

The City Engineer thought it would be some time for the buying right of way on a large scale by the State.

The City Engineer said that there would be 2 more hearings.

Councilman Kerrigan said that if the State acquires property, property owners will be reimbursed (since assessment would be included in the cost of the property).

The Mayor declared that value of the property would be enhanced by construction of the drain.

Councilman Kerrigan said that the State would negotiate, and property owners would be reimbursed. He said that they might even make a little profit.

Councilman Burgener declared that owners would receive a fair price.

The Mayor stated that the State's action would be at least 2 years away.

Councilman Dail said at this point it is just speculation.

A woman said about 1 more year.

Councilman Dail spoke about having had a meeting, and about the improvement being necessary. He said that the State "will pick up the tab" when it acquires the property. Councilman Dail said that it is no problem; no one is hurt.

A. R. Hammon, in behalf of his mother, stated that the drain would do no one in the area as much good as the price. He said that it has been under flood twice, and that the price of improvement would not offset the good. He said that it does not rain enough to justify the expenditure.

Councilman Dail asked about the estimate.

Mr. Hammon said no; there has been only hearsay at \$25.00 per lot.

Councilman Schneider said that it is too early for an estimate.

The City Engineer said that \$25. per lot is in error. He said that it would probably be more than \$92. per lot.

Councilman Burgener told of the Council having to respond to what a majority of property owners want.

Mr. Hammon stated that he still objects. He said that it is strictly income property. He told of having got along, although there was a pond. He said that there has not been enough rain to flood. He declared that Chollas Creek is large enough to carry the water. He spoke of having lived there 15 years.

Councilman Schneider said that the City is forced to use the experience of the Engineer.

Councilman Dail said that this is the first hearing; the cost estimate will come later. He said that property owners can protest later. He said that this is just for the purpose of leading up to getting an estimate.

A woman who was understood to say she was Mrs. John Peter Woodward, told the Council that there is danger on account of filth and dirt. She said there is sewer in Rigal Street, and this seems foolish.

The City Engineer said that it is regarding relocation of sewers, and is a new channel.

Mrs. Woodward said that if people move out (on account of freeway using the property) larger sewer won't be needed. She spoke of having fought stagnation for years.

Bernard Eckenrode, of the City Engineer's office, came forward at the request of the City Engineer. He joined several in a conference over a map.

Councilman Schneider told of the City having to alter the line, which would not be assessed to individuals, but cost would be on the whole job.

Mr. Eckenrode said that the sewer goes through the alley, and the flow has to be reversed.

Mrs. Woodward said that the State has said it (assessment) has to be paid ahead of property being acquired.

The City Engineer stated that the State pays of the assessments on the 1911 Act improvements.

Mrs. Cole, 3397 Cottonwood Street, asked why her property is being assessed or taxed. She said that it was put in before, then moved out. She asked why pay again.

Councilman Wincote pointed out that the City is paying 1/2 of the charge.

Mrs. Cole asked why pay anything, and then be moved out. She repeated, "why, when they are to be moved out; why pay?"

The Mayor said that if property owners are moved out, the State will reimburse Mrs. Cole said "the State says 'no'".

Councilman Dail said that property owners will not be there to pay off the bonds; they will not receive benefit. He said that it will be over a year before the project is put out to bids.

Mrs. Cole said that it will still tax the property owners.

Councilman Dail said it would be a long time later.

Councilman Schneider said that when the freeway is completed, those who will still live there, will have 10 years to pay the bonds. He said that State will take over property needed, and will pay on that.

Councilman Wincote said that if assessments are paid in cash, that amount will be added to the cost of the property.

Mrs. Cole asked why put it in now.

Councilman Wincote said that the City always gets into trouble on storm drain projects.

Councilman Dail said he would be happy to go to a meeting to discuss the problem with property owners.

Mrs. Cole spoke of fighting the sewer, and now there is sudden information saying that sewage is polluting the Bay.

Councilman Dail said that hundreds of projects are posted; the City is not trying to sell the property owners anything. He said that they have ample time to protest out the project, if they want to.

Councilman Wincote stated that members of the Council are aware of the South Chollas Creek channel problem, but not the details.

Alice Stewart told the Council she does not see why the City wants to put in the drain - after 33 years. She said that they are all widows; now; and spoke of having lived there 40 years. She said that it does not flood now, she had begged the City to clean out the Creek. She said that the water has never been high since the creek has been cleaned out.

Councilman Wincote spoke of run off to the reservoirs being following soaking and running off.

The Mayor said the City is paying 1/2.

Elsie Shuler told the Council that no drain is needed; there is a good one. She said that there was a natural drain, but that a lot had been filled. She told of having lived there since 1941. She said that a drain was in the district, and that it should be on record.

There was a conference held over a map by 2 women, the City Engineer and members of the Council.

Councilman Burgener spoke of the very small protest, and of further time to assemble others, if desired.

RESOLUTION 124532, overruling and denying protests of Mrs. Fannie Schaffer, Mrs. Campro on behalf of Mrs. Gomez, A. R. Hammon on behalf of his mother, Mrs. John Peter Woodward, Mrs. Walter Cole, Alice Stewart, Elsie Shuler, overruling and denying all other protests, against Resolution 123051 of Preliminary Determination for storm drains in Dalbergia

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Street, Siva Street, Cottonwood Street, et al, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124533, determining that installation of storm drain and appurtenances in Dalbergia Street, Siva Street, Alleys Block 265 Bergin's Addition and Block 265 Boone Brother's Addition, Cottonwood Street, et al., under Resolution 123051 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, time set for hearing on Resolution 123052 of Preliminary Determination for paving and otherwise improving La Dorna 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 presented.

RESOLUTION 124534, determining that proposed improvement of La Dorna Street, under Resolution 123052 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, time set for hearing on Resolution 123053 of Preliminary Determination for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, et al, 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 presented.

RESOLUTION 124535, determining that proposed improvement by sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, Thorn Street, Redwood Street, Olive Street, Maple Street, Alleys in Clifton Addition to City Heights, et al, 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 10:09 A.M. having arrived, the time set for continued hearing on modified and corrected Assessment 2324 made to cover cost of installation of storm drains and appurtenances in Streamview Drive, 54th Street and Public Right of Way, the Clerk reported written appeals from Ira B. Marshall, Sr. and from Ruth L. Hardaker. They were presented to the Council (other appeals, both written and verbal had been presented earlier on the previous assessment, not modified).

The Mayor inquired if anyone was present to be heard.

Mrs. Stella Marshall spoke of the Council having met in January, at which time there was information that assessment would be \$74.05; now it is \$149.58. She asked why it had been changed and raised.

The Mayor told of the City being confronted with problem regarding the levy.

The City Engineer stated that he had worked out 6 different formulas.

The Mayor said that the Council had arrived on the latest formula: 50% - 50%. He declared that benefit to residents on Streamview is greater than on the original 15%. He said that the assessment, as modified, is fair and equitable.

Mrs. Marshall asked if the improvement has to be kept up (by the property owners).

The Mayor says "no; the City keeps it up".

Councilman Kerrigan spoke of piece of unsubdivided property "in between".

Mrs. Jones (not identified further), was heard.

Councilman Kerrigan spoke, further, regarding wide property "in between".

The City Attorney said that appeal should be overruled.

Mrs. Jones, on Streamview, said that many people have no way of getting out from their property, except by way of Streamview. She said that they use it more, but their assessment has been lowered.

Councilman Burgener said that the Streamview people could have protested out the project.

There was discussion between Councilmen Burgener, Wincote and Mrs. Jones regarding benefits.

Councilman Burgener spoke of it being not what was wanted, regarding the assessment.

Mrs. Jones protested the new assessment.

RESOLUTION 124536, overruling and denying appeals of Ira B. Marshall Sr., Ruth L. Hardacker, and other appeals both written or verbal, from Street Superintendent's Assessment 2324 made to cover costs and expenses of installation of storm drains in Streamview Drive, 54th Street, and Public Rights of Way; confirming and approving modified and corrected Assessment 2324, 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, time set for hearing on Street Superintendent's Assessment 2341 made to cover costs and expenses of paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, Resolution of Intention 117465, the Clerk reported written appeals from Lawrence Strakon, Carl G. Hallborg, and from Herbert E. and Viva E. Weber.

The City Engineer reported 7.6% appeal, based on area and cost.

Lawrence Strakon told the Council he owns 93 feet.

The Mayor said that on the area, assessment is 30%.

Mr. Strakon declared that to be unjust.

The Mayor said that is the regular formula.

Councilman Schneider spoke to Mr. Strakon regarding the area assessment.

Councilman Wincote spoke to Mr. Strakon regarding people paying 30% on the street.

RESOLUTION 124537, overruling and denying appeals of Lawrence Strakon and Carl G. Hallberg, appeal of Herbert E. and Viva E. Weber from Street Superintendent's Assessment 2341 made to cover costs and expenses of work of paving and otherwise improving Alleys Block 66 Resubdivision Blocks 39 and 56 Normal Heights, Resolution of Intention 117465; confirming and approving Street Superintendent's Assessment; authorizing and directing him to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2342 made to cover costs and expenses of paving and otherwise improving Alley Block 14 F. T. Scripps Addition to La Jolla Park, the Clerk reported no written appeal had been received from Mrs. F. J. Hughes.

The Mayor inquired if anyone was present to be heard.

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

The City Engineer reported 6.3% appeal.

RESOLUTION 124538, overruling and denying appeal of Mrs. F. J. Hughes from Street Superintendent's Assessment 2342 made to cover costs and expenses of 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, Resolution of Intention 119498, overruling and denying all other appeals; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing Street Superintendent to record in his office warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment 2343 for paving and otherwise improving 54th Street, Blackton Drive, 55th Street, the Clerk reported written appeals from Frank Ray and Alice Ray, Arthur N. Halsey, Mrs. Lela Taggart, Mrs. Evayleen (Batsell) Malone, John R. Moerschbaeher and Elizabeth Moerschbaeher, Thaddeus I. and Helen Skitnicki, Raynold Hokanson, A. W. Northen, Charles H. Webb, Mary Baranoff

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et al, R. O. Breuer.

The Mayor inquired if any one was present to be heard.

Before anyone was heard by the Council, the City Engineer reported 3.3% written appeal.

Mrs. C. M. Tomlinson showed pictures of the work. She declared that here street is not "practically a 1-way street. (Evidently Olive Street, since that is the street on which she owns property.

Councilman Dail was excused

7 Councilman Wincote stated that Olive Street is not improved; it is not in the job - curbs only, there. He stated that will be paved, later, when the unimproved property is improved. He spoke of having had a telephone call, and of its having been repaired.

The Mayor said that the contractor met specifications. He said that if there is a drainage problem, the City will keep in a state of repair.

Mrs. Tomlinson spoke of temporary patching. She told of being assessed on Olive Street, and asked if the grade is being "lifted".

The Mayor replied that is not the case in this job.

The City Engineer showed a map of work done.

Councilman Schneider said "just the intersection".

The City Engineer said it should be paved, or blacktopped. He said that there is a temporary blacktop.

Frank Ray, who identified property as Lot 15 Block G, Pepper Drive, asked for an adjustment.

Willard Olson, of the City Engineer's Office, showed the Council a map, at which Mr. Ray looked. He said that there is a sewer in Falcon Street. He explained to several, who joined a conference, the plat. He explained the nearby other work.

Councilman Kerrigan was excused

Arthur Halsey told the Council that he got a bill for \$110, although contractor spent only about 5 hours to grade the alley. He told about a conference with Mr. Goodin (Street Assessment Clerk) over the assessment. He spoke of having lost use regarding grade being "taken off".

Mr. Olson spoke of having a letter, not identified to the Clerk.

There was discussion between Mr. Halsey, Mr. Olson and several Councilmen.

Mr. Halsey talked about the cost, and said he was not benefited. Then he said he was talking about a letter from the Engineer.

The City Engineer said protest is on area assessment.

Another conference was held over a plat.

The City Engineer said he had explained to Mr. Halsey for what he is being assessed.

Mr. Halsey related conversations from Mr. Goodwin, and said that he had received 3 different answers.

Other individuals joined in the conference.

The Mayor left the meeting.

Vice Mayor Charles B. Wincote presided

Mary Baranoff protested on Lot 27 Block F Balboa Vista.

The Vice Mayor suggested that the City Engineer talked with the property owners outside of the meeting, since there seemed to be no immediate solution, and the rest of the docket was still before the Council.

RESOLUTION 124539, continuing hearing on Assessment 2343 for improvement of 54th Street, Blackton Drive, 56th Street, et al, until 10:00 o'clock A.M., Thursday, April 7, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The City Engineer left the meeting, accompanied by several property owners, for a conference in the adjoining room.

Petition Kay Jewelers, by Kahn & Karp, signed by Louis M. Karp, attorneys, which had been before the Council on March 29 and March 31, 1955, was presented. The item had been referred to the City Attorney for legal opinion in connection with neon lettering on marquee at establishment, 1026 Fifth Avenue.

Mr. Karp said that the answer is that the petitioner "can do it". He spoke of having omitted taking care of the situation. He said that the Council would have to add 1 thing to the ordinance, to permit the Council to grant a revocable permit, "or some thing".

Councilman Schneider spoke to Mr. Karp regarding putting letters below the marquee.



Mr. Karp replied that the marquee has been plastered, and that lighting has been provided "at own expense". He said that the Council would have to add to the ordinance, and that the Council has the same powers regarding appeal in the Zoning Ordinance (but not in the sign ordinance). He said that after having spent \$30,000, the City now says Kay's can have only 18" letters. He spoke of first application under the new ordinance. He declared that his client is an exception: does millions of dollars of business. Answering Councilman Burgener, Mr. Karp said that lettering can be back against the face of the building, or a small sign underneath the marquee.

There was discussion between several Councilmen and Mr. Karp, during which Mr. Karp stated that money can't buy the property.

Councilman Wincote pointed out that if the Council changes the Ordinance, it would take 30 days to go into effect, after adoption.

Mr. Karp stated that it cost \$75000 to build the marquee.

Vice Mayor Wincote said that the item had been referred to the City Attorney for a legal ruling. (The opinion from the Attorney was in the file).

RESOLUTION 124540, referring to Council Conference for Thursday, April 7, 1955, and directing the City Clerk to list the item on the agenda for that date, petition of Kay Jewelers requesting permit to construct Neon Sign on Marquee at 1026 Fifth Avenue, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing City's requirements of 85-100 Penetration Paving Asphalt, Emulsified, and Liquid Asphalt for 1 year from April 1, 1955, was presented. It recommends acceptance of the 2 low bids of Butterfield-Nelson, Inc., and of Sim J. Harris Company. 2 bids received.

RESOLUTION 124541, accepting bid of Butterfield-Nelson, Inc. for furnishing for period of 1 year penetration paving asphalt, penetration type asphaltic emulsion, mixing type asphalt emulsion, liquid asphalt (items outlined in Resolution); 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.

RESOLUTION 124542, accepting bid of Sim J. Harris Company for furnishing mixing type asphaltic emulsion, liquid asphalt, (items outlined in Resolution); 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.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing Shelving and Shop Equipment for Meter Shop of Water Department to replace wood bins, was presented. It recommends acceptance of 3 low bids of Morton Equipment Company, C. S. Goodale Company, Gould Hardware & Mach. Co. 11 bids received.

RESOLUTION 124543, accepting bid of Morton Equipment Company for furnishing shelving and shop equipment (items outlined in Resolution); 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 124544, accepting bid of C. S. Goodale Co. for furnishing shelving and shop equipment (items outlined in Resolution); 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 124545, accepting bid of Gould Hardware & Machinery Co. for furnishing shelving and shop equipment (items outlined in Resolution); 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.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing 1 Aerial Ladder for Street Tree Division, was presented. It recommends acceptance of low bid of Calavar Corporation of Los Angeles - 5 bids.

RESOLUTION 124546, accepting bid of Calavar Corporation for furnishing 1 Hall Aerial Ladder; 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.



Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for construction of new building at Linda Vista Recreation Area, 7048-1/2 Levant Street - recommending acceptance of low bid of H. W. Grizzle, \$23,100., was presented.

On motion of Councilman Burgener, seconded by Councilman Schneider, report and proposed resolution were continued 1 week - to April 12, 1955.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for construction, glass fiber fabric covering, painting and outfitting Plywood Skiffs, recommending accepting low bid of O. O. & R. E. Maurer at \$21,469.75, was presented. There were 3 bids.

RESOLUTION 124547, accepting bid of O. O. & R. E. Maurer for work on skiffs; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for construction, painting and outfitting outdoor toilet buildings for El Capitan Recreation Station; recommending accepting low bid of Irvin A. Rose, \$9000. - 5 bids - was presented.

RESOLUTION 124548, accepting bid of Irvin A. Rose for work on buildings for El Capitan Recreation Station; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for improvement of portion of J Street easterly of 33rd Street; recommending accepting low bid of Sim J. Harris Company, \$1775.60 - 4 bids - was presented.

RESOLUTION 124549, accepting bid of Sim J. Harris Company for improvement of portion of J Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of 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 reconstruction of Witherby Street Storm Drain Pump Station; recommending accepting low bid of J. R. Stevens & Son, \$7744.00 - 6 bids - was presented.

RESOLUTION 124550, accepting bid of J. R. Stevens and Son for reconstruction of Witherby Street Storm Drain Pump Station; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing Sewer and Pipe Rodding Machine; recommending accepting only bid meeting specifications - Petersen Engineering Company, Manufacturers, Santa Clara, California, \$8,980.00 plus State Sales Tax - was presented. There were 3 bids.

RESOLUTION 124551, accepting bid of Petersen Engineering Company, Manufacturers, for furnishing 1 Sewer and Pipe Rodding Machine; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, recommending City Manager be authorized to extend retread contract with Harbor Tire Supply Co. for 6 months beginning May 1, 1955, was presented.

RESOLUTION 124552, authorizing and instructing City Manager to exercise option to extend contract with Harbor Tire & Supply Co. for recapping and retreading passenger and truck

tires for 6 months beginning May 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124553, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting systems on A Street between 12th Avenue and India Street; 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 124554, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting systems at intersection of Grand Avenue at Pacific Highway, Document 509339; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on sale of 5 lots of used meters to 2 high bidders, for total of \$3,196.09 which has been deposited with City Treasurer, was presented.

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

Councilman Schneider wondered if anyone in the audience had items to present.

"Dr. Eleanor", who had a petition before the Council relative to something that was desired in the Food and Beverage Building, Balboa Park, came to the microphone.

The City Manager said that he had written to her and stated that the Park and Recreation Department had denied her request, which was not made clear, and that he concurred.

Councilman Wincote, as Vice Mayor, stated that the Council's action of last week was to refer to City Manager, and that his action is the same as Park and Recreation Department.

Dr. Eleanor said she is kept from doing what is wanted (it still was not disclosed what that is).

The Vice Mayor said that the request had been denied, and that petitioner might pursue some other method.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map for division of Lot 129 Del Norte Addition, was presented.

RESOLUTION 124555, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for division of Lot 129 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 Tentative Map for division of Lot 129 Del Norte Addition, in Encanto area, into 2 lots - each approximately 100' x 100', was presented. It says that City Engineer's office has requested corner cutoff of 60 ft. radius to obtain adequate grade on Tooley and Paradise Streets. It recommends 5 conditions in connection with approval.

RESOLUTION 124556, approving Tentative Map for division of Lot 129 Del Norte Addition, 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 approval of revised Tentative Map of Homesites, modifying items 1, 4 and 7, and adding condition 12, was presented.

RESOLUTION 124557, approving revised Tentative Map of Homesites, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman

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Schneider, adopted.

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

RESOLUTION 124558, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Kolgra Manor, 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 Kolgra Manor, 19-lot subdivision of portions Lots 4 and 5 Wadsworth's Olive Grove - westerly of 52nd Street and southerly of Maple Street, west of parcel of land purchased by the City for park and recreation area located on westerly side of Oak Park Elementary School - subject to 14 conditions - was presented.

RESOLUTION 124559, approving Tentative Map of Kolgra Manor, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Bird Rock Parent Teachers Association, La Jolla, dated March 30, 1955, signed by Nancy Bevan Ward, secretary, and Marjorie E. Bigelow, pres., was presented. It supports stand taken by La Jolla Junior-Senior High School in letter of March 22, 1955, against removal of playground equipment at La Jolla Community Center. It urges complete study before decision is reached.

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

Communication from residents for erection of abutment at Osler Street entrance and at Clairemont entrance of dirt road, leading through Tecolote Canyon to prevent use as public road, was presented. It says that property is private property and use as a road by the public constitutes trespassing. Communication says that interest in closing road is safety of children and prevention of damage to private property, that at this time it is necessary for motorists to cross sidewalk and curbing to enter Osler Street.

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

RESOLUTION 124560, directing notice of filing Assessment 2351 and of time and place of hearing thereof for paving and otherwise improving Alley Block 3 Ocean Beach, Resolution of Intention 119786, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 124561, accepting bid of John B. Henry and awarding contract for paving and otherwise improving Alley Block 13 Swan's Addition, Resolution of Intention 122086, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. City Engineer reported low bid is 10.6% below estimate.

RESOLUTION OF AWARD 124562, accepting bid of Al E. Riley, Inc. and awarding contract for paving and otherwise improving Pacific Beach Drive, Resolution of Intention 122089, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. City Engineer reported low bid is 17.7% below estimate.

RESOLUTION OF AWARD 124563, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for College Park Lighting District No. 1, for 1 year from and including June 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 124564, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block C Belmont, approving Plat 2702 showing exterior boundaries of assessment district; 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 124565, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 39 Ocean Beach, approving Plat 2707 showing exterior boundaries of assessment district; 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 124566, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Pynchon Street and Ocean View Boulevard, approving Plat 2705 showing exterior boundaries of assessment district; directing City Clerk upon passage of resolution to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 124567, for paving and otherwise improving Alley Block 19 North Shore Highlands, Resolution of Intention 122840, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 124568, for paving and otherwise improving Linwood Street, Resolution of Intention 122841, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 124569, for paving and otherwise improving 70th Street, Resolution of Intention 122842, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 124570, for paving and otherwise improving Alley Block 80 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 124571, for paving and otherwise improving Alleys Block 262 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 124572, for paving and otherwise improving Electric Avenue and Public Rights of Way in Lot 2 Pueblo Lot 1783, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 124573, for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 124574, for storm drains in Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 124575, 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 124576, for paving and otherwise improving Alley Block C Belmont, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 124577, for paving and otherwise improving Alley Block 39 Ocean Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 124578, for paving and otherwise improving Pyncheon Street and Ocean View Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124579, approving diagram of property affected or benefited by work of improvement to be done on installing sewer mains in Alleys in City Heights, Thorn Street, Redwood Street, Quince Street, Unnamed Street and Public Rights of Way, Resolution of Intention 118980, and to be assessed to pay expenses; 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 Kerrigan, adopted.

RESOLUTION 124580, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Olvera Avenue and Bonita Drive, Resolution of Intention 119502, and to be assessed to pay expenses; 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 Kerrigan, adopted.

RESOLUTION 124581, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 14 City Heights, Resolution of Intention 121400, and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124582, directing City Engineer to furnish diagram of property

affected and benefited by work and improvement on paving and otherwise improving Alley Block A Sunset Crest, Resolution of Intention 121401, and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124583, adopting recommendation of City Engineer, Document 509272; authorizing him to amend proceedings for improvement of Alley Block 201 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124584, adopting recommendation of City Engineer, Document 508654; authorizing him to amend proceedings for improvement of portion Delta Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124585, adopting recommendation of City Engineer, Document 509270; authorizing him to amend proceedings for improvement of T Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124586, adopting recommendation of City Engineer, Document 509271; authorizing him to amend proceedings for improvement of 37th Street, Logan Avenue, Newton Avenue, Boston Avenue, Z Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124587, granting petition, Document 508648 for installation of sidewalks in Richmond Hills Subdivision; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124588, granting permission to Charles S. Hardy Estate Company ~~permission~~ to improve portion of G Street - between 5th and 6th Avenues - under Document 508906 - was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124589, granting permission to Bruce Good to improve portions of Voltaire Street and Catalina Boulevard - under Document 508247 - was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124590, prohibiting parking of automobiles at all times: West side of Alameda Place, between Guy Street and Linwood Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124591, declaring one-way street: Eads Avenue, between Prospect Street and South Coast Boulevard, for northwesterly bound traffic; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124592, authorizing City Manager to employ M. H. Golden Construction Co. to patch and surface existing paving on Byron Street, between Scott Street and Mean High Tide Line, cost not to exceed \$175, payable from Ordinance 5341 (New Series) - re contract



for improving Byron Street under 1911 Street Improvement Act proceedings - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124593, authorizing City Manager to employ A. W. Thorpe to replace 528 square feet of existing sidewalk and 24 lineal feet of curb, in connection with improvement of 55th Street, Marvin Street, Winlos Street, Redwood Street, Hubner Road and Chollas Station Road, not to exceed \$227.52, payable from Ordinance 5341 (New Series) in connection with 1911 Street Improvement Act proceedings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124594, authorizing City Manager, acting by and through the Treasurer, to amend agreement entered into on 11th of February, 1949, between The City of San Diego and Bank of America National Trust & Savings Association, wherein the Bank of America was designated as agent for The City of San Diego for payment of general obligation bonds, together with interest, in City of New York, New York, so as to provide also in City of Chicago, Illinois, and in that connection to provide for representation of Bank of America by First National Bank of Chicago, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124595, authorizing and empowering City Manager to execute, for and on behalf of the City of San Diego Supplemental Freeway Agreement, Document 509690, covering portion of State Sign Route 94 freeway relocation of Federal Boulevard - Wabash Freeway to 0.6 miles east of Euclid, more particular terms and conditions set forth in the Supplemental Freeway Agreement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 124596, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Cleto Vedova of Sutherland Reservoir Basin in Township 12 South, Range 2 East, S.B.B.M., for grazing of horses and/or cattle only, for 5 years beginning April 9, 1955, at annual rental of \$625.00, as set out in Document 509691, property has real value of \$170,000. 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124597, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at Pardee Street and Webster Avenue, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124598, authorizing and empowering City Attorney to file disclaimer in condemnation action in Superior Court of State of California, in and for County of San Diego, entitled, "The People of the State of California vs. Joseph R. Knowland, et al.," Superior Court No. 194798, disclaiming any interest of The City of San Diego in and to property subject to the action, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 124599, granting Cosimo Louis Cutri, 3262 Hawk Street, permission to install and maintain sewer line and water line under Sassafras Street from Lot 7 Block 136 Middletown Subdivision to City water line in State Street and to City sewer main in State Street, under Revocable Permit Application and Removal Agreement, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125600, granting revocable permit to Léon E. Goodman, 5008 Ontade Street, San Diego 10, to install and maintain private 4" sewer line under Oliver Court to Oliver Street and along Oliver Street to alley at east side of Block 294, Lot 7, Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125601, granting Eugene L. Hannah, 3510 Buena Vista, San Diego 9, to install and maintain a 1" water line under south side of Magnolia Street for approximately 275 feet to bond Street: Lot 6 Block 18 Mission Bay Park Tract, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125602, granting Addy J. Kay, 4533 Contour Boulevard, permission to install 4" cast iron sewer line from remodeled residence, 4533 Contour Boulevard: Lots 19 and 20 Block 11 Alhambra Park, to existing City sewer at 1% grade instead of customary 2% grade, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125603, granting revocable permit to Jas. L. Kelley, Assistant to Executive Vice President, Convair, a division of General Dynamic Corporation, San Diego, to install and maintain private 2" water line over Greenwood Street from Lots 5 to 12 inclusive Resubdivision Block 340 Old San Diego to meter in Kurtz Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125604, granting permission to Clyde R. Kennedy, 4501 Arista, San Diego 3, to run 4" soil line at 1/8" per foot slope, instead of 1/4" per foot grade, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125605, granting revocable permit to C. L. Moorehead, 5313 La Jolla Boulevard, La Jolla, to install and maintain 4" sewer lateral under Alley Block 14 Bird Rock Addition, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125606, granting revocable permit to Robert L. Silverthorn, P.O. Box 110 San Diego 2, to install and maintain underground power and communications conduit under sidewalk on Market Street, adjacent to Lots 1, 2, 11, 12 Block 17 Sherman's Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125607, granting revocable permit to James C. White, 2576 Sixth Avenue, San Diego, to install and maintain 1" private water line under Geneva Avenue, to run approximately 230 feet: Lot 20 Block 9 Beverly, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125608, granting revocable permit to Edwin R. Wittig, 2244 - 39th Street, to install and maintain retaining wall to be built along southwest corner Lot 12 Block A on 39th Street in Fairmount Park, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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RESOLUTION 125609, approving claim of James B. Casey, Document 507248, in amount of \$36.02; directing City Auditor and Comptroller to draw warrant, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125610, approving claim of E. B. Frohn, Document 507939, in amount of \$43.10; directing City Auditor and Comptroller to draw warrant, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125611, approving claim of Frank L. Graham, Document 506449, in amount of \$27.92; directing City Auditor to draw warrant, was on motion of Councilman Burgener, seconded by Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125612, approving claim of Arthur Paul Hoover, Document 507193, in amount of \$49.20; directing City Auditor and Comptroller to draw warrant, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125613, approving claim of Charles W. Nash, Document 507788, in amount of \$19.26; directing City Auditor and Comptroller to draw warrant, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125614, denying claim of Mrs. R. N. Olson, Document 508342, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 6471 (New Series), amending Chapter IX of San Diego Municipal Code by amending Section 91.09 thereof, and adding thereto Sections 91.09.1, 91.09.2, and 91.09.3, concerning establishment and delineation of Fire Zones within the City, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan. Nays--None. Absent--Councilmen Dail, Godfrey, Mayor Butler.

Ordinance appropriating \$25,500. from Capital Outlay Fund, for construction of building at Linda Vista Recreation Area, was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was continued 1 week - to April 12, 1955.

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 the Council prior to day of final passage written or printed copy.

ORDINANCE 6472 (New Series), appropriating \$8,500.00 out of Capital Outlay Fund for reconstruction of Witherby Street Storm Drain Pump Station, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan. Nays--None. Absent--Councilmen Dail, Godfrey, Mayor Butler.

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

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

ORDINANCE 6473 (New Series), appropriating \$2,000.00 from Capital Outlay Fund for construction of drain on portion of J Street easterly of 33rd Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan. Nays--None. Absent--Councilman Dail, Godfrey, Mayor Butler.

Ordinance amending Article 2 of Chapter IX of San Diego Municipal Code - Electrical Code - was presented for introduction.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was continued 2 weeks - to April 19, 1955.

Unanimous consent was granted for consideration of the next item.

RESOLUTION 125615, declaring and finding that it would be in the best interests of The City of San Diego and its inhabitants for this City through its agents and representatives and through its Assemblymen and Senator in the State Legislature to oppose and resist in every legal way possible the passage and adoption of Assembly Bill 3762, and the Council therefore urges the Senator of this Senatorial District and the Assemblymen from the Assembly Districts of which The City of San Diego is a part, and Assembly Districts adjacent to and forming a part of the area contiguous to the Harbor and Bay of San Diego, to do all things reasonably necessary to oppose on behalf of the people of The City of San Diego the passage and adoption of said Assembly Bill 3762; authorizing and directing City Clerk to deliver or cause to be delivered certified copies of the Resolution to members of the Legislature hereinabove specified, 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 Vice Mayor declared the meeting adjourned at 12:05 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

4/7/55

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, April 7, 1955

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Street Superintendent's Assessment 2343 made to cover costs of paving and otherwise improving 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, et al., the City Engineer told the Council that he had met with affected property owners, and thinks that they are satisfied.

RESOLUTION 125616, overruling and denying appeals of Raynold Hokason, Mrs. Lela Taggart, Thaddeus and Helen Skotinicke, John R. and Elizabeth Moerschbaeher, Arthur N. Halsey, Mrs. Evayleen Malone, Charles H. Webb, A. W. Northern, Frank and Alice Ray, Mary Baranoff, et al., from Street Superintendent's Assessment 2343 made to cover costs and expenses of work of paving and otherwise improving 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, Alleys Blocks A, B, C, D, F, G, H and J Balboa Vista, Alley in Balboa Vista Heights which easterly of and contiguous to Lots 4 to 12 and contiguous Balboa Vista Heights, Alley lying easterly of and contiguous to Lots 4 to 9 Block I Balboa Vista, Lolly Circle and Alley Lot 3 C. C. Seaman's Subdivision, Resolution of Intention 115896; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2343; 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 Burgenier, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on hearing for rezoning west half Lot 62 Ex-Mission for rezoning of about 20 acres of R-4 property to C or C-1A, was presented. Report from Planning Commission, signed by P. Q. Burton, was read. In addition to a detailed report, it says that the Planning Commission concluded that petitioner had not proven public necessity, convenience, general welfare or good zoning practice required for the zone change, and therefore voted 6-0 to recommend denial of zoning proposed in application. It says, also, that property is presently zoned R-4 under Ordinance 78 N.S.

Mr. Burton showed members of the Council a map of the property.

Glenn A. Rick, City Planning Director, explained the location of the undeveloped property, upon which he said there is a drainage condition. He said that the Commission thinks the rezoning, as requested, is not proper.

Councilman Dail asked about the zone across the street.

Mr. Rick outlined the several zones.

There was discussion between members of the Council and Mr. Rick.

Vernon H. McChesney, petitioner, was heard. He said that he had letters favoring his proposal. He said that a man had told of a large housing development that wants the rezoning. That man, according to Mr. McChesney, appeared at the Planning Commission hearing without his knowing the supporter was to be there. He stated that people in the Valencia Park area are interested in the rezoning. He stated that all people in the area are anxious for it to go through, according to information he has received. He told of markets and a dentist being interested as prospective tenants. He had a map of doctors' and dentists' offices in San Diego, and said that the nearest one is 2-1/2 miles away.

Councilman Wincote said that a doctor is permissible in R-4 zone.

Mr. McChesney said that it is necessary for various and allied businesses to be together. He had a drawing of the finished produce, which he exhibited. He told of having

written a letter to Councilman Wincote, who had presided at another meeting, as Vice Mayor. He said that the Vice Mayor had told him that he had come to the wrong place (before the Council) for a zone change, and that he should get out a petition from the Zoning Commission.

Mr. Burton said that Mr. McChesney was asked for a description, and that he had another zone. He reviewed proposals, and told of having wanted a drawing of area to be set aside for C and CP, but that Mr. McChesney did not comply with the request.

Mr. McChesney showed the same map, and said that he did not know the exact dimensions of buildings.

Councilman Schneider said that there is a difference between the proposals.

Councilman Wincote asked Mr. McChesney if he drew the map himself.

Mr. McChesney replied that he did not; it was drawn by an engineer. He said he has the dimensions, now. He spoke of having 7-1/2 to 1 parking ratio.

Mr. Rick said that originally request was for C Zone.

There was discussion between Councilman Schneider and Mr. Rick.

Mr. Rick said that the question is if there shall be a shopping center at 47th and Logan, rather than an argument regarding procedure. He said that there has been a zone change at Euclid and Logan. He said that he thinks the Valencia people would not go through one shopping center to this proposed one.

Councilman Dail said there is to be a shopping center at Euclid.

The Mayor reviewed the situation from the Planning report.

Councilman Burgener asked if the property should be ignored, because owners had neglected to develop the nearby property zoned for such purpose.

Mr. McChesney declared that there is not a single protest. He spoke of having started long before the others. He said that Valencia Park people want this, on account of the medical and dental centers proposed.

Councilman Dail asked Mr. McChesney about the ownership.

Mr. McChesney told the Council that he has owned the property a little over a year; he bought it from Knox (former Mayor Harley E. Knox, dairyman). He said that M-1A zone is contemplated nearby.

Mr. Rick spoke about statement made to Roscoe Porter regarding M-1A zone. He said that because that is favored does not mean that this is a proper shopping center. He said it does not add up and make sense.

Councilman Wincote, spoke about being able to have made a marking center in M zone.

The Mayor said that interest is in C Zone. He asked if it was "comptable".

Roscoe Porter told the Council that he thinks the Commission voted 6-0 because a commissioner felt the Council should not create zones for speculators. He said that it took time to get going on Euclid. He stated that a commissioner has said that friends have C zone property, and that the City can't break down. He said that free enterprise still is basic. He told the Council that the chairman of the Planning Commission said "should it be proper"? Mr. Porter told the Council that Mr. McChesney, being red headed wanted a vote right then; and the commission voted "no". He said his firm is making economic survey, and thinks this is feasible. He said that in the beginning every property owner signed in favor; they want to see it get going. He stated that it is needed for the growth of the area. He spoke of having been asked for a list of prospective lessees.

Mr. McChesney asked about being ready to build now.

Mr. Porter said that some can do the financing. He spoke of not being in position to make agreement regarding zone.

Councilman Burgener said that economics will determine the development.

The Mayor concurred to have the ordinance for hearing regarding C-1A. He said that the Planning Commission and Planning staff have gone a little far regarding predictions.

There was discussion between Councilman Wincote and Mr. Rick.

Mr. Porter said that Mr. Palmer and Mr. Connor were at 2 hearings; they developed Euclid, and had no objection. He said that Ed Hall thinks this would aid the area. He said that Mr. Knox would have been here, but could not on account of a previous engagement.

Mr. Rick said that the Commission asked Mr. McChesney and Mr. Porter about justification. He said that on Kearny Mesa property owners had asked for shopping center, in the Linda Vista area; but the Commission did not have an improper act. He said that the George Scott shopping center of \$5,000,000 to \$7,000,000 was developed after investigation. He said this is not the proper way to develop a city.

Mr. McChesney read a letter from Roy's Market, saying they would like to work out a lease agreement, "hinging on this". He said that Mr. Burton had read it to the Commission.

Mr. Porter said that the chairman of the Commission made a gentleman's agreement not to reveal commitments. He said that several are "ready to go" if they have a shopping zone. He declared that unity brings people to the area, and that they should have the right to extend whether or not the venture is a success. He told the Council that Mr. Scott has sold to devel-



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opers. He said that Mr. Scott has stated that he will have a larger store (Walker's) "out there" than the one at 5th and Broadway. He said that it was all as a result of a survey.

RESOLUTION 125617, requesting City Attorney to prepare and present ordinance for rezoning West One-Half of Lot 62 Ex-Mission Lands from R-4 Zone to C-1A Zone, in vicinity of 47th Street and Logan Avenue, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

In connection with hearing for rezoning from R-1 to C Zones portion of Lot 18 Ex-Mission Lands in the Federal Boulevard and 47th Street area, the Mayor told of request from petitioners for continuance until April 21.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, hearing was continued until Thursday, April 21, 1955.

Councilman Burgener was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Clairemont Business Properties Company from decision of the Board of Zoning Adjustment in denying permission to operate prescription pharmacy in a medical and dental center with door opening to the public street, and with sign, portion Lot 1203 Clairemont Unit 7, Clairemont Drive approximately 350 feet south of Ute Drive, in Zone R-4, the Mayor recounted the background of request and the several reports and hearings.

Councilman Schneider moved to overrule the Zoning Adjustment Board's decision, and grant the appeal.

Dave South, Zoning Administrator, read part of the report. He stated that the Board had granted variance - with sign and door in the patio.

Councilman Wincote asked if there is a plan available.

Councilman Schneider asked if the Board can stop it.

Glenn A. Rick, Planning Director, told the Council that when the property owner changes the character of the area, through City action, it is getting away from the Zoning pattern.

Councilman Schneider said that quibbling over a door seems trivial.

Mr. Rick said he thinks that the pharmacy can then cater to the public; the idea is to cater to patrons of the doctors. He spoke of others having received one thing; then they try to get a change.

Councilman Wincote asked about the existing zone at 1st Avenue and Juniper Street.

P. Q. Burton, from the Planning Department, replied that it is R-C.

Carlos Tavares, partner in the Clairemont Business Properties, appeared.

He said that the Zoning Adjustment would not "give a door" (as wanted by petitioner). He said that Planning granted a zone change, the School Board had no objection to a pharmacy. He told of having offered to give the School Board a deed restriction to the effect that there would be nothing but a pharmacy. He said that Planning voted for a pharmacy, which the Board of Education does not oppose, but does not want billard parlor or hot-dog stand.

Mr. South exhibited a plan.

Councilman Kerrigan was excused

The Mayor stated that the Planning Commission had granted a zone change, but the Council had sent it back for a zone variance.

Edith Carson Smith, principal, Marston Junior High School, appeared. She said that she and others want ~~want~~ the variance which would oppose change from a prescription pharmacy.

The Mayor said that the Council had sent the item back for variance - for prescription pharmacy.

Mrs. Smith repeated that it should be only a prescription pharmacy. She said that if door is put on the front (rather than as granted) it would be easy to change operation to another type.

The Mayor pointed out that the City does not not enforce deed restrictions.

Wm. A. Cook told the Council of his opposition to zone variance regarding a sign. He said that there is no need for a sign if it is to be a prescription pharmacy, since patients of the clinic would know that it is there.

Councilman Schneider told Mr. Cook that the door is a minor matter.

Mr. Cook spoke of traffic problem, and said that there will be large attendance at the school, and that signs bring children. They can find many excuses to run across the street to where there is a sign. If the door opens on the front, there is a problem regarding children, he said.

Councilman Kerrigan returned

Councilman Schneider moved to overrule the Zoning Board and grant the appeal, with stipulations that there is a prescription pharmacy, and nothing else, sign to be limited to 15" x 30'.

Councilman Dail said that it is not so objectionable, now.

Councilman Wincote seconded the motion.

Councilman Cook said that there is a community with 2 shopping centers, now. He said he does not want to go along with things springing up. He said he would be satisfied if the City "keeps it down", and with no big sign.

The Mayor spoke to Mr. Tavares about the sign.

Mr. Tavares said that is 15" high, on the drawing.

Councilman Kerrigan said that there should be a definite understanding before granting; it should all be set out. He said that it is a variation to the pattern in R-4 zones, and would be a precedent throughout the City. He said that Mr. South can draw the Resolution.

Joseph Bohac asked how large. He said that just a prescription pharmacy would not be as economic as another type. He wondered if there would be written regarding magazines only. He said it should be denied. He asked who draws the line later.

Councilman Wincote moved to refer the appeal to Mr. Rick, Mr. South and Mr. Tavares; that the Council approve the variance "subject to drafting". Motion was seconded by Councilman Schneider. The motion resulted in

RESOLUTION 125618 providing for variance, with conditions.

Councilman Burgener returned

The hour of 10:00 o'clock A.M. having arrived, the time set on appeal of Robert L. Haniman from decision of Board of Zoning Adjustment in denying permission to add 2-1/2 by 8 foot changeable letter panel to an existing non-confirming sign, Lots H and I Block A Bird Rock Villas, 5440 La Jolla Boulevard, Zone R-4, report signed by Zoning Administrator, Dave South, was read.

Mr. South said that the only thing was regarding removable sign ("removable letters"). He said that it would be an advertising sign.

Bob Haniman came to the microphone. He spoke of having a whole block, and showed pictures which he passed around. He spoke of trying to get away from "permanent copy", which accounts for wanting the removable letters. He asked if there were any objections.

Mr. South said that property owners had made no objection.

Councilman Wincote said that he does not know why the City makes it so difficult to do business in San Diego.

Mr. South said that the Board of Zoning Adjustment does not want a movable sign.

Mr. Haniman said that Torano's (restaurant and cocktail lounge at 5450 La Jolla Boulevard) is there.

Mr. Rick said that is for convenience of occupants, not for the public.

Councilman Schneider said that the restaurant is in R-C, the cocktail lounge is partly in R-C and R-4.

Councilman Kerrigan said that the sign should be on the face of the building; the Council had granted a violation.

Mr. Haniman said that the sign observes the set back.

Councilman Wincote read from the regulations.

Councilman Dail referred to the Zoning Ordinance.

Councilman Schneider moved to deny the appeal, and uphold the Board of Zoning Adjustment.

Mr. Haniman spoke of being granted, on a variance basis, and of needing "a little bit more on the boulevard, to pull in the public".

Councilman Schneider said he could see the necessity for the original sign, but now they want to expand and continue to violate.

Councilman Wincote said he "can't see why it would hurt anybody".

Mr. Rick told of what is required in R-4. He said that under zoning regulations. He said neither Planning or Building can grant. He contended that this is "getting a long way off from the purpose of the zone". He said that he is trying to enforce the ordinance.

Councilman Wincote said that the Planning Director is acting under the law, and that there is no criticism intended.

RESOLUTION 125619, denying appeal of Robert L. Haniman from decision of Board of Zoning Adjustment in denying by its Resolution 8787 application 13809 for variance to provisions

of Ordinance 3503 N.S. to add 2-1/2 feet by 8 feet of changeable letter panel to existing non-conforming sign on Lots H and I Block A Bird Rock Villas, 5440 La Jolla Blvd., Zone R-4; sustaining decision of the Board of Zoning Adjustment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. The vote was Yeas-Councilmen Schneider, Kerrigan, Dail, Mayor Butler. Nays-Burgener, Wincote. Absent-Councilman Godfrey.

Councilman Wincote asked for consideration of the R-4 zone uses.

RESOLUTION 125620, referring to Council Conference the matter of amendment to Ordinance regulating signs in Zone R-4, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Continued petition of Kay Jewelers requesting permit to construct Neon Sign on on a marquee at 1026 Fifth Avenue, was presented. Accompanying the petition was opinion requested by the Council.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the papers were filed.

Petition of Harry E. Florentine, in behalf of Associated Restaurants & Cafes of San Diego, and S.D. Tavern Owners Assn., was presented. It asks for a hearing on Thursday, April 21, 1955, against issuances of permits to the canteen vending trucks in the City.

On motion of Councilman Schneider, seconded by Councilman Dail, petition was granted, and hearing set for Thursday, April 21, 1955.

Petition of W. H. Fleischmann, of Yesterlaid Eggs, 3892 "Z" Street, San Diego 13, was presented. It says that since November 13, 1935, he has been in the wholesale egg business, that taxes are over one thousand dollars a year, and employees 16 people steadily. Petition says that due to Council resolution 103612 dated September 6, 1951, Bank of America has refused a loan which must be secured to continue in business. (It refers to termination of variance to permit operation). It speaks of needing a 5-year variance. It states that there are no objections to the location, and asks for reconsideration and a hearing.

The Mayor said that it had been heard by the Planning.

Dave South spoke of the background of the area, regarding another zone. He showed the Council the Resolution to which Mr. Fleischmann referred. He said operation is in R-4 zone, and has been therefor years.

Mr. Fleischmann said since 1936.

Councilman Dail said that the Resolution was the result of request for variance in connection with storage yard for cars. He said that was turned.

Councilman Wincote agreed that was what brought this up.

Councilman Kerrigan said that the storage yard people had built a 6-foot fence.

Councilman Wincote and Mr. South said "no".

Mr. Fleischmann said that he wants a 5 year extension.

Councilman Dail said that the Southcrest people wanted to remove the unsightliness. He spoke of prior use, non-conforming.

The Mayor asked if there is any protest to this.

Councilman Dail said no, it is favored.

City Attorney J. F. DuPaul said it should be sent back to the Zoning, and then act on the recommendation.

Mr. South said that there was no appeal on this.

Mr. Fleischmann spoke of having a loan application.

Question was asked of Mr. South how long it would take to act upon an application.

Mr. South replied about 3 weeks, and that in order to comply cards have to be sent.

The Mayor said that the Board should pass on it. He said that if resolution is to be amended, language should be stricken.

Councilman Schneider moved to strike a portion of the Resolution regarding the end date, refer the item to the Zoning Adjustment Board with the request that it be heard next Wednesday.

Mr. South said that the variance has a year to run.

John Quimby, secretary-treasurer of the Central Labor Council, urged the Council to act favorably as soon as possible. He said that Mr. Fleischmann deserves consideration.

Mr. South said that the Commission meets next Wednesday, and that cards have to be sent.

Mr. Fleischmann said that the bank insists on 3 years.

Mr. Rick said that if the Council is convinced, don't refer it back to the Zoning Adjustment Board.

Motion was withdrawn.

The Mayor said that the Council does not know that there is no protest. He said that the procedure should not be disrupted.

Councilman Wincote said with the intent of the Council to extend the variance for 5 years, perhaps Mr. Fleischman could be given a letter.

The Mayor said that he is not ready to vote.

Councilman Dail wondered about this being just a detail.

Mr. Fleischmann said that the note is due at the bank.

The Attorney said that the Council can extend the variance.

Councilman Dail said that on another variance request, the Council was ready to act, regarding storage of houses. He contended that the procedure should be followed.

If it is possible to get this out early, the Zoning Adjustment Board should, Councilman Burgener stated.

The motion was renewed. The roll was called, resulting in

RESOLUTION 125621 striking the "end date" from the Resolution and with zone variance heretofore granted to W. H. Fleischmann for operation of "Yesterlaid" wholesale egg business at 3892 Z Street, and referring request for 5-year extension to the Board of Zoning Adjustment with request that hearing be held next Wednesday, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of B. C. Hamann for furnishing Items 1, 2, 3, 4, 5, 7 Boat Floats, Office and Storage Float, Boat Washing Float, etc., for El Capitan Reservoir Recreation Station - \$37,491.00 - 6 bidders, was presented.

RESOLUTION 125622, accepting bid of B. C. Hamann for furnishing items re Boat Floats, Office and Storage Float, Boat Washing Float, Concessionaire's Sales and Storage Buildings, Float Storeroom, etc. for El Capitan Reservoir Recreation Station; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract with B. C. Hamann pursuant to 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 low bid of International Harvester Company for furnishing 4 Rubbish Collection Units to replace old equipment with RC-182 Truck Chassis equipped with Pak-Mor 20 cubic yard capacity Rubbish Collection Bodies properly mounted @ \$8,323.09 each plus State Sales Tax - 5 bids - was presented.

RESOLUTION 125623, accepting bid of International Harvester Company for furnishing 4 RC-182 Truck Chassis equipped with Pak-Mor Rubbish Collection Bodies properly mounted; 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.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Clairemont Regional Business Center Unit 1, subject to posting of adequate bond to insure installation of required improvements or installation of improvements prior to filing map, was presented.

RESOLUTION 125624, adopting Map of Clairemont Regional Business Center Unit 1, portion of Pueblo Lot 1237 and portion Lots 1 & 2 Block 8 C. C. C. Tatum's Bay Hills Mesa, together with portion Cole Street vacated by Superior Court of San Diego decree in case 176423; accepting on behalf of the public unnamed easements, declaring them to be dedicated to public use; authorizing and directing Clerk to endorse upon the map, as and for the act of the Council,

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 Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map for redivision of Lots 8 and 9 Block 6 Encanto Heights, was presented.

RESOLUTION 125625, suspending Sections 102.09-1 & 2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for subdivision Encanto Heights portions Lots 8 and 9 Block 6, 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 redivision of east 150 feet Lots 8 & 9 Block 6 Encanto into 4 50-foot lots fronting on 67th Street, subject to 3 conditions, was presented.

RESOLUTION 125626, approving Tentative Map of Encanto Heights, portions Lots 8 & 9 Block 6, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending in connection with Tentative Map of Mira Dera, the proper department of the City study advisability of obtaining portion Lot 8 Block 81 Middletown Addition, to widen Neale Street at termination of Pennsylvania Avenue, and construction of additional pavement, curbs and sidewalks to permit northerly line of Pennsylvania Avenue to intersect Neale Street without existing job which is hazard at present time.

RESOLUTION 125627, adopting recommendation of City Planning Commission, Document 509739 for widening Neale Street at termination of Pennsylvania Avenue, in connection with Tentative Map of Mira Dera, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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

RESOLUTION 125628, suspending Sections 102.05, 102.07-2, 102.05, 102.07-3, 102.18-5, 102.12-3, 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map of Mira Dera, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Mira Dera, division of portion Pueblo Lot 1122 into 3 lots, located on southerly side of Pennsylvania Avenue between easterly termination of Neale Street and point approximately 300 feet west of Kite Street, subject to 10 conditions, was presented.

RESOLUTION 125629, approving Tentative Map of Mira Dera, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, subject to conditions.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map for Rolando Shopping Center, was presented.

RESOLUTION 125630, suspending Sections 102.07-5, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Rolando Shopping Center, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Rolando Shopping Center, 3-lot subdivision on south side of

University Avenue between Rolando Boulevard and Aragon Drive, a revision of tentative map previously approved August 26, 1954, was presented. It reports property is proposed for commercial development of large market on Lot 2 and service stations exist on Lots 1 and 3 at corners of Rolando Boulevard and Aragon Drive. Recommendation for approval is subject to 10 conditions.

RESOLUTION 125631, approving Tentative Map of Rolando Shopping Center, 3-lot subdivision, 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 Final Record of Survey Map on Lots 11 & 12 Block 148, in lieu of a final subdivision map, was presented.

RESOLUTION 125632, approving filing of Record of Survey Map in lieu of Final of Final Subdivision Map under Section 102.02.1 of The San Diego Municipal Code, was on motion Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Director stating that he has been requested by Assemblyman Frank Luckel to appear on behalf of The City before the Conservation, Planning and Public Works Committee regarding Assembly Bill 302 which concerns Mission Bay, requesting that he and John McGhee (Mission Bay Park Director) be authorized to attend meeting held Wednesday, April 13, 1955, was presented.

RESOLUTION 125633, authorizing Glen A. Rick, City Planning Director, and John McGee, Director of Mission Bay Park, to appear before Conservation, Planning and Public Works Committee, in Sacramento on Wednesday, April 13, 1955, re Assembly Bill 302; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from College Lutheran Church offering to dedicate land for extension of Mohawk Street, in connection with subdivision map of portion Lot 32 La Mesa Colony, and opposing the paving of Mohawk Street, was presented. The communication is signed by Bill Hanson, 4545 55th Street.

Councilman Kerrigan presented a communication addressed to him, requesting withdrawal of the communication.

It mentions improvements which request is for elimination.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, permission was granted to withdraw the communication. Instead, the communication addressed to Councilman Kerrigan was introduced into the record, and the following Resolution presented.

RESOLUTION 125634, amending conditions of Resolution 119988 in connection with Tentative Map of portion Lot 32 La Mesa Colony, located on northerly side of Montezuma Road approximately 350 feet westerly of 67th Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from San Diego City Schools, dated April 4, 1955, signed by William J. Lyons, Secretary to the Board, was presented. It relates to 3 proposed annexations to the City of San Diego in connection with the San Diego Unified School District.

Attached to the communication were maps and photographs.

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

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, dated April 1, 1955, signed by Carl P. Staal, president, was presented. It requests City budget allocation to cover annual dues in the association.

RESOLUTION 125635, referring to Budget Conference communication from Shoreline Planning Association of California, Incorporated, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



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Communication from City Manager reporting on communication from Ralph Kapchinske, requesting moving of fire hydrant adjacent to his property, 5727 Thorn Street, at City expense, was presented. It says that cost of moving will be about \$150.00, and should be paid by Mr. Kapchinske whose only possible driveway it blocks.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the petition and report were filed.

Communication from the Street Superintendent, approved by Assistant City Manager, stating that after further research it has been determined that limits of some of streets in Montgomery Airport, to be closed as directed by Resolution 122819, should be modified, was presented. It recommends amendment to Resolution, and that streets be closed as shown on attached City Engineer's plats 5662-B and 5663-B, and that the City of San Diego be authorized to pay necessary incidentals.

RESOLUTION 125636, adopting recommendation of Street Superintendent that Resolution 122819 adopted February 24, 1955, be amended and that streets be closed, and that the City of San Diego be authorized to pay necessary incidental expenses:

Portions of Third Street, Fourth Street, Fifth Street, Sixth Street, Seventh Street, Grape Avenue, Guava Avenue, Hill Street, Lemon Avenue, Lime Avenue, Magnolia Avenue, Main Street, Olive Avenue, Orange Avenue, Peach Avenue (all in the Montgomery Airport, as outlined in the Resolution), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(Motion of Councilmen was for reference to the City Attorney for preparation of the necessary resolution, but inasmuch as it accompanied the file, the Resolution was numbered).

RESOLUTION 125637, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of a Public Freeway, i.e., a limited access highway, across Lots 6 and 7 Block 12 and Lots 34 to 42 inclusive, Block 13 American Park Addition, and portions of Lots 2, 3, 5 Partition of Pueblo Lot 1209, all in City of San Diego, County of San Diego, State of California; and that public interest, convenience and necessity demand acquisition of fee title of the properties, to be used by said City for construction of freeway within area aforesaid; declaring that it is the intention of City of San Diego to acquire properties under Eminent Domain Proceedings; directing City Attorney to commence action in Superior Court of State of California, in and for County of San Diego, for acquiring the properties, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(Motion of Councilmen was for reference to the City Attorney for preparation of the necessary resolution, but inasmuch as it accompanied the file, the Resolution was numbered.)

RESOLUTION 125638, authorizing City Manager to accept work on behalf of The City of San Diego in Allied Gardens Unit 1 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125639, authorizing City Manager to do all work in connection with construction of extension to existing 30-inch culvert in Federal Boulevard west of 47th Street, for 112 feet, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125640, waiving penalty imposed by terms and provisions of contract between City of San Diego and R. E. Hazard Contracting Co. for improvement of intersection of

Morena Boulevard and Huxley Street, contained in Document 499027 upon grounds and for reasons that City Manager reports contractor was unable to complete contract due to causes beyond its control within time provided, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

City Engineer pointed out, by letter, that Hazard Company had reported at time utilities company did not complete work in the area until after contract completion date had passed, and that request for waiver of penalty is justified.

RESOLUTION 125641, approving Change Order 1 filed as Document 509754, issued in connection with contract between The City of San Diego and Sim J. Harris Company for construction of storm drain in 47th Street and Franklin Avenue to Chollas Creek, contract Document 509887, amounting to decrease in contract price of approximately \$4,045.80, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125642, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in official newspaper of the City the sale at public auction of Lot M Block 295 Arlington; reason for selling property is that it is no longer needed; value as disclosed by appraisal made by qualified real estate appraiser is \$850.00; minimum amount Council will consider is \$850.00; reserving right to reject any and all bids, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION 125643, granting Mark A. Doyle permission to connect house sewer serving 316 South Ozark Street to 4" sewer line presently serving 312 Ozark Street, in order that owner of 2 properties may not be required to parallel line already installed: East 100 feet Lot 14 and north 10 feet of east 100 feet Lot 13 Ocean View Heights, subject to approval of Chief Plumbing Inspector, Director of Building Inspection and City Manager, and upon conditions of the Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION 125644, granting Albert F. Hudolph, 4434 Ohio Street (Plumbing Contractor) permission to install 1-1/2" copper vent pipe for dishwashing machine at 4320 Alden Drive, San Diego, subject to approval of Chief Plumbing Inspector, Director of Building Inspection and City Manager, upon conditions of the Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION 125645, granting The National Multiple Sclerosis Society Chapter, permission to conduct sale of lapel buttons on public sidewalks in downtown area April 9, 1955, 12:00 noon to 6:00 P.M., for raising funds to be used to promote research, was on motion of Dail, seconded by Councilman Schneider, adopted.

RESOLUTION 125646, approving claim of H. H. Henninger, Document 506445, \$10.00; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125647, approving claim of Evelyn L. Howden, Document 507163, \$13.10; directing City Auditor and Comptroller to draw warrant in full payment; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125648, approving claim of Mrs. Leila M. Larkin, Document 508449, \$55.50; directing City Auditor and Comptroller to draw warrant in full payment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125649, denying claim of John Alexander, Document 505764, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 125649, denying claim of John Alexander, Document 505764, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125650, denying claim of Charles E. Frye, Document 507192, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125651, denying claim of Elsie M. Richardson, Document 505786, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125652, allowing bill of San Diego Convention and Tourist Bureau, April 5, 1955, \$1,464.44 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 125653, accepting quitclaim deed executed 28th of March, 1955, by L. B. Butterfield and Edna L. Butterfield, 1211 South 32nd Street, San Francisco, quitclaiming all water mains and appurtenant structures constructed for its use, in public streets, rights of way, highways and public places, either within or without subdivision named Minos Mar Vista, a subdivision of portion Pueblo Lot 193; authorizing 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 125654, accepting quitclaim deed executed 28th day of March, 1955, by Loma Valley, Inc., a corporation, 7522 Girard Avenue, La Jolla, quitclaiming all water mains and appurtenant structures constructed for its use, in public streets, rights of way, highways and public places, either within or without subdivision named "Loma Valley", being all of Pueblo Lot 180; 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 125655, accepting subordination agreement, executed by First National Trust and Savings Bank of San Diego, beneficiary, and First National Trust and Savings Bank of San Diego, trustee, March 29, 1955, subordinating all right, title and interest in and to portion Lots 1 and 2 Block 4 Park Addition, to right of way and easement for earth fill purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125656, accepting subordination agreement, executed by Dean E. and Martha H. Hastings, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date March 15, 1955, subordinating all right, title and interest in and to portion of Log 24 La Mesa Colony, to right of way and easement for street purposes heretofore conveyed to The City of San Diego in portion of the property; 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 Schneider, adopted.

RESOLUTION 125657, accepting subordination agreement, executed by Metropolitan Life Insurance Company, beneficiary, and Security Title Insurance Company, trustee,

February 23, 1955, subordinating all right, title and interest in and to portion Lot 29 La Mesa Colony, 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125658, accepting subordination, executed by The Mutual Life Insurance Company of New York, beneficiaries, and Union Title Insurance and Trust Company, trustee, February 18, 1955, subordinating all right, title and interest in and to portion Pueblo Lot 104, to right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125659, accepting deed of William S. Coleman and Elizabeth F. Coleman, March 15, 1955, conveying Lots 12 and 13 Block 1 Berkeley 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125660, accepting deed of Florence Marshall, January 31, 1955, conveying Lots 4 and 5 Block 81 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125661, accepting deed of Charles H. Frickle and Estella B. Frickle March 15, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 40 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Deauville 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 Schneider, adopted.

RESOLUTION 125662, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 38 Block 39 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Deauville 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 Schneider, adopted.

RESOLUTION 125663, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 13 Block 34 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Hopkins 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 Schneider, adopted.

RESOLUTION 125664, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 33 Block 39 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Hopkins 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 Schneider, adopted.

RESOLUTION 125665, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 41 Block 33 Paradise Hills Unit 2; setting aside and dedicating land to public use as and for public street and naming it Hopkins 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 Schneider, adopted.

RESOLUTION 125666, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 11 Block 35 Paradise Hills Unit 2; setting aside and dedicating to public use as and for public street and naming it Hopkins 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 Schneider, adopted.

RESOLUTION 125667, accepting deed of Herman S. Mumma and Virginia A. Mumma, March 30, 1955, conveying easement and right of way for street purposes in portion Lot 5 Block 17 La Jolla Hermosa; setting aside and dedicating land to public use as and for public street and naming it La Jolla Hermosa Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125668, accepting deed of John L. Feldman and Mary H. Feldman, March 28, 1955, conveying easement and right of way for street purposes in portion Lot 8 Block 4 Golden Park; setting aside and dedicating land to public use as and for public street and naming it Lucinda 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 Schneider, adopted.

RESOLUTION 125669, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 21 Block 33 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Morningside 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 Schneider, adopted.

RESOLUTION 125670, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 16 Block 40 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Morningside 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 Schneider, adopted.

RESOLUTION 125671, accepting deed of William J. Burke and Minerva Burke, March 28, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 44 Paradise Hills Unit 3; setting aside and dedicating land to public use and naming it Roanoke Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125672, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 6 Block 42

Paradise Hills; setting aside and dedicating land to public use and naming it Roanoke Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125673, accepting deed of Western Mutual Corporation, March 14, 1955, conveying portion Lot 24 Block 34 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Roanoke Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125674, accepting deed of Western Mutual Corporation, March 14, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 35 Paradise Hills Unit 2; setting aside and dedicating land to public use and naming it Roanoke Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125675, accepting deed of Henry M. Crowe, Jr. and Gussie M. Crowe, January 18, 1955, conveying easement and right of way for street purposes in portion Lot 24 La Mesa Colony; setting aside and dedicating land to public use 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125676, accepting deed of Frank Manescalchi and Tommasa Manescalchi, March 30, 1955, conveying easement and right of way for street purposes in portion Lot 24 La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125677, accepting deed of Union Title Insurance and Trust Company, March 25, 1955, conveying easement and right of way for alley purposes in portion Lot 8 Block 4 Golden Park; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125678, accepting deed of Lucile G. Zweck, March 21, 1955, conveying right of way for earth fill in portion Lots 1 and 2 Block 4 Park Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125679, accepting deed of Harold G. Eales and Esther Joyce Eales, January 3, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Schneider, adopted.

RESOLUTION 125680, accepting deed of Clifford H. Knight, Jr. and Mary Ethel Knight, Richard A. Betourne and Irma M. Batourne, March 28, 1955, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 104; authorizing and directing City Clerk



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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 Schneider, adopted.

RESOLUTION 125681, accepting deed of Josephine M. Judkins, March 28, 1955, conveying easement and right of way for slope rights in portion Block 2 Amalfi; authorizing 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 Schneider, adopted.

RESOLUTION 125682, accepting deed of D. J. Sass and Doris L. Sass, date March 29, 1955, conveying easement and right of way for street and storm drain purposes in portion of Lots 9 and 10 Block 112 Choate's Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, reading of next ordinance was dispensed with by not less than 4 members of Council.

ORDINANCE 6474 (New Series), amending Section 64.25 of San Diego Municipal Code, providing for alternate procedure and costs payments for installation of trunk line sewers, sewage pump stations and appurtenant structures, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

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

On motion of Councilman Wincote, seconded by Councilman Schneider, reading was dispensed with by not less than 4 members of the Council.

ORDINANCE 6475 (New Series), appropriating \$15,000.00 from Storm Drain Bond Fund of 1952 of The City of San Diego, for funds to cover cost of engineering services for improvement of Chollas Creek Channel to be performed by Freeland, Peterson and Evenson, civil engineers, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

Ordinance amending Chapter VIII Article 7 of San Diego Municipal Code, by amending Section 87.02 and by adding Section 87.03 Regulating Railroads, was presented.

RESOLUTION 125683, referring to Council Conference proposed ordinance regulating Railroads, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Dail was excused

Permission was granted to City Manager to present next item, not on agenda:

RESOLUTION 125684, authorizing City Manager to employ Fischbach and Moore to for installation of additional conduit and wire for recircuiting between 14th and 16th Streets, shown on Engineer's Drawing 2580 B-D, not to exceed \$905.00 payable from Ordinance 5341 (New Series), in connection with contract for ornamental lighting system on Broadway, between 8th Avenue and 14th Street under 1911 Street Improvenue, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

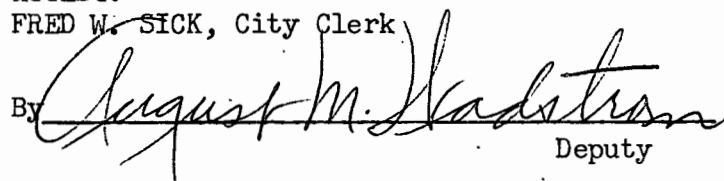
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:53 o'clock P.M.

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ATTEST:

FRED W. SICK, City Clerk

By



Deputy



Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, April 12, 1955

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

The meeting was called to order by the Mayor at 10:05 A.M.

The Mayor asked all to rise for the invocation, delivered by Dr. Charles H. Hampton, of Bethel Baptist Church.

Minutes of the Regular Meetings of Tuesday, April 5, 1955, and of Thursday, April 7, 1955, were approved without reading on motion of Councilman Burgener, seconded by Councilman Schneider - after which they were signed by the Mayor.

The Mayor presented pins and scrolls to the following City employees, honoring long-time City employees, to the following:

\*\* Allene McLeod, Senior Clerk, General Services and Water Accounting Division, Dept. of Finance - 30 years, and a scroll;

Gaetano Perrotti, Skilled Laborer, Mount Hope Cemetery, Park & Recreation Dept. - 30 years, and a scroll;

Charles W. Kays, Consumers' Serviceman, Div. of Water Engineering, Water Engineering Department - 25 years;

James B. Gilchrist, Police Motorcycle Sergeant, Police Dept. - 20 years;

Henry J. Stoppleman, Heavy Truck Driver, Division of Streets, Public Works Dept. - 20 years.

\*\* Councilman Kerrigan said that people of East San Diego appreciate Miss McLeod in the Branch City Hall. The Mayor said that must make Miss McLeod sort of Assistant Mayor in East San Diego.

Resolutions and Ordinance appear on Microfilm Roll 93

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 123160 for paving and otherwise improving Calle Del Oro, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

James W. Archer, attorney, appearing in individual capacity, was heard. He

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said he had no opposition to the improvement, but there are inequities in the assessment plan. Mr. Archer stated that the paving is needed. He said that there was a pretty presentable black top. He referred to the City having sold 20 acres of pueblo lands, followed by subdivision, and the putting in of 4 sizeable ditches. He said that, as a result, the road was ruined, and became impassable. He told the Council that the Automobile Club has reported that it spends more time on this strip, than on any other. He said that the City does not take into account the sizable traffic which will use the road. Mr. Archer declared that some who are to be assessed under this plan will not use the street.

The City Engineer and Mr. Archer look at the assessment diagram.

Mr. Archer pointed out on the diagram additional residences, and identified them. He told of those to be included and excluded, pointing to the map.

The Mayor spoke to Mr. Archer regarding people "above" paying on the same area.

Mr. Archer spoke about paying improvement on La Jolla Shores Drive, the same as others above.

Councilman Kerrigan said that assessment would be on the regular formula.

Mr. Archer identified property to be assessed.

Councilman Dail spoke about the assessment district on the Resolution of Preliminary Determination. He wondered if Mr. Archer would want the project abandoned and the district enlarged.

Mr. Archer said that he does not want the work abandoned.

The City Engineer told the Council that he thinks the La Jolla Shores Terrace should be included. He explained the assessment procedure. He said that Mr. Archer's proposal would be contrary to regular procedure.

The City Engineer, and Willard Olson from the Engineer's office, explained it in detail from the map.

There was discussion between Councilman Burgener and Mr. Archer. Councilman Wincote and the City Engineer joined the discussion.

Councilman Kerrigan spoke about surfacing having been broken up, the same way, on his street. He said that he and his neighbor paid for the improvement under a private contract.

Councilman Wincote stated that the request is a departure. He said that the proposal is the general practice - 99% out of a 100% times.

Councilman Burgener asked if sidewalk and curb are included.

The City Engineer said that curb is, but not sidewalk. He said that water and sewer had been put in by the subdivider.

Mr. Archer said that the property also was supplied with the mains.

Councilman Burgener spoke to Mr. Archer relative to who would pay for which improvements.

The City Engineer explained to Mr. Archer the spread of the assessment.

Councilman Kerrigan referred to a delay which would result if there were to be any change in the district.

The City Engineer wondered who would then decide what the district is to be.

Councilman Dail said he does not know of it to be the function of the Council to determine the assessment district. He explained the custom and the theory.

Mr. Archer, pointing to the plat on the Council table said "these" people (not identified to the Clerk) get the benefit.

Councilman Wincote said that owners had paid to the subdivider for the improvements installed.

Councilman Kerrigan stated that this hearing is in connection with by-passing the debt limitation; there will be further hearing.

Mr. Archer said that everybody in the area agrees that the improvement is needed.

RESOLUTION 125685, overruling and denying protest of James W. Archer against proposed improvement of Calle del Oro and La Jolla Shores, under Resolution of Preliminary Determination 123160, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125686, determining that improvement of Calle del Oro and La Jolla Shores Drive under Resolution 123160 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 A.M. having arrived, time set for hearing on Resolution of Intention 116720 for paving Wells Street, the Clerk presented written protests of Lawrence G. Mulryan and Richard F. Keller.

The City Engineer reported 2.4% protest, on area.

The Mayor inquired if anyone was present to be heard.

Eugene Field asked for a clarification of the assessment district, and said he thought it would stop at the alley.

Councilman Wincote stated that it goes "clear through" on the area assessment.

Mr. Field showed the area to Councilman Burgener upon a plat produced by the City Engineer.

Councilman Dail was excused

Mr. Field told the Council that he has no back yard.

Councilman Burgener told Mr. Field that assessment is based upon the number of square feet in the lot.

Mr. Field said that the assessment is reasonable, but that he felt he had paid his share, on Alicia.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the protest was overruled. Action was reconsidered when Helen Geeza came forward to be heard.

Mrs. Geeza stated that hers is the 8th or 9th house away, on Tennyson Street.

The City Engineer said that that protest is on area assessment.

Mrs. Geeza looked at the map.

Councilman Dail returned

Mrs. Geeza identified a man as having property next to hers.

He came up and looked at the map, and asked questions not heard. An explanation was made.

RESOLUTION 125687, overruling and denying appeals of Lawrence G. Mulryan, Richard F. Keller, Eugene Field and Helen Geeza from Street Superintendent's Assessment 2344 made to cover costs and expenses of work of paving and otherwise improving Wells Street under Resolution of Intention 116720; overruling and denying all other appeals; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing 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 A.M. having arrived, time set for hearing on Assessment 2345 made to cover cost and expenses of paving and otherwise improving Byron Street, Resolution of Intention 118860, the Clerk reported no appeals had been received.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125688, confirming and approving Street Superintendent's Assessment 2345 made to cover cost and expenses of paving and otherwise improving Byron Street, Resolution of Intention 118860; 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 Wincote, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Assessment 2346 made to cover cost and expenses of paving and otherwise improving Mohawk Street, 71st Street, 72nd Street, Resolution of Intention 117359, no hearing was conducted due to an error in the proceedings.

RESOLUTION 125689, continuing hearing on Assessment 2346 made to cover costs and expenses of improvement of Mohawk Street, 71st Street and 72nd Street, Resolution of Intention 117359 until 10:00 o'clock A.M., Tuesday, May 3, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125690, directing notice of filing assessment and of time and place of hearing thereof for paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, Resolution of Intention 117359, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of Mission Beach residents for a stop light at Ventura Street and Mission Boulevard, for cars turning right onto Mission Boulevard; also for safety light on crosswalk at Island Court and Mission Boulevard, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued until Thursday, April 14, 1955.

Councilman Burgener requested, and was granted, unanimous consent to have people in Floral Terrace heard.

Mrs. Norman Waters asked why estimates are more now, when they had been told they had top priority. She said it was 18 months for the improvement; now it is 24 months. She said that she wants outside engineers to do the work.

The City Engineer told of having written a letter, referring back to schedule of November. He said that he has been heckled frequently on this Floral Terrace improvement. He said that the area is not inhabitant, and that it had not been given top priority. He told of having put extra men to work on the project in the engineer's office, and of pushing it.

Councilman Dail said that urgency is because most of the people affected rent in housing project.

The City Engineer told the Council that constant heckling does not help. He said that his office has done the best it can.

Mrs. Waters said that she has a letter from the City Manager regarding early improvement.

Councilman Burgener spoke of others having demanded top priority.

The City Manager stated that it has not been the common practice to employ 1911 Act engineers in uninhabited areas.

Mrs. Waters said that it is not heckling; it is honest work.

Councilman Schneider said that it has to be determined if the property can bear the expense of the improvement.

The City Engineer spoke of being surrounded by people who want everything right away.

Councilman Burgener spoke of many nearby improvements.

The City Engineer said he thinks it would be 18 months to completion. He told of working with extra force, and of being an area which is difficult. He said that he can't turn the whole office force "over to this". He assured the Council and Mrs. Waters who was accompanied by another woman, that it is going ahead. The City Engineer said that plans would be completed in 4 months. City Engineer Fogg said that it is almost impossible to employ outside engineers, because the property owners have to put up the large part of the cost in advance.

There was no action.

(This item refers to project before the Council where there had been subdividing done long ago without improvements; original request was for improvement different from what is proposed now).

Councilman Kerrigan was granted unanimous consent for the next item.

Communication from Planning Director, stating that Council Resolution 125617 adopted April 7, 1955, directed City Attorney to draw ordinance rezoning West Half of Lot 62 Ex-Mission Lands from C and R-4 to Zone C-1A, was presented. It identifies property as 20 acres at southeast corner of 47th Street and Logan. It says it has been a policy of Planning Commission and City Council to require subdivision maps to be filed in unsubdivided areas such as this. It says that requirement of subdivision map permits various City departments to study and make recommendations on such things as Major Street and Highway Plan, provision for local streets, easement for utilities, drainage structures and other facilities necessary in development of proposed business center. It asks if the Council wishes to require filing of subdivision map.

Councilman Kerrigan spoke of the area as that before the Council last week, on the "McChesney matter".

Mr. Rick said that the attorney wants to know about subdivision map.

RESOLUTION 125691, directing the City Attorney to include in the Zoning Ordinance on the west half of Lot 62 Ex-Mission Lands from R-4 to C and C-1A Zones that a subdivision map on the 20 acres proposed to be rezoned shall be required before zoning becomes effective, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The next item had been continued from meeting of April 5, 1955.

RESOLUTION 125692, accepting bid of H. W. Grizzle for construction of new building at Linda Vista Recreational Area, 7048-1/2 Levant Street; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

9 bids had been received.

Councilman Schneider said Mrs. Hartman (Faye Hartman, special field representative for the U.S. Housing & Home Finance Agency), who was present, rated a thank you.

Mrs. Hartman came to the microphone, and said that she was usually here asking for something, but not so this time. She said that there will be a dedication.

Report of Purchasing Agent, with City Manager's stamp of approval, reporting on low bid of Atlas Iron and Wire Works for furnishing and installing Chain Link Fence for Municipal Housing (Frontier) Maintenance Yard at \$1,365.00 - 5 bids, was presented.

RESOLUTION 125693, accepting bid of Atlas Iron and Wire Works for furnishing and installing Chain Link Fence for Municipal Housing (Frontier) Maintenance Yard; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, reporting on low bid of William H. Clint for Replacement of Sanitary Sewer in Alley Block 4 Carmel Heights at \$4698.50 - 3 bids, was presented.

RESOLUTION 125694, accepting bid of William H. Clint for replacement of sanitary sewer in Alley Block 4 Carmel Heights; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, reporting on low bid of William H. Clint for construction of storm drain in Lot 24 Redwood Village Unit 1 at \$1178.00 - 2 bids, was presented.

RESOLUTION 125695, accepting bid of William H. Clint for construction of storm drain in Lot 24 Redwood Village Unit 1; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, reporting on low bid of Krusen Wire & Steel Co. for furnishing 4 tons Oil Tempered Steel Wire for Sewer Division at total price of \$1,367.76 including Sales Tax - 3 bids, was presented.

RESOLUTION 125696, accepting bid of Krusen Wire & Steel Co. for furnishing 4 tons of Oil Tempered Steel Wire; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file



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in office of Purchasing Agent, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125697, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with 3 Pumps and Motors for Chollas Pumping Plant, Document 509908, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125698, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing not less than 10 nor more than 20 Mobile Police Type Radio Receivers, Document 509909, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125699, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of White Traffic Paint for 6 months from 5/5/55, Document 509910, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125700, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Rosecrans Street and Evergreey Street, Document 509911; 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 125701, authorizing and directing Purchasing Agent to advertise for sale and sell 1 Thread Cutting Machine and 1 Little Giant Trip Hammer, all expenses in connection with sale to be deducted from proceedings, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125702, declaring William Hillyer and Curtis Hillyer, Jr., as trustees for Marie A. Hiller, for portions of Lots 7 and 8 Block 252 University Heights, to be the highest bid; selling the property for \$200.00; deducting expenses in connection with sale from proceeds, including payment of \$10.00 broker commission to William Urban; directing City Auditor to return to William Urban broker deposit heretofore made pursuant to Municipal Code, and to pay William Urban the broker commission of \$10.00, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission recommending approval of final map of Hollis Heights, was presented. Mona Andreen, Deputy City Attorney, asked that Resolution of approval be not adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the item was held, with no date set for future consideration.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Homesites subject to posting of adequate bond to insure installation of required improvement and subject to closing portion of Calle Pavanna easterly of Calle Tortuosa,

was presented.

RESOLUTION 125703, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with Homesites Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Homesites Unit 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125704, adopting Map of Homesites Unit 1, subdivision of portions Blocks 3, 4, 5, 6, 7, 8 Tres Lomas, and portion Calle Pavana lying between Blocks 3 and 4 as vacated and closed by Decree quieting title in Superior Court Case 196105; accepting on behalf of the public Calle Tortuosa, Calle Quebrada, Calle Pavana, portion Cumberland Street and unnamed easements shown for public purposes, declaring them to be public streets, portion of public street and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of Council that streets, portion of street and unnamed easements are accepted on behalf of public as stated; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that Final Map of Linda Manor be approved subject to posting of adequate bond to insure installation of required improvements, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125705, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with H. & N. Construction Co., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Linda Manor 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 125706, adopting map of Linda Manor Subdivision, subdivision of Lot 62 Las Alturas Villa Sites, excepting a portion; accepting on behalf of the public Ginna Place, Logan Avenue and portion of Olvera Avenue and unnamed easements shown for public purposes declaring them to be public streets, portion of public street and unnamed easements and dedicated to public use; directing Clerk to endorse upon map, as and for act of Council that streets, portion of public street and unnamed easements are accepted on behalf of the public as stated, 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 Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Sun Gold Point subject to posting adequate bond to insure installation of improvements required and deeding of ocean front and its acceptance by the Council prior to filing of final map, was presented.

RESOLUTION 125707, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Robert P. Homes, for installation and completion of unfinished improvements and setting of monuments required for Sun Gold 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 Wincote, adopted.

RESOLUTION 125708, adopting map of Sun Gold Point Subdivision, subdivision of portion Lot 1 Pueblo Lot 1783; accepting on behalf of the public Linda Way, San Colla Street, Bondera Street, Chelsea Street, Archer Street, Calumet Avenue, Ricardo Place, path and unnamed easements shown for public purposes; declaring them to be public path, streets and unnamed easements dedicated to public use; directing Clerk of the City to endorse upon the map as and for act of the Council, that streets, path and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, submitting plat showing 16-acre parcel of land alongside new Federal Boulevard Freeway, directly east of Chollas Reservoir lands, recently annexed, and now unzoned, was presented. It recommends interim regula-

tion similar to Zone R-1.

RESOLUTION 125709, requesting City Attorney to prepare and present Ordinance to place portion Lot 13 Rancho Mission, Drawing B-648 under interim regulation similar to Zone R-1, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, submitting plat showing tentative zoning plan for Grantville annexation, approved by Council March 17, 1955, was presented. In order to avoid having area unzoned when annexation becomes effective, Commission recommended interim zone similar to R-1A, R-1B, R-2, R-4, C, CP and M-1A.

RESOLUTION 125710, requesting City Attorney to prepare and present Ordinance to place area in Grantville-Rancho Mission Tract annexation under interim zone similar to R-1A, R-1B, R-2, R-4, C, CP and M-1A, Drawing attached to Document 509903, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition for closing portion of Falcon Street between Brookes Avenue and Reynard Way, was presented. It says situation now represents 2 25-foot lots on west side of Falcon Street proposed to be closed, and the Commission voted 4-0 that it be denied without reference to any other City Department and without a hearing.

RESOLUTION 125711, filing petition requesting closing portion of Falcon Street, between Brooks Avenue and Reynard Way, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Jolly Jack favoring a memorial center, and submitting brochure of "Glendale Memorial Center" which is up for election this date, was presented.

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

Communication from Charles W. Liebig, 1558 Burton Street, San Diego, urging construction of sidewalks on Burton and Coolidge Streets in Linda Vista Unit 3, and submitting copy of letter being presented to Congressman Wilson and Mrs. Fay Hartman of the Public Housing Administration, was presented.

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

Communication from Poster Advertising Agency, 422 Land Title Building, San Diego 1, dated April 6, 1955, signed by M. W. Moore, was presented. It refers to franchise about to expire with C. S. Johnson for maintenance of trash disposal cabinets on San Diego streets, and urges renewal.

RESOLUTION 125712, referring to Council Conference communication from Poster Advertising Agency, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from San Diego County and Municipal Employees Local Number 127, April 6, 1955, signed by Otto W. Hahn, was presented. It encloses resolution endorsing action to carry out wishes of the voters and take whatever action is necessary to bring about construction of State Building in San Diego. It refers to previous appropriation of \$200,000.00 by the State Legislature.

RESOLUTION 125713, directing notice of filing assessment and of time and place of hearing thereof, No. 2353, made to cover costs and expenses of work done upon paving and otherwise improving Alleys Block 20 Ocean Beach Park and Block 99 Ocean Bay Beach, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD 125714, accepting bid of H. C. Dennis and awarding contract for paving and otherwise improving Boston Avenue, Resolution of Intention 122301, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

City Engineer reported in writing low bid is 10.3% below estimate.

RESOLUTION 125715, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 72 City Heights; approving Plat 2719 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk to file it in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125716, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 34 Ocean Beach; approving Plat 2710 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk to file it in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK 125717, for paving and otherwise improving Alley Block 9 Ocean Beach Park, Resolution of Intention 122929, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK 125718, for paving and otherwise improving Alcott Street, Resolution of Intention 122930, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125719, for paving and otherwise improving Alley Block 72 City Heights, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125720, for paving and otherwise improving Alley Block 34 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125721, ascertaining wage scale for paving and otherwise improving Alley Block 10 Normal Heights, and Arthur Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125722, ascertaining wage scale for paving and otherwise improving La Dorna Street, Public Rights of Way Lots 28 and 29 La Mesa Colony, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125723, ascertaining and declaring wage scale for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, Thorn

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Redwood Street, Olive Street, et al., was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125724, approving diagram of property affected or benefited by work of improvement to be done on installing ornamental lighting system on Diamond Street and Cass Street, Resolution of Intention 117255, and to be assessed to pay expenses thereof; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125725, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Franklin Avenue and 49th Street, Resolution of Intention 119895, and to be assessed to pay expenses thereof; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125726, approving diagram of property affected or benefited by paving and otherwise improving Alley Block 18 La Mesa Colony, Resolution of Intention 121324, and to be assessed to pay expenses thereof; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125727, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Udall Street, Resolution of Intention 119097, and to be assessed to pay expenses thereof; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125728, authorizing and empowering City Manager to do all work in connection with construction of detour on Sorrento Valley Road at Las Penasquitos Creek, by appropriate city forces in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125729, directing City Manager to place, paint and maintain restricted parking and tow away zone signs on Washington Street between Fifth Avenue and Dove Street containing wording, lettering and numbering in accordance with specification or sample filed in office of City Clerk as Document 507732 and as may be required under ordinances of The City of San Diego and Vehicle Code of California, repealing any and all resolutions in conflict, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125730, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement filed in office of City Clerk as Document 438381, with J. Harvey Workman and J. J. Meadows, co-partners d.b.a. The Aztec Oil Company, Document 510046 on the amendment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125731, authorizing and directing San Diego Gas & Electric Company

to install a 6000 lumen overhead street light at each of 10 locations, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125732, 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 1237, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125733, 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 C Block 12 Hensley'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 taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125734, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Southwesterly 5.0 feet Lot 4 Block 106 Roseville, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125735, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Southerly 30.0 feet of north half of south half of portion of Pueblo Lot 1202, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125736, 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, 11, 12, 13 Block 12 American 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 taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125737, directing Property Supervisor to file petition with Board of Supervisor of County of San Diego, State of California, requesting that all taxes against Lots 14 and 15 Block 12 American Park 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 taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



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RESOLUTION 125738, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 18 to 22 inclusive Block 12 American Park 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 taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125739, authorizing City Auditor and Comptroller to make deductions from salaries or wages of City employees of The City of San Diego who authorize same in writing, for Municipal Employees Civic Responsibility Organization, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125740, authorizing Roy E. Butler, Assistant Director of Civil Defense, to attend atomic bomb test as an official observer, to be held near Las Vegas, Nevada, from April 21, 1955, through April 28, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125741, authorizing Stuart D. Johnson and Henry E. Harper III, Social Service Representatives of The City of San Diego, to attend National Conference of Social Work, to be held in San Francisco, from May 29, 1955, to June 3, 1955, inclusive; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125742, authorizing Eric V. Quartly, Superintendent of Sewage Treatment Division, and Leland Cook, Jr., Assistant Superintendent of Sewage Treatment Division, to attend annual meeting of California Sewage and Industrial Wastes Association, to be held in Riverside, California, from April 27, 1955, through April 30, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125743, authorizing John A. Thornton, Public Proceedings Agent, in City Attorney's Office, to attend meeting of Special Assessment Committee of League of California Cities, to be held in Long Beach, California, April 13, 1955, at 10:00 A.M., for discussing recommendations for legislative action to be presented to 1955 Session of State Legislature; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125744, accepting deed of Union Title Insurance and Trust Company, March 31, 1955, conveying portion Lot 1 of Pueblo Lot 1783; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125745, accepting partial reconveyance executed by Union Title Insurance and Trust Company, a corporation, quitclaiming portion Lot 1 of Pueblo Lot 1783, to persons legally entitled thereto; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on

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

The next item had been continued from meeting of April 5, 1955.

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

On motion of Councilman Wincote, seconded by Councilman Burgener, 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 6476, appropriating \$25,500.00 from Capital Outlay Fund for construction of building at Linda Vista Recreational Area, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--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 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 6477, appropriating \$5,200.00 from Capital Outlay Fund for replacing sanitary sewer in Alley Block 4 Carmel Heights, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

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

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

ORDINANCE 6478, establishing grade of the Alley Block 241 Pacific Beach, between easterly line of Noyes Street and westerly line of Olney Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

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

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

ORDINANCE 6479, establishing grade of Alley Block 20 Swan's Addition, between northeasterly line of Fairmount Avenue and line drawn easterly at right angles to westerly line of alley from point on westerly line distant 290 feet from intersection with northeasterly line of Fairmount Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

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

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

ORDINANCE 6480, establishing grade of Gaines Street, between easterly line of Benicia Street and westerly line of Colusa Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--None. Absent--Councilman Godfrey.

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

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

ORDINANCE 6481 (New Series), establishing grade of T Street, between southerly prolongation of westerly line of 40th Street and southerly prolongation of easterly line of 40th Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by 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 Dail, ordinance incorporating portion Lot 41 Ex-Mission Lands into M-1A Zone, and repealing Ordinance 35 New Series insofar as it conflicts, was introduced by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

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

RESOLUTION 125746, recommending and urging that name of Naval Air Station Miramar be changed to the Naval Air Station Mitscher in honor and in memory of Admiral Mark Andrew Mitscher; directing City Clerk to forward certified copy of Resolution to Admiral Charles C. Hartman, Commandant of the 11th Naval District, with request of the Council that he forward it to the proper Naval authorities with his approval and recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

RESOLUTION 125747, accepting deed of C. P. Butler and Lila B. Butler, Lyle W. Butler and Marylyn F. Butler, April 4, 1955, conveying easement and right of way for public utility purposes in portion Lot 11 Block 148 Roseville; 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.

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

RESOLUTION 125748, declaring on behalf of citizens of The City of San Diego and for the Council that it is deemed unwise and against public interest to amend Section 68.16 of Public Resources Code to provide for any amendment of section permitting diversion of State oil royalty money to any fund other than State beach and State park fund; authorizing and directing City Clerk to forward certified copies to Senator Fred H. Kraft, Assemblymen Wanda Young Sankary, Frank Luckel, Jack S. Schrade and Sheridan Hegland, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. -

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

RESOLUTION 125749, authorizing John D. Butler, Mayor of The City of San Diego, to attend atomic bomb test as an official observer, to be held near Las Vegas, Nevada, from April 21, 1955, through April 28, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The following items, returned by Council Secretary, from Council Conference, were filed by the Clerk:

- Document 489967 - Ordinance (introduced) amending Municipal Code regulating living floor space - dwellings;
- Document 489841 - Alan R. Essery communication expressing opinions re ordinance on minimum size of dwellings;
- Document 490165 - Protests against proposed ordinance for minimum floor space on dwellings;
- Document 490166 - Protests against proposed ordinance for minimum floor space for dwellings;
- Document 490167 - Protests against proposed ordinance providing minimum floor space for dwellings;
- Document 490857 - G. M. Christenson communication opposing ordinance establishing minimum size of residence construction;
- Document 490987 - Mission Beach Civic Council communication opposing ordinance restricting size of buildings;
- Document 491173 - Amending San Diego Municipal Code re living floor space - dwellings;
- Communications opposing Ordinance re minimum size of buildings and living space - all undocumented;
- Document 495055 - Civil Service Commission communication re classification for automotive mobile serviceman, etc.;
- Document 497481 - San Diego County Board of Supervisors communication re constructing road to connect North Clairemont with Route 395 -
- Document 500589 - Linda Vista Kiwanis Club urging same road;
- Document 497699 - Petition of Property Owners requesting permission to start proceedings for annexation of "South Bay Area Tract";
- Document 498400 - Ruth Saunders, et al, communication re noise of ice cream trucks, etc.
- Document 500089 - La Jolla Chapter National Society, Daughters of America Revolution communication re "Whaley House" historic landmark of San Diego
- Document 501498 - S.D. Council of Registered Civil Engineers and Licensed Land Surveyors re slow processing of tentative maps by City Planning Department.
- Document 501569 - W. E. Starke communication re \$300,000. appropriation from Capital Outlay Fd. for acquisition of Public Housing Authority lands, and \$50,000. to defray expenses and purchase of supplies, etc.
- Document 501848 - City Auditor & Comptroller communication re \$300,000. approp from Capital Outlay Fd. for acquiring Public Housing Projects;
- Document 503213 - Thomas D. Drake communication suggesting ballot item to increase salaries of Councilmen and Mayor;
- Document 503352 - R. J. Prince protest re advertising on buses;
- Document 503676 - Planning Director communication re appointments of members of Bd. of Architectural Review, re vacancies;
- Document 503880 - County Assessor communication responding to request for information on Assessment problems on Tidelands properties re Tideland leases;
- Document 504488 - Motor Car Dealers Assn. of S.D. objecting to new proposed ordinance re restrictions in C Zone;
- Document 505393 - F. E. Young requesting action on submittal of Plaza Associates for Parking Garage at Horton Plaza;
- Document 505728 - S.D. Transit System communication listing 1954 accomplishments, etc.
- Document 506198 - Shoreline Planning Assn. of Calif., Inc., re status of oil royalty money;
- Undocumented papers re parking requirements for physically disabled drivers;
- Undocumented papers re rental by Pacific Flower Exposition-San Diego, Electric Building, Balboa Park;
- Undocumented papers (Resolutions copies) re Ocean Beach Community Center personnel reduction;
- Undocumented communication from Assemblyman Caspar W. Weinberger, acknowledging receipt of Resolution 123249 re A/B 1435.

Conference items returned  
to Clerk - filed

4/12/55  
4/14/55

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:05 A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Headstrom*  
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, April 14, 1955

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

In the absence of the Mayor, Vice Mayor Charles B. Wincote called the meeting to order at 10:05 A.M.

The Vice Mayor welcomed a large group of pupils from the U.S. History Class of Woodrow Wilson Jr. High School, accompanied by Ed Hebert, their teacher. He asked them to stand for applause, which they did.

Mr. Hebert thanked the Council for the group's attendance at the meeting, and spoke of benefit which would be derived from the visit.

The Vice Mayor explained the procedure followed in the meeting, and invited questions from any students who might like to have answers.

Resolutions, Ordinances and Contracts appear on Microfilm Roll 94

A majority of members of the Council signed undertakings for street lighting, with San Diego Gas & Electric Company in Mission Beach Lighting District No. 1 and in Kensington Manor Lighting District No. 1

The hour of 10:00 o'clock A.M. having arrived, time set for hearing of appeal Jarbin Incorporated, signed by Bill Rubin, president, 4673 Federal Boulevard, "Finding of Facts" on application 134904 which denied by Resolution 8813 application for variance to provisions of Ordinance 35 N.S., was read. The denial was on request to construct warehouse, approximately 5,000 sq. ft. in area, in R-1 zone, to be used in connection with retail store in adjacent C Zone, on portion Lot 18 Ex-Mission Lands of San Diego.

Adjournment  
Convened  
Visitors  
Undertakings signed  
Hearing

Councilman Kerrigan entered during reading of the report

Councilman Burgener asked about the vote by the Board of Zoning Adjustment. D. E. South, Zoning Administrator, replied that it was a unanimous vote for denial. He said that there were no protests in the area, at the time.

Bill Rubins told the Council that time is of the essence. He said that if permission is granted today, the company is ready to start building tomorrow.

The Vice Mayor said that if the Board had not had full information the file should go back for further information which Mr. Rubins had.

Asked about the existing zone, Mr. South replied R-1 and C.

Councilman Dail spoke to Mr. Rubin.

Mr. Rubin said that his partner had told of improvement - from a sketch. He told of having been awarded approximately 6% of property from the local Federal Housing. He said that stoves are set outside, and they are fixed up as sold. Answering question about ice boxes, Mr. Rubin said he broke the locks himself. He referred to a report, not filed, and expressed resentment of merchandise being called "junk" (it had been in the Finding of Facts). Mr. Rubin stated that he had paid the City \$1,400 in sales tax last year. He said that property is leased for 20 years, in C and R-1 Zones. He told of not knowing about the R-1, and assumed that it was all C.

Mr. South told the Council that the building was approved in C Zone - not in R-1.

Councilman Schneider spoke to Mr. South.

Mr. South said he questioned the legal use, even in C Zone.

Councilman Schneider asked if the operation is not there, legally.

Mr. South replied "no; notice has been given to vacate in R-1 Zone."

Councilman Burgener asked if R-1 zone is proper.

Mr. South replied that property is unsubdivided, and that it is not possible to say what development will be.

Councilman Dail said that the property would not lend itself to residences as R-1 use. (He spoke to newspaper reporters, saying that his comments were off the record).

Mr. Rubin read point 2 from the report. He stated that an inspector was out, and that it had been explained to him. He declared that the Building Code is wrong. He said that with a 12-foot wall nobody would look at the so-called junk. He quoted point 7. He spoke of a 2-story building, 90 x 200, plus off-street parking. He told of negotiating with owner of the adjoining property to the south. He went into point 8 regarding C zone property. He said it was pointed out to the inspector the proposed improvements. He said that point 9 questions the type of business. Mr. Rubin stated that Jarbin has been doing business since 1951, licensed by the City.

Councilman Dail expressed the belief that it would be well for the Council to go out and look at the property.

Councilman Schneider said he would like to, and then spoke to Mr. Rubin.

Mr. Rubin told the Council that the landlady had put aside a 20-foot easement.

Councilman Schneider said that the property should have been subdivided; then the owners would have to put in the street. He said that it becomes difficult for the City if buildings are constructed, with no streets.

Councilman Godfrey said that the report covers points covered under law; there is a question about variance. He said that the City is restrained by law in what it can do. He wanted to hear from the attorney. He said that the proposal runs into 4 points. He said it is a question if variance can be granted.

Aaron Reece, Deputy City Attorney, said that variance can be granted, but that it becomes a question regarding some of the uses. He said that there are 2 or 3 problems.

Councilman Godfrey said that Jarbin should have a building of some kind. He said that question is regarding the location.

Mr. Reece said that the attorney's office would have to have some time to look into the use and see if it would be legal.

Councilman Godfrey said it might be possible for the Council to look at the property while that is being determined.

Councilman Schneider asked if it was the statement that there is a lease for 49 years.

Mr. Rubin said "yes, on the C Zone property; on a definite time".

Councilman Schneider pointed out that people in the area have rights. He asked Mr. Rubin if he was concerned with business when the company went into the R-1 property by 5 feet.



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Mr. Rubin replied in the affirmative, but that the company did not do it deliberately. He said that plans had been approved.

Councilman Burgener asked if the owner would cooperate in a zone change.

Winifred H. Edmond, owner of the property said "yes", she would apply for a zone change. She said that she would not build residences, that the area is no place for them. She described the area of the property. She spoke of a jog, and of reserving 20 feet, voluntarily.

Councilman Wincote asked if it would be proper to have a C or an M-1 use, for the purpose proposed.

Mr. Reece replied that it would have to be investigated.

Mr. Rubin said that it is a retail business.

Councilman Burgener said that it would more likely be a C zone use after building is erected.

Mrs. Edmonds said that the specifications indicate a quite elegant structure, that material outside now would be under cover and out of the way. She said that is quite a concern, and expressed surprise at the size of the venture.

Council Godfrey said that this would probably be postponed 1 week.

Mr. Rubin identified property owner across the street, and Mr. Imig across, and adjoining.

Vice Mayor Wincote stated that the Council is willing to listen to testimony. He asked if there was further information from other witnesses.

Mr. Rubin called Mr. Imig, who owns property across and south of property in question. Mr. Imig told the Council there is no objection.

Mr. Rubin said that property across is not against it.

Councilman Kerrigan spoke of property being under metes and bounds and of considerable involvements.

Mr. Rubin said that it has been surveyed, and that the City plans Federal Boulevard freeway. He spoke of then being cut off from traffic, and of wanting to get out onto 47th Street.

Councilman Godfrey spoke for postponing the item 1 week, or 2 weeks.

\*\* Councilman Godfrey moved to postpone the hearing 1 week, and not closing the hearing. Motion was seconded by Councilman Dail.

Councilman Kerrigan stated that there are several points to be considered; if there should be a zone change, or a zone variance. He said that the license does not control the business; it is just to "keep the City going".

Mr. Rubin spoke of the business having 5 units, with headquarters in San Diego.

The Vice Mayor said that the Council will have the recommendation next week.

\*\* The roll was called on the motion. It carried, with all present voting in favor.

Petition of San Ysidro Citizens Committee for Annexation to the City of San Diego - South Bay area - signed by 6 citizens and property owners, was presented.

Thomas H. Higgins, who identified himself as annexation chairman of the committee, spoke. He told of there being a group of representative citizens interested in the annexation. He said letters were sent to organizations in the entire area, regarding plans. He said they have had meetings, including people from San Diego who explained advantages and disadvantages if the property annexes.

Vice Mayor Wincote said that the Council knows the story, that this is procedural. He said it should be referred to the City Manager for information.

Mr. Higgins told of need for better supervision, and services. He said that government housing is sub-standard, and it is being moved into the area. He said that the area can't do anything about it. Mr. Higgins said that if it were a part of San Diego it could be controlled. He spoke of another letter, which he filed.

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

Other persons were present, indicating that they wanted to speak.

The Vice Mayor said that it is not in order for others to be heard now. This is not the hearing, although one will be set later, he stated.

Councilman Schneider said that the City Manager will analyze the situation, and

make a report to the Council.

Sydney Robbins, of Imperial Beach, said he had the right to ask questions.

The Vice Mayor said that the questions should be asked at the hearing, which will be held later.

Mr. Robbins said that there is large opposition to the plan, in the South Bay area. He told of having received information on the proposed annexation from the newspapers only. He spoke of having had no legal standing before, or now, and of being put off. He said it is "utter nonsense."

Councilman Godfrey spoke to Mr. Robbins, and told him that the purpose of the hearing is for answers to the questions. He said that the Council could not tell what the answer to the petition would be - now.

Vice Mayor Wincote stated that rights are going to be protected. He said they can send in petitions. He outlined the procedure.

Councilman Dail was excused

Mr. Robbins told the Council that this is the first opportunity to be heard.

Councilman Schneider told Mr. Robbins that the City Manager will answer.

J. W. MacCausland said he wanted a 30-day delay, so he can be heard.

The Vice Mayor said the Council will follow through, and that he will not be ignored.

C. W. Perry, Palm City, said that an organization has asked the County Planning Commission to establish boundaries for annexation. He said that he is not objecting to "any portion, except he wants to be left out".

The Vice Mayor stated that the Council is aware of the program. He added that the Council is not asking anybody to annex.

Councilman Godfrey stated that it would be helpful if protestants address letters, outlining points of view. He said that would assist the City.

Councilman Schneider spoke of there being nothing to work on. He said that the Council has to consider the report first.

Councilman Wincote said that this is just the first item; there is no determination.

Sam Bennett, of San Ysidro, referred to this as a "preliminary bout". He said that proponents have not asked for annexation, just the right to start proceedings.

T. C. McCaulay, Imperial Beach, voting in Coronado, was heard. He said that majority of citizens are interested in incorporation. He stated that they did not have necessary signatures on the first petition. He said that work is still under way on incorporation. He said that a majority in Imperial Beach are in favor of incorporation. He said that he has no quarrel with other areas.

Councilman Wincote said that the Council has a request, and is going to pay attention to it.

Major McCaulay spoke about being their own destiny to work out the situation.

Mr. Robbins asked if they have the right to exclude.

Councilman Schneider said "yes, they have the right".

The Vice Mayor introduced Mr. Ernest Renvel, former Councilman of San Jose, a friend of City Manager O. W. Campbell.

The Vice Mayor introduced Mayor Clarence Winder, of Pasadena.

Continued petition of residents of Mission Beach, for a stop light at corner of Ventura Street and Mission Boulevard, for cars turning right onto Mission Boulevard, and for safety light at crosswalk at Island Court and Mission Boulevard, was presented.

Councilman Burgener said that interested persons want to be heard. He suggested continuance.

City representatives from Traffic Engineering were present. The City Manager said that they can be heard in Conference.

Councilman Burgener moved to continue petition until Tuesday.

Discussion cont on  
annexation pet. - ref  
to Mgr.  
Visitors introduced  
Petition

On motion of Councilman Burgener, seconded by Councilman Godfrey, petition was continued 1 week - to April 21, 1955.

Report of Purchasing Agent, with City Manager's stamp of approval, on 4 bids for furnishing 2,500 or 6-month requirements of Cast Iron Meter Box Covers - National Steel & Shipbuilding Corp, low bidder at \$1.25 each plus State Sales Tax - was presented.

RESOLUTION 125750, accepting bid of National Steel & Shipbuilding Corp. for furnishing Cast Iron Meter Box Covers for #3 meter box; 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 Godfrey, adopted.

RESOLUTION 125751, authorizing and directing Purchasing Agent to advertise for sale and sell steel, cast iron, brass and copper, no longer desirable for use or retention, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on 6 bids received for sale March 24, 1955 - Refrigeration Equipment at Camp Callan, Talone Packing Company, \$5,700.00 high bidder - was presented.

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

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Unit 5, College View Estates, a 14-lot subdivision of portion Lot 67 Rancho Mission, was presented.

RESOLUTION 125752, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of College View Estates Unit 5, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Unit 5 of College View Estates, for 14-lot subdivision of portion of overall plan of division of Lot 67 Rancho Mission of San Diego, located westerly of State College stadium, subject to 11 conditions, was presented.

RESOLUTION 125753, approving Tentative Map of College View Estates Unit 5, subject to conditions of 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 San Diego Municipal Code in connection with Tentative Map of La Mesa Colony, portion Lot I, was presented.

RESOLUTION 125754, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for La Mesa Colony, a portion of Lot 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 subdivision of portion Lot I La Mesa Colony, of 4 parcels of land fronting on Amherst and 68th Streets in La Mesa Colony area, in recent Rolando Annexation, subject to 5 conditions, was presented.

RESOLUTION 125755, approving Tentative Map of La Mesa Colony, portion of Lot I,

subject to conditions of 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 San Diego Municipal Code in connection with Tentative Map of portion Pueblo Lot 1297, was presented.

RESOLUTION 125756, suspending Section 102.17-c of San Diego Municipal Code in connection with 1-lot division of portion Pueblo Lot 1297, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of 1-lot division of portion Pueblo Lot 1297, on Calle de Oro, east of La Jolla Shores Drive and westerly of La Jolla Shores Terrace, former City land sold to William Kellogg several years ago, was presented, subject to 4 conditions.

RESOLUTION 125757, approving Tentative Map for 1-lot division of portion Pueblo Lot 1297, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from County of San Diego, signed by Frank A. Gibson, Chairman, Board of Supervisors, dated April 8, 1955, was presented. It states that on March 4, 1955, the Chief Administrative Officer of San Diego County forwarded a letter attached to which was an ordinance covering air pollution. It states that the Board is now considering adoption of Ordinance, and Mr. Gibson has been instructed to write to each of incorporated cities within the County to ascertain, if possible, position with regard to adoption of such ordinance governing air pollution within the incorporated city. It says the Board would appreciate an early reply.

RESOLUTION 125758, referring to Council Conference communication from Board of Supervisors re air pollution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Copy of letter from J. W. Malmberg, Vice Consul of Sweden, addressed to the Ambassador of Sweden to the United States of America, relative to the fine reception given in connection with visit of the ship H. Sw. M. S. Alvsnabben to San Diego, and the many courtesies extended by the City, the Chamber of Commerce, Navy League, Convention Bureau, the Zoo, Armed Services YMCA, Board of Supervisors of San Diego County, et al., was presented.

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

Communication from Academy Club, Stella Maris Academy, La Jolla, dated April 4, 1955, signed by Mrs. Carl E. Lengyel, was presented. It opposes any changes in facilities at the Community Playground in La Jolla.

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

Communication from McKinley Civic Association, 2705 Teresita Street, San Diego 4, signed by Blanche W. Sharpe, dated 11 April 1955, was presented. It requests a map or drawing of what is proposed for Switzer Canyon, re proposed Switzer Canyon Freeway.

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

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Communication from San Diego Chamber of Commerce, dated April 11, 1955, signed by R. T. Blair, Jr., Secretary Metropolitan Planning Committee, was presented. It refers to letter sent to the Mayor and Council on February 17, 1954, outlining recommendation proposed January 12, and approved on February 10 by Board of Directors, re future development of area included in following description: Mission Valley from Highway 395, west to US Highway 101, north along Morena Boulevard to Balboa Avenue including area between Mission Bay, US Highway 101, and Morena Boulevard, also including Tecolote Valley south, to include south end of Mission Bay, the Frontier Homes area, and Old San Diego, with particular attention to portion of Old San Diego now occupied by public housing. It states that the Committee would appreciate hearing regarding any progress the Planning Commission has made to date on the study.

RESOLUTION 125759, referring to Council Conference communication from San Diego Chamber of Commerce, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from San Diego Highway Development Association, Inc., dated April 8, 1955, signed by Dominic C. DiGregorio, secretary, was presented. It mentions value of improvements of Highway 80 as arterial to the east, and asks for any aid that can be given at this time for "this most important project", was present

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

Communication from William F. Reed, attorney at law, 630 San Diego Trust & Savings Building, San Diego 1, dated April 12, 1955, was presented. Mr. Reed writes as attorney in fact for Hidden Valley Hills and Kesling Modern Structures, Inc. relative to road in the area connecting land north of subdivision with Hidden Valley Hills subdivision.

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

Communication from Geo. M. Vermillion, Mayor, City of Long Beach, dated April 11, 1955, acknowledging copy of Resolution opposing Assembly Bill 3762, and expressing appreciation for help in fighting against the ill-advised legislation. It says that Long Beach welcomes the opportunity to support San Diego in a similar case where its rights were in jeopardy.

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

Communication from Police Relief Association, Inc., P.O. Box 1431, San Diego 12, signed by John M. Hughes and Gene S. Muehleisen, co-chairmen, welfare committee, was presented. The communication, dated April 11, forwards information as addition to series of charts submitted with annual salary request dated March 25, 1955.

RESOLUTION 125760, referring to Salary Conference communication from San Diego Police Relief Association, Inc., was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 12 April 1955, was presented. It encloses for approval of form of agreement for amendment of Tideland Lease held by Chicken of the Sea, Incorporated. Amendment adds 3 additional terms of 5 years each to basic lease covering tideland area occupied by West Coast Packing Corporation plant, and also provides for 2 1/2 year rental reviews and modifies use clause so that premises may be used for freight handling and forwarding purposes.

RESOLUTION 125761, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 1, with Chicken of the Sea, Incorporated, copy contained in Document 510212, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 12 April 1955, enclosing form of Agreement for Assignment of Chicken of the Sea lease dated 7 August 1952, originally entered into with West Coast Packing Corporation, was presented. Assignments being made to Southern California Freight Lines, purchaser of property for use as freight handling and forwarding terminal.

RESOLUTION 125762, ratifying, confirming and approving Agreement for Assignment, copy of which is on file in Office of City Clerk as Document 510213, entered into between Chicken of the Sea, Incorporated, Assignor, and Southern California Freight Lines, Assignee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 12 April 1955, enclosing form of sublease to be entered into between Shell Oil Company and Messrs. George G. Alameda and Lou Brito, covering operation of marine service station at Foot of Crosby Street - identical to form of agreements generally entered into between various oil companies and their service station operators - was presented.

RESOLUTION 125763, ratifying, confirming and approving Sublease, copy of which is on file in Office of City Clerk as Document 510214, between Shell Oil Company, as Sublessor, and George G. Alameda and Lou Brito, as Sublessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125764, authorizing and empowering City Manager to do all work in connection with construction of wash rack and installation of water lines to serve wash rack, at Mission Bay sanitary fill, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125765, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with J. R. Gregory for installation and operation of 2 weighing machines in Plaza Comfort Station, at rental of \$120.00 per weighing machine per year, for 1 year beginning on 16th day of April, 1955, in accordance with Document 510426; real property has value of \$100.00 as disclosed by report of last appraisal made by Auditor and Comptroller and which property is being leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125766, authorizing City Manager to execute, for and on behalf of the City, lease with Calvin Swalm for operation of Junior Fire Truck Ride in Balboa Park, for 1 year beginning May 1, 1955, at rental of \$75.00 per month, in accordance with Document 510437; real property has value of \$2,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller and which property is being leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125767, authorizing and empowering City Attorney to file disclaimer in quiet title action in Superior Court of State of California, in and for County of San Diego, entitled, "William P. Odom and Ruth C. Odom vs. City of San Diego, et al.," Superior Court 196040, disclaiming any interest of The City of San Diego in and to property subject to action, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. It has to do with portion of Parcel "00" in Lot 19 Rancho Mission.

RESOLUTION 125768, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 4 locations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



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RESOLUTION 125769, approving request of H. W. Grizzle, April 7, 1955, contained in Change Order 1, for extension of 49 days to and including April 19, 1955, filed as Document 510219, in which to complete contract for construction of Clairemont Recreation Building, Contract in Document 500819; extending time of completion to April 19, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125770, approving request of H. W. Grizzle, April 7, 1955, contained in Change Order 3, for extension of 15 days to and including May 15, 1955, filed as Document 510221, in which to complete contract for construction of Fire Station 27 in Clairemont, Contract in Document 501370; extending time of completion to May 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125771, 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 Lot 5 Block 33 Point Loma Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125772, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Acre Lot 2 Pacific Beach, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125773, 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 14 Block 87 Morena, 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 Kerrigan, adopted.

RESOLUTION 125774, authorizing Miss Clara E. Breed, City Librarian, to attend a Library class at University of Southern California and Rockefeller Conference on the American Southwest and Mexico and the Southern District meeting of the California Library Association, to be held in Los Angeles, April 13, 1955, through April 15, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125775, authorizing A. E. Jansen, Chief of Police, to attend annual conference of Peace Officers' Association of the State of California, Stockton, May 19, 1955 through May 21, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125776, authorizing Councilman George Kerrigan to go to Sacramento April 14, 1955, for promoting and assisting in securing passage before the Legislature of the State of California such legislation as may be necessary to authorize State of California to

develop and transport surplus waters of Feather River to Southern California, with understanding that if such project is undertaken and developed a portion of waters will be committed for use of The City of San Diego and its inhabitants; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125777, authorizing Captain W. P. Thien, of the Traffic Division of Police Department, to attend annual conference of Peace Officers' Association of the State of California, to be held in Stockton, California, May 20, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125778, approving claim of Mrs. J. L. Ditmars, Document 508451; directing City Auditor and Comptroller to draw warrant for \$3.83 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125779, approving claim of Dominic Vartuli, Document 509119; directing City Auditor & Comptroller to draw warrant for \$260.00 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125780, denying claim of Clara Ferguson, Document 507917, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125781, denying claims of Firemen's Insurance Co. of Newark, N.J., on behalf of Everett Ray & Illene Shepherd, Documents 502775 and 508919, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125782, denying claim of Mrs. Beverly Hafer, Document 502940, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125783, denying claim of Claire Lugo, Document 501840, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125784, accepting subordination agreement executed by Lillie J. Cook, beneficiary, and Union Title Insurance & Trust Company trustee, February 17, 1955, subordinating all right, title and interest in and to portion Lot 5 of Partition of Pueblo Lot 1209, to right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125785, accepting deed of O. D. Arnold & Sons, March 23, 1955, conveying portion of North 1/2 of SW 1/4 of SE 1/4 of NE 1/4 Section 33 T16S R2W; setting aside and dedicating it to public use as and for public street and naming land Chollas Parkway; 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 125786, accepting deed of Rudy T. Haas, Jr. and Elizabeth L. Haas, April 6, 1955, conveying easement and right of way for drainage control purposes in portion of Pueblo Lot 1258; authorizing and directing City Clerk to file deed for record in office of City Clerk, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125787, accepting deed of Enrico Guido Alloro, February 26, 1955, conveying easement and right of way for sewer purposes in portion Lot 5 Partition of 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125788, accepting deed of Moise Telisma Laborde, Jr. and Rena Elizabeth Laborde, February 26, 1955, conveying easement and right of way for sewer purposes in portion Lot 5 Partition of 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125789, accepting deed of Hervey K. Graham and Alva M. Graham, March 27, 1955, conveying easement and right of way for storm drain purposes in portion Lot 11 Rodefer Hills View Point Division; 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 125790, accepting deed of Kenneth G. Hale and Elaine Claire Hale, April 1, 1955, conveying easement and right of way for storm drain purposes in portion Lots 95 and 98 Oak Park Annex; 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 125791, accepting deed of Matt Hoss and Iva M. Hoss, date March 23, 1955, conveying easement and right of way for storm drain purposes in portion Lot 16 Horton's Purchase in 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125792, accepting deed of The San Diego Gas and Electric Company, March 30, 1955, conveying easement and right of way for water main purposes in portion Lot 101 El Cajon Valley Company's Lands; 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.

Councilman Godfrey requested, and was granted, unanimous consent for the next item, not on the agenda.

Gas  
Louis J. Dowdy, San Diego Liquid/Appliance, Inc., appeared with a petition and a plan in connection with new plant to be constructed as result of recently-adopted ordinance. He said that his present plant has to be out in June. He asked for approval of the plans, and inferred that approval had been held up. Mr. Dowdy handed them in to the Clerk.

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On motion of Councilman Godfrey, seconded by Councilman Schneider, petition and plans were referred to the City Manager, with direction to the Clerk that they be listed on the agenda for the meeting of Tuesday, April 19, 1955.

John Ingram, of the City Manager's office, took the petition and plans, undocumented.

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

RESOLUTION 125793, authorizing Purchasing Agent to enter a sealed bid for purchase of not to exceed 8 250-barrel capacity demountable water tanks, to be sold by United States Navy at Ft. Hueneme, California, April 19, 1955, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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

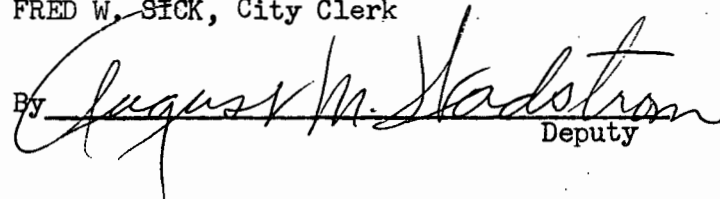
RESOLUTION 125794, stating that the Mayor and Manager of the City of San Diego advise the proper officers and officials of the United States Navy that the City Council would appreciate it very much, on behalf of the people of The City of San Diego, if the master jet air field located on the Naval Air Station at Miramar, California, be given the name "Marc A. Mitscher Field" in honor of Adminiral March A. Mitscher, USN, deceased, because of of his outstanding services in the Navy on behalf of the United States during the first and second world wars, and to furnish such officers with certified copies of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

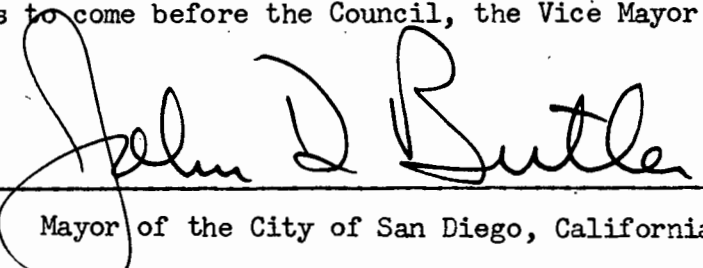
(A similar Resolution was adopted by the Council, under Unanimous consent also, on April 12 but was not repealed. By request, copies were sent to the Mayor for transmittal).

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned.

ATTEST:  
FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of the City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, April 19, 1955

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

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Minutes of the Meetings of Tuesday, April 12, 1955, and of Thursday, April 14, 1955, were approved without reading, after which they were signed by the Mayor.

The Reverend Donald L. Allis, pastor of Euclid Evangelical United Brethren Church, was presented by the Mayor. All stood for the invocation which he gave.

Resolutions and Ordinances for this meeting are recorded on Microfilm 94

About 50 pupils from the Senior Problems Classes, Kearny High School, attended the meeting with their teacher, Gene Hartley.

The Mayor asked the students to arise for recognition, and applause. He explained procedure followed, the meeting times, and the conferences held. He invited questions from them, and invited the students to the Mayor's office if they had time before returning to their classes.

Councilman Godfrey entered during the Mayor's comments to the visiting classes.

The Purchasing Agent reported, in writing, that bids had been opened on Friday, April 15, 1955, for improvement of Taft Avenue and Bellevue Avenue - under 1911 Act - from 6 bidders.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 123156 for paving and otherwise improving Alley Block 8 La Jolla Park, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 123157 for paving and otherwise improving Guy Street, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

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

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

Convened  
Visitors  
Invocation  
Hearings

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 123158 for paving and otherwise improving 31st Street, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Wincote, 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, time set for hearing on Resolution 123299 of Preliminary Determination for paving and otherwise improving Alleys Blocks 22, 23, portion between Blocks 22 and 8 La Jolla Park, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125795, determining that improvement of Alleys in Blocks 22, 23, and portion between Blocks 22 and 8, La Jolla Park, Resolution 123292 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 123293 of Preliminary Determination for paving and otherwise improving 53rd Street, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125796, determining that improvement of 53rd Street, Resolution 123293 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2347 made to cover costs and expenses of work of paving and otherwise improving Alley Block 255 Hoel's Subdivision, Resolution of Intention 120265, the Clerk reported written appeals from John H. & Helen L. Funk, E. P. Terry and Viola V. Terry, Mrs. Georgia E. Smith. They were presented to the Council.

Asked for a report by the Mayor, the City Engineer stated that there was 18.8% appeal, based on cost.

The Mayor inquired if anyone was present to be heard.

E. P. Terry told the Council that the improvement does not increase the value of the property, it is not worth the assessment.

Councilman Schneider asked if the alley is behind the property.

Mr. Terry replied that it is, that people who wanted it paved have apartments.

Councilman Schneider stated that the Council is bound to act on the majority's wishes.

Mr. Terry repeated that the improvement is not worth what it cost.

The City Engineer stated that there is a 64.3% petition.

Mr. Terry said that it is not worth that much more money.

The Mayor pointed out that the low bid (which was accepted) was 10.+% below the estimate. He added that the work was done economically.

Mrs. G. E. Smith said that she had the same protest.

The Mayor stated that a majority of the neighbors favor the improvement.

Mrs. Smith said that her brother signed the petition, on his dying bed.

A woman, whose name was understood to be Mrs. Reese (although there is no property assessed in that name) said her appeal is the same.

Councilman Schneider moved to overrule the appeals. Motion was seconded by



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Councilman Burgener.

There was discussion between members of the Council and appellants.

The roll was called on the motion.

Motion was then made by Councilman Schneider, seconded by Councilman Wincote to confirm the assessment.

The 2 motions resulted in

RESOLUTION 125797, overruling and denying appeals of John H. Funk and Helen L. Funk, E. P. Terry and Viola Terry, Mrs. Georgia E. Smith, from Street Superintendent's Assessment 2347 for paving and otherwise improving Alley Block 255 Hoel's Subdivision, Resolution of Intention 120265; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Petition of Louis J. Dowdy, San Diego Liquid Gas & Appliances, Inc., filed with the Council April 14, 1955, for approval of plans, was listed on the agenda for this meeting. Papers, which had been taken out immediately by the City Manager's office after having been referred by the Council, had not been returned.

The City Manager told the Council that there was a planning matter involved.

Glenn A. Rick, City Planning Director, stated that it is a fresh matter, and the ordinance requires Mr. Dowdy to instigate the matter.

Councilman Kerrigan moved to refer the item to the Planning Commission for classification of use of the property. The motion was seconded by Councilman Schneider.

The roll was called, and the motion carried.

Mr. Dowdy appeared, and stated that he had been under the impression, as by Mr. Burton in the Planning Department, that the Council has to act upon the use. He said that the Planning Recommendation would come to the Council. He said that under the new ordinance he is going to be caught without a plant.

Mr. Rick said that the item will come to the Council on Thursday.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for lumber, was presented. There were 2 low bids: San Diego Lumber Company, and Dixie Lumber & Supply Co. which were recommended for acceptance. There were 4 bids.

RESOLUTION 125798, accepting bid of Dixie Lumber & Supply Co. for furnishing Item 2 at total price of \$380.00, terms 2%-30 days, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125799, accepting bid of San Diego Lumber Company for furnishing Item 1-alt and Item 3-alt at total price of \$913.40, terms 2% 10th prox., plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing 15,000 lbs. of Powdered Activated Carbon, was presented. It reports low bid of Los Angeles Chemical Company, Inc., totaling \$1,818.00 plus State Sales Tax. 4 bids

RESOLUTION 125800, accepting bid of Los Angeles Chemical Company, Inc., for furnishing 15,000 lbs. of Powdered Activated Carbon; 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 Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, recommending that all 6 bids received April 6, 1955, for construction of Las Penasquitos Creek Bridge and approaches, was presented. It states that City Engineer advised Purchasing Agent that photostatic copies of work sheets and substantiating letters appear to corroborate claim of

\*be rejected

Communications  
125797 - 125800

of error, and it makes recommendation that firm of Milleman, Sooy & Jackson be allowed to withdraw its bid.

RESOLUTION 125801, rejecting all bids received for construction of Las Penasquitos Creek Bridge and approaches, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 125802, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of hardware for period of one year from 6/1/55, Document 510570, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125803, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting systems at intersection of Broadway and India Street, and Girard Avenue, Torrey Pines Road and Virginia Way, Document 510503; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125804, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expenses necessary or incidental for improvement of street intersections in downtown business area (including removal and restoration of sidewalk, removal and restoration of pavement and existing drainage facilities, and asphalt concrete surfacing, Document 510502; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION 125805, authorizing and directing Purchasing Agent to advertise for sale and sell houses at 4092 54th Street, 2215 San Diego Avenue, 2233 San Diego Avenue, 2202 Moore Street, 2218 Moore Street, 2234 Moore Street, 2254 Moore Street, 3873 Trias Street, no longer needed for City purposes, recommended by the City Manager to be sold; houses to be either removed or demolished - all expenses incurred in connection with sale shall be deducted from proceeds - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Allied Gardens Unit 5, was presented.

RESOLUTION 125806, suspending Section 102.12-3 of San Diego Municipal Code in connection with Tentative Map of Allied Gardens Unit 5, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Allied Gardens Unit 5, subject to posting of adequate bond to insure installation of required improvements and fulfillment of agreement contained in letter of April 14, 1955, wherein developers agree to execute easements as required by distribution plans of San Diego Gas & Electric Company and The Pacific Telephone and Telegraph Company, was presented.

RESOLUTION 125807, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Allied Farms, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Allied Gardens Unit 5 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.

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In connection with the communication and Resolution 125807 - Allied Gardens Unit 5 - which just precedes this item, Glenn A. Rick, City Planning Director, said that the Council had asked about the easements. He spoke of the subdivider having made changes on the final map. He said that letter has been filed that easements are to go to the Gas Company.

RESOLUTION 125808, adopting map of Allied Gardens Unit 5, being subdivision of portion Lot 67 Rancho Mission of San Diego, accepting Barclay Avenue, Birchwood Street, Brunswick Avenue, Carthage Street, Cottage Avenue, Dundee Avenue, Elgin Avenue, Forbes Avenue, Gala Avenue, Greenbrier Avenue, Glenroy Street, Hamill Avenue, Hillsboro Street, Irvin Avenue, Lewison Avenue, Mound Avenue, Waring Road, walks and unnamed easements shown thereon for public purposes; declaring them to be public streets, walks and unnamed easements and dedicated to public use; rejecting as dedication for public streets, portions shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that the streets, walks and unnamed easements are accepted on behalf of the public, and that the Council rejects the dedication of portions 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 Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Canyon View, a 6-lot subdivision of portion of Pueblo Lot 1256 - located within R-1B Zone in Muirlands area northerly of subdivision of Muirlands Acres Units 1 and 2 and proposed subdivision of Bettles Acres, was presented. It states that owner, in communication to the Council, states that he intends to improve the street to the same standards as streets in the Muirlands Acres. The report says that the Commission was of the opinion that the lots are among the most expensive and desirable lots being developed in the City, and because of difficulty and expense to the City to maintain unimproved streets it was felt that acceptance of the subdivision without street improvements would be contrary to general policy of the City and the requirements that had been imposed on other subdivisions in the area, excepting Muirlands Acres. The communication says that it was believed that it was the understanding of the Council at the time the improvements were omitted from Muirlands Acres, that when the area developed and improvements were needed they would be installed in those subdivisions. The approval is made subject to 11 conditions.

Communication from W. C. Rockefeller, 6035 Folsom Drive, La Jolla, dated April 14, 1955, was presented. Among other things, the letter says that it is the intention to build a home for the writer and his family as permanent residence, costing in the neighborhood of \$50,000. It asks that the property remain rural in appearance rather than urban, and says that the beauty of the area is best preserved by a rural appearance. It was read to the Council by the Clerk.

Glenn A. Rick, City Planning Director, said that his recommendation is as in the Resolution presented (it had all the 11 conditions set out in the communication). He read the Resolution. He spoke about the letter from Mr. Rockefeller asking for the rural atmosphere.

Charles Richardson, whom Mr. Rockefeller had authorized in his letter to speak for him, was heard. Mr. Richardson told the Council that he is the owner of a portion, and that he wants to keep it rural, also. He said that there would be no benefit from sidewalk and curb.

Councilman Wincote spoke to Mr. Richardson about "property beyond".

Mr. Richardson said he thinks there will not be.

Mr. Rick said that it is near the Cory property, where the Council left out improvements.

Councilman Burgener expressed the belief that it is "perfectly all right".

Mr. Richardson referred to having 2 lots of over an acre.

Mr. Burgener, said he could see no objection.

Mr. Rick wondered where the City would make the distinction. He spoke of the policy regarding elimination of some of the improvements.

Councilman Burgener said that there are differences throughout the city.

Mr. Richardson said that there will be only 4: 2 go to himself and Mr. Rockefeller.

Councilman Wincote spoke to Mr. Rick about the policy. He said that there are some times peculiar circumstances.

There was discussion between Councilmen Wincote and Kerrigan regarding having, or eliminating, improvements.

Councilman Kerrigan spoke of the City getting into situations without paving. Councilman Wincote referred to 2 subdivisions nearby, where they were left out. There was discussion between Councilman Kerrigan and Mr. Richardson.

Councilman Kerrigan pointed out that property owners demand the keeping in condition of streets making it possible to travel. He said that many where they were left out are now coming in to improve.

Mr. Richardson said that the situation is peculiar, and that he is willing "when the time comes" to pave.

The Mayor spoke about a letter having been filed on the Cory subdivision (where improvements were eliminated).

Mr. Richardson said that provision for future improvements can be put in deed restrictions.

The Mayor pointed out that the City Attorney does not enforce deed restrictions.

Councilman Godfrey said that there are 2 "that have come in that way"; now there is another. He said he can appreciate the desire for rural atmosphere. He said that the City went through the same thing on Point Loma. He said that there may be horses, sometimes - but there are autos, too.

Councilman Burgener asked if the Public Works Department has any record of high maintenance (on such streets).

There was no answer.

Councilman Godfrey mentioned having "let a lot off the hook" on subdivisions.

Councilman Wincote said that the road is in good condition; no erosion.

Councilman Burgener said that if this is what they want, let them have it.

Councilman Burgener moved to eliminate the sidewalk and curb; require a letter regarding paving in the future when others wish to pave. Motion was seconded by Councilman Wincote.

Councilman Wincote said that there is nothing worse than a half street (referring to paving by the owner of this subdivision).

Mr. Rick said that ownership is on only 1 side of the street - half the street, all the way around.

Councilman Burgener said there would be an island if there is a street half paved.

Councilman Godfrey spoke about accumulating a group of letters, which don't mean a thing. He said that when the property is sold, the present owners don't control the property. He said that in 6 months a letter may not mean a thing. He agreed that in the policy there might be room for exceptions.

Councilman Kerrigan said that the Council could refer the policy to the Planning Commission.

Councilman Godfrey said that the policy is the product of long experience and lots of tears.

Councilman Wincote called for the question.

The Mayor stated that Councilman Wincote, as the one who seconded the motion, could not call for the question.

A discussion was entered into between the Mayor and Councilman Wincote. The Mayor contended that a Robert's rule of order prevented the call for the question.

Councilman Wincote said that the City is having no difficulty in connection with petitions on Point Loma. He said that this situation would create no problem; it would create no difficulty for years to come.

Mr. Richardson said it could be incorporated in the deed to the 2nd owner, who would be aware that he may have to improve the street.

Councilman Godfrey said that the motion should include the stipulation regarding the improvement in deed restriction.

RESOLUTION NO. 125809, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for Canyon View, a 6-lot subdivision of portion of Pueblo Lot 1256, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 125810, approving Tentative Map of Canyon View, a 6-lot subdivision of Pueblo Lot 1256, subject to 9 conditions (2 conditions of the original 11 had been eliminated), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilman Dail.

RESOLUTION NO. 125811, providing that a letter be filed by the subdividers of Canyon View that paving and curbs will be installed in future, as such a time as other property owners petition for such improvement, was on motion of Councilman Burgener, seconded

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by Councilman Wincote - to eliminate paving and curb in connection with filing of map of the subdivision - adopted. The vote was: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilman Dail.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Homesites Unit 3, was presented.

RESOLUTION 125812, suspending Sections 102.11-1 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Homesites 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 Homesites Unit 3, 66-lot resubdivision of portion Tres Lomas, northerly of Cumerland Street, southerly of Allegheny Street and easterly of intersection of Potomac Street and the provision for the easterly extension from the City of Potomac and Cumerland Streets, was presented. It says that closing of portion of Calle Volver and Calle Tortuosa will be necessary before filing of the map. It incorporates 15 conditions for approval of the map.

RESOLUTION 125813, approving Tentative Map of Homesites Unit 3, 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 San Diego Municipal Code in connection with Tentative Map for 3-lot subdivision of portion Lot 81 Southern Title Guarantee Company's subdivision of Pueblo Lot 1801, was presented.

RESOLUTION 125814, suspending Sections 102.18-5, 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Subdivision of portion Lot 91 Southern Title Guarantee Company's subdivision of Pueblo Lot 1801, 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 3-lot subdivision of portion Lot 91 Southern Title Company's subdivision of Pueblo Lot 1801, located at southwest corner of Gresham and La Palma Streets, was presented.

RESOLUTION 125815, approving Tentative Map of portion Lot 91 Southern Title Guarantee Company's subdivision of Pueblo Lot 1801, subject to 5 conditions, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that the Council order district formed to pave and otherwise improve Dupont Street between Silver Gate Avenue and Gage Drive, was presented.

RESOLUTION 125816, adopting recommendation of City Engineer, Document 510483, to order district formed for improvement of DuPont Street; requesting City Engineer and City Attorney to prepare and present papers and proper resolutions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings be amended for paving and otherwise improving Macaulay Street, to include portion of Willow Street between southwesterly line of Macaulay Street and southeasterly prolongation of northeasterly line of Macaulay; also that southeast one-half of intersection of Plum Street and Macaulay Street be included.

RESOLUTION 125817, authorizing City Engineer to amend proceedings for improve-

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

Communication from State Senator Fred H. Kraft, dated April 12, 1955, was presented. It encloses copy of Assembly Bill 371 introduced by Messrs Schrade and Hegland. It says that the 2 Assemblymen from the City, whose districts include the port, Captain Luckel and Mrs. Sankary, and the State Senator are in ignorance regarding the measure. The communication says that the Senator did not even know it existed until someone from home called it to his attention. It says that the chief author seems to be unable to help, and the Senator asks if the Council is acquainted with the background of the measure. (It has to do with San Diego Board of Unified Development Control). The communication also refers to Senate Bill 1441 which has to do with the San Diego-Coronado tube, and says that the Council will be contacted by the Mayor and City Council of Coronado. It says that the bill will have to be discussed at home before any action is taken in Sacramento.

RESOLUTION 125818, referring communication from Senator Fred H. Kraft to Council Conference was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Mrs. S. B. Garrido, 715 16th Street "Stateside address 4167 Nordica Street, San Diego 13", dated April 7, 1955, was presented. It refers to need of adequate drainage system for Nordica Street, in connection with humble dwelling which was purchased in South San Diego. It tells of the serious conditions created relative to the condition which exists.

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

The next Resolution was numbered out of order, because of need. The item was brought up under unanimous consent at the request of the Mayor.

RESOLUTION 125819, authorizing City Attorney and Clarence A. Winder, Public Utilities Consultant for The City of San Diego, to appear before the Public Utilities Commission in behalf of The City of San Diego in matter of application of San Diego Gas & Electric Company for electric rate increases, application 36579, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125820, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 332 Choate's Addition, and 32nd Street; approving Plat 2699 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 125821, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 128 Subdivision of Pueblo Lot 1157 for Mannasse and Schiller and Block 128 San Diego Land and Town Company's Addition; approving Plat 2704 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 125822, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Delta Street; approving Plat 2698 show-



ing 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 125823, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Morrell Street; approving Plat 2684 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 OF INTENTION 125824, 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 INTENTION 125825, 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 INTENTION 125826, for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, Thorn Street, Redwood Street, Olive Street, Maple Street; Alleys Blocks 4 and 8 Clifton Addition to City Heights; Alleys Blocks 9, 16, 7 and 11 Bungalow Park Addition; Alleys Blocks 5, 10, 17 Swan's Addition; Public Rights of Way, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125827, for paving and otherwise improving Alley Block 332 Choate's Addition, and 32nd Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125828, for paving and otherwise improving Alley Block 128 Subdivision of Pueblo Lot 1157 for Mannasse and Schiller and Block 128 San Diego Land and Town Company's Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125829, for paving and otherwise improving Delta Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125830, for paving and otherwise improving Morrell Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125831, ascertaining and declaring wage scale for paving and otherwise improving Calle del Oro and La Jolla Shores Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125832, approving diagram of property affected or benefited by work of improvement to be done on sewers in Figueroa Blvd.; Magnolia Ave.; Hornblend St.; Grand Ave.; Bond St.; et al, and Alleys in Mission Bay Park Tract, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125833, authorizing amendment to proceedings for improvement of portions of Brooklyn Avenue and Iona Drive, according to recommendation of City Engineer, Document 510109, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125834, granting petitions contained in Documents 508547 and 508548 for paving and otherwise improving Alleys Block 3 Corella Tract and Frankfort Street; directing City Engineer to furnish Council with description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125835, granting Wm. H. Black permission to install sewers to serve Lot 78 Rancho Mission by private contract under plans etc filed as Document 509852, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125836, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Kettner Boulevard between Market and G Streets; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meters spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 125837, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 8 locations, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, addressed to City Manager, recommending that Council pass Resolution authorizing City Manager to execute Notice of Completion covering lot stakes and block corners in Muirlands Point Subdivision set by private engineer and accepted by City Engineer, was presented.

RESOLUTION 125838, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Point Subdivision and execute Notice of Completion and have same recorded, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 125839, authorizing and empowering City Manager to execute, for and on behalf of the City agreement between The City of San Diego and State of California Department of Public Works Division of Highways for 4 sewer crossings in new State highway between Home Avenue and 47th Street, Document 510766, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next item, Councilman Schneider asked what is involved.

The City Manager said that it is a modification of the curb line, costs to be paid for by the lessee.

Councilman Schneider told the Council that he is aware of the limited parking on Santa Clara Point. He spoke to Glenn A. Rick, City Planning Director about parking.

Mr. Rick stated that the question is between water and land users, as to who is going to get it. He said that there will be surplus fill. He said that there might be temporary crowding.

The City Manager said that "he" will pay for the extra area.

RESOLUTION 125840, authorizing and empowering City Manager to execute, for and on behalf of the City, an amendment to lease agreement between the City and Benjamin L. Hansen, Dean H. Hansen and Algie Hopfe, Document 438382, as amended, for providing automobile parking for patrons of restaurant and snackbar on Santa Clara Point, under terms and conditions set forth in amendment filed in office of City Clerk.

RESOLUTION 125841, authorizing and empowering City Manager to enter into lease, for and on behalf of the City, with McClain Bros. for leasing portion Lot 2 Riverview Farms, Tract R Rancho El Cajon for cultivation of crops and/or stock grazing purposes (except that no goats or hogs shall be allowed on the leased premises) for 5 years at annual rental of \$75.00, Document 510767, leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125842, approving Change Order 3 dated April 7, 1955, Document 510592, issued in connection with contract between The City of San Diego and W. V. Hutchison for construction of Balboa Avenue storm drain, Contract Document 500361; changes amounting to decrease in contract price of \$710.75, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125843, granting extension of 30 days to T. B. Penick & Sons, change order 1, to and including May 22, 1955, filed as Document 510594, in which to complete contract for improvement of Grape Street at Civic Center, Document 506480; extending time of completion to May 22, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125844, granting revocable permit to Hages, Ltd., PO Box 208, San Diego 12, to install and maintain private 6" ammonia line under "K" Street between 8th and 9th Avenues, to connect to Hages property on each side of the street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125845, granting revocable permit to San Diego Unified School District, Education Center, 4100 Normal Street, San Diego 3, to install and maintain 2 1" underground emergency electrical conduits, for Kearny High School auditorium and gymnasium (south of Tecolote Street under Wellington Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125846, granting permission to The Veterans of Foreign Wars of the United States, First District, Department of California, San Diego, to conduct annual Buddy Poppy sale on streets of San Diego May 27 and 28, 1955, for raising funds to continue welfare and rehabilitation work of veterans of foreign wars, including aid to needy veterans, their widows and orphans, and for assistance of hospitalized veterans, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION 125847, allowing bill of San Diego Convention and Tourist Bureau, dated April 12, 1955, in sum of \$3,057.93 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund of The City of San Diego for fiscal year 1954-55,

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

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

ORDINANCE 6482 (New Series), incorporating portion of Lot 41 Ex-Mission Lands into M-1A Zone, as defined by Section 101.0412.1 of San Diego Municipal Code and repealing Ordinance 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, 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 was dispensed with, by vote of not less than 4 members of the Council. There was available for each member of the Council written or printed copy prior to day of final passage.

ORDINANCE 6483 (New Series), establishing grade of Alley lying northerly of and contiguous to Long and Hickok's Subdivision, between east line of 35th Street and west line of Pardee Street, 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 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 each member of the Council written or printed copy prior to day of final passage.

ORDINANCE 6484 (New Series), establishing grade of Alley Block 7 Roseville Heights, between westerly line of Akron Street and easterly line of Bangor Street, 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 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 each member of the Council written or printed copy prior to day of final passage.

ORDINANCE 6485 (New Series), establishing grade of La Jolla Scenic Drive, between easterly line of Pueblo Lot 1256 and radial line drawn westerly from point on easterly line of said La Jolla Scenic Drive distant 328.54 feet southwesterly and southerly from intersection of southeasterly line of La Jolla Scenic Drive with easterly line of Pueblo Lot 1256, 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 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 each member of the Council written or printed copy prior to final passage.

ORDINANCE 6486 (New Series), establishing grade of Quince Street, between northeasterly line of Tamarac Street and westerly line of Nile Street, 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.

4/19/55

Absent-Councilman Dail.

Proposed ordinance, amending Article 2 of Chapter IX of The San Diego Municipal Code - Electrical Code - which had been continued to this date from April 5, 1955, was presented again.

On motion of Councilman Burgener, seconded by Councilman Godfrey it was continued 1 more week - to April 26, 1955.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, Ordinance amending Sections 63.25.4, 63.25.5, 63.25.6, 63.25.7 and 63.25.8 of The San Diego Municipal Code regulating operation of Watercraft in Mission Bay, 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 Kerrigan, seconded by Councilman Godfrey, Ordinance revoking and repealing Ordinance 7905, and allowing Atchison, Topeka and Santa Fe Railway Company to construct, maintain and operate existing Spur Truck on Island Avenue in The City of San Diego, and to reline portion of said spur track, 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 Godfrey, seconded by Councilman Kerrigan, Ordinance authorizing and empowering City Manager, for and on behalf of the City, to execute lease agreement between the City and O. C. Helming Jr. and Barbara E. Helming of portion Pueblo Lot 1355 in Sorrento Valley, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent-Councilman Dail.

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

RESOLUTION 125848, authorizing Councilman George Kerrigan to attend meetings in Sacramento, California, April 27, 28, 29, 1955, for promoting and assisting in securing passage before the Legislature of the State of legislation that may be necessary to authorize State of California to develop and transport surplus waters of Feather River to Southern California, and with understanding that if such project is undertaken and developed that portion of said waters will be committed for use of The City of San Diego and its inhabitants; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

It was at this point that Resolution was presented under unanimous consent for the City Attorney and Clarence A. Winder, Public Utilities Consultant to appear re request for electric rate increases. It had been numbered out order - 125819.

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

Communication from Planning Commission, signed by Harry C. Haelsig, was presented. It recommends approval of final map of Hollis Heights (portion of Pueblo Lot 183) The same item had been on the agenda for the meeting of Tuesday, April 12, 1955, and held to an indefinite date.

RESOLUTION 125849, adopting Map of Hollis Heights Subdivision, subdivision of southerly 187 feet of easterly 305 feet of Pueblo Lot 183, excepting streets; accepting

portion of Jennings Street and unnamed easements shown for public purposes; declaring them to be portion of public street and unnamed easements declaring them to be public street and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that portion of public street and unnamed easements are accepted on behalf of the public; directing the City Clerk to transmit the map to Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Schneider brought up the question of providing plaques for the out-going Mayor and members of the City Council, based upon a newspaper clipping which he had.

The Mayor said that he felt that he and Councilman Godfrey (who was then the only definitely out-going Councilman) to vote upon the question, since that could prove embarrassing.

At the Mayor's suggestion, Councilman Schneider handed the clipping to the City Manager, without motion.

The Mayor stated that he and the City Manager are to be in Sacramento at the time of the Civil Service meeting on salaries for the coming year.

Councilman Wincote called for a report, and said that the item should not be postponed.

The Mayor then said that the Council will meet with the Civil Service Commission on Thursday, as previously scheduled.

The City Manager said that someone should be instructed to get the new salary schedule to the incoming officials, for their information.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the City Manager was instructed to get to the new officials the Civil Service rates for the coming year.

(The City Manager's secretary was advised of the Council action by telephone - by A.M.W.).

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:04 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

Discussion re plaques for  
out-going officials  
Discussion re civil service  
schedule for 1955-1956  
Adjournment



4/21/55

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, April 21, 1955

Present---Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey  
Absent---Councilman Dail; Mayor Butler (absent from the City attending League of California  
Cities' Meeting)  
Clerk----Fred W. Sick

The meeting was called to order by Vice Mayor Charles B. Wincote at 10:08  
A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 94

RESOLUTION 125850, directing City Clerk, in compliance with Section 10 of  
Charter of The City of San Diego to make canvass of votes cast at Municipal General Election  
held on 19th day of April, 1955, and to certify results of canvass to the Council, was on  
motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

Councilman Burgener said that there were many Mission Beach residents here  
in connection with traffic problem at Ventura and Mission Boulevard.

Paul Fowler, of the City Traffic Engineering Department, told the Council  
that the department has conducted a survey of the situation. He said that there has been  
recommendation for sufficient pedestrian crossing during the heavy traffic count which was  
made during the Easter Vacation. He spoke of using another crossing. He said that signal  
is difficult at the signal turn. Mr. Fowler spoke of efficient signal installed in 1950.

Councilman Schneider asked if there had been reported pedestrian accidents.

Mr. Fowler replied "no".

There was loud audible disagreement from the audience.

Councilman Burgener spoke about speed of traffic in connection with turns at  
Ventura and Mission.

Mr. Fowler said that the arrow has been ordered deleted on the green inter-  
val. He spoke of pedestrian rights to cross, even if there is a green arrow. He said that  
the green arrow has no significance, with the green light.

Councilman Schneider said that it does cause danger to pedestrians. He said  
they might walk into the path of a car.

The Vice Mayor said that the green arrow is turned off on the green phase.

Mr. Fowler spoke of cross walk having been painted, pedestrian sign and push  
button for signal installed.

Councilman Burgener asked if there is any way to slow down the 45 mile zone.

Mr. Fowler said that there is the standard posting, but that many disregard  
the signs.

Councilman Schneider asked if the steps taken are as far advanced as anywhere  
in the City.

Mr. Fowler's reply was "yes".

Councilman Schneider said that the City might give "this" a try.

Councilman Burgener said that the Council should hear from the committee which  
had come down to this meeting (although no hearing was scheduled).

Mr. Fowler spoke of continuing with further explanation of pedestrian cross-  
ings.

There was discussion between Councilman Wincote and Mr. Fowler.

The Vice Mayor asked if there is a sign prohibiting right turn on the red  
light.

Mr. Fowler said that there is not. He spoke of the traffic department being  
eager to hear complaints. He said that the department would be happy to meet with delegation

Meeting convened  
125850

Hearing (unscheduled) re  
traffic situation at Mission & Ventura

Councilman Burgener agreed that would be a good idea.

Councilman Schneider asked if provision has to be made for traffic too (as well as for pedestrians).

Mr. Fowler's reply was "yes".

Councilman Kerrigan wondered if there is general knowledge regarding the push button.

Vice Mayor Wincote said that the button gives more time on the green light. He said that it is not generally understood.

Mr. Fowler said that time to cross will be allowed, if the button is pushed.

Mrs. Harry Bushling, 3206 Mission Boulevard (the address is listed as the Bay View Food Store; Harry Bushling) spoke to the Council. She said that when turning off Ventura one makes a right turn. She told the Council that she has begged Reading (James Reading, Traffic Engineer) for relief. She said that one has to run to get across the street, and repeated has to run out. She said there is a hamburger stand and a gas station on the bend. Mrs. Bushling said that she is "tired of carrying kids across the street". She told of difficulty in crossing with children and with shopping carts, and bundles.

Councilman Burgener asked if the idea of meeting with the traffic people is liked.

Mrs. Bushling's reply was that she wants action! The people are tired of running for their lives.

Councilman Schneider said that the speed limit is 25 miles - the same as exists throughout the city. He asked if the principal trouble is regarding height of the center line.

Mrs. Bushling asked about not wanting to have crossing at Ventura.

Councilman Schneider asked Mrs. Bushling if she wants it cut through.

Mrs. Bushling said yes, and that Councilman Schneider was the first honest man to delve into the problem.

Councilman Schneider said that if it is feasible, the City Manager will consider it.

Councilman Burgener is cooperative, according to Mrs. Bushling. She said that she is fighting mad.

Vice Mayor Wincote suggested that it would be better to try the manner proposed by Mr. Fowler, rather than make threats.

Councilman Schneider said that on-the-scene appraisal would bring forth recommendation,

The Vice Mayor asked if this is a request for cutting the curb.

Councilman Burgener replied that it is just for a hearing.

Mr. Fowler said that this is the first that he had heard of the suggestion (to cut the curb in the center).

Councilman Kerrigan said that the City is trying to encourage use of the crossing at the signals. He said that there may be need for another signal. He spoke of the Traffic Department has a dual responsibility. He said that there is need to go out and discuss the situation.

Mrs. Bushling told of having observed the condition for 10 years or more. She said that she has "begged for more than a year"; pedestrians "haven't got a chance".

Councilman Schneider said that the suggestion to go out should include a representative of the City Manager's office.

Councilman Burgener spoke to Mrs. Bushling.

Councilman Godfrey moved to continue the matter 1 week, that arrangement be made for an appointment to meet residents of Mission Beach at Ventura and Mission, and bring back a recommendation in 1 week.

Mr. Fowler stated that records show the heaviest traffic to be between 3:30 and 4:00 on Fridays. He suggested going out tomorrow (Friday, April 22, 1955), at 4:00 P.M.

Councilman Godfrey requested that be included in the motion, in connection with investigation on the scene.

Mrs. Robert Shaw, 817 Island Court, said that the green light has been turned off. She told of a City car having disobeyed.

Vice Mayor Wincote said that the matter will be decided in Conference.

Roll was called on the motion, resulting in -

Directing that an investigation be made at 4:00 P.M., Mission Boulevard and Ventura, Mission Beach, in connection with the traffic situation, that report be made thereon and the recommendation be continued for one week - to Thursday, April 28, 1955.

(The City Manager's office and the City Council's office were reminded by telephone message (A.M.W.) of the time and place of investigation, on 4/22/55).

4/21/55

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from meeting of April 7, 1955, at request of J. R. Christman, petitioner, Mr. Christman appeared. He told of having been before the Council and the Planning Commission. J. R. & H. L. Christman, 4580 Federal Boulevard, had requested by petition rezoning of the Northeast 1/4 of Northwest 1/4 Lot 18 Ex-Mission Lands from existing R-1 zone to C. He said that for use of C property, he must provide for off-street parking. He spoke of having to come into the C zone zone 100' x 100'.

The Planning Commission had reported by communication dated March 25, 1955, signed by P. Q. Burton, that property lies about 600 feet west of 47th Street on the north side of the existing Federal Boulevard, and is about 4 acres in area. It says that the Commission also included in the proposed rezoning portion of existing C zoning 100 feet in depth on both sides of Federal Boulevard in the vicinity, because there was some question about technical details of that zoning pattern. In addition to a lengthy report, the communication states that property is presently zoned R-1 under Ordinance 35 NS and suggests that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance.

Mr. Rick, Planning Director, said that Mr. Christman has asked for more than had been requested. He told the Council that portion is in the path of Chollas freeway, and recommended deletion until alignment of the freeway is determined. He said that he had recommended to the Commission deletion of a portion.

Mr. Christman said that he did not know about the recommendation on the expansion.

A conference was held over a map.

Mr. Rick told the Council he felt it would be better to have the item referred back, in connection with the proposed freeway.

Mr. Christman, answering a question, stated that he is not trying to sell property; that is not his purpose in asking for the rezoning.

Councilman Schneider and Councilman Kerrigan talked directly to Mr. Christman.

Councilman Godfrey talked to Mr. Rick about referring the item back, and having it on the docket in 1 week.

Mr. Christman said that he realizes he is operating illegally, storing items for Lyon Van and Storage, resulting from the government having forced that company out of Convair Plant 2. He said that at the moment his hands are tied.

Councilman Schneider seconded the motion, which had already been seconded, directing the City Attorney to prepare and present the necessary papers to rezone the northeast 1/4 of the northwest 1/4 of Lot 18 Ex-Mission Lands from the existing R-1 Zone to C Zone. The roll was called, and the motion carried.

After further discussion, the item was finally continued 1 week.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Jarbin, Incorporated, from Board of Zoning Adjustment decision denying permission to construct warehouse in connection with retail store in portion Lot 18 Ex-Mission Lands of San Diego, 4673 Federal Boulevard, opinion from City Attorney signed by Mona Andreen was presented. (Papers had been referred 4/14/55 for the opinion, but were not returned to the Clerk's file for this continued hearing). The final paragraph of the opinion reads "The appellant has requested permission to construct a warehouse in the R-1 Zone adjacent to the retail store. The same type of merchandise that is stored in the C zone is presently stored in the R-1 zone portion of the lot for which appellant requests a zone variance. Storage of materials which are classified as junk because they are not capable of resale as usable merchandise, cannot properly be made in a warehouse in a C zone. Therefore, to the extent that the merchandise stored in the R-1 zone is classified as junk, it would require a variance to M-2 zone use to permit its storage". The report from the Attorney was read to the Council by the Clerk.

Councilman Wincote, as Vice Mayor, said that the item had been discussed in Conference at length. He referred to the man who came to the microphone as "Mr. Jarbin". He was, however, Bill Rubin who spoke to the Council last week.

Mr. Rubin told the Council that the stoves referred to are not junk. He said that they can be put in salable condition.

The Vice Mayor said that the Council is willing to institute C zone proceedings. He said there should be a set up regarding the unsubdivided property. He said that if the material constitutes junk storage it is not permitted in C Zone.

Councilman Kerrigan stated that the property is not subject to zone variance.

He said it should be referred to Planning, for the proper zone, and that it is not good to do it by zone variance; it should be by change of zone.

Planning Director Glenn A. Rick told the Council that it may not comply with C Zone, if repairs to the stored items are made on the premises.

Councilman Burgener said that the Attorney was asked for definition of "junk". He spoke of not having things broken down.

Mr. Rubin stated that he buys sometimes 100 stoves at the time. He said that in 2 months time it would look different. He told of having salvaged and trying to improve the appearance of the property.

Councilman Kerrigan stated that the thing before the Council is the appeal, and that it cannot be resolved.

RESOLUTION 125851, initiating proceedings for change of zone from the existing R-1, to the proper zone, on portion of Lot 18 Ex-Mission Lands (on land which Jarbin, Incorporated, had requested zone variance variance to construct warehouse to be used in connection with retail supply store in adjacent C zone; description on file in office of Planning Department); referring the item to the Planning Commission, 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 appeal of K. M. Hawkins from Board of Zoning Adjustment decision denying permission to paint an 8'x20' sign on side of construction tool shed, advertising a model home for sale - to be used approximately 90 days - Lots 19 and 20 Block 499 H. M. Dougherty's Subdivision at 4223 Delata Street in Zone R-4, Mr. Hawkins appeared. He identified himself as a general contractor, and said that when he went to the Planning Department he was told to go out and get a petition. He told the Council that he could not get to the Planning hearing on account of a death in the family.

Councilman Kerrigan said that it should be referred back to Planning.

Councilman Schneider spoke to Mr. Hawkins.

Mr. Hawkins said that the Planning Department did not misinterpret the regulations to him. He said he wants to paint the sign on a tool shed.

D. E. South, Zoning Administrator, stated that it would be a billboard type of sign in an R-4 zone.

Councilman Wincote, Vice Mayor, asked if the Planning Commission is aware of the evidence (although Mr. Hawkins did not appear at the hearing).

Mr. South replied that the Commission is. He added that Mr. Hawkins could get property in the vacant C zone, which would permit it.

Finding of Facts, signed by Mr. South, was read to the Council by the Clerk.

Mr. Hawkins related having talked to billboard people regarding erecting sign in C Zone. He said that is expensive.

The Vice Mayor said that there are no signs of the size and type requested, in R-4.

Mr. Hawkins said that his request is for only 45 days.

Mr. South, asked about what would be permitted, said that he could have a 12½ sq. ft. sign.

Glenn A. Rick, City Planning Director, stated that he could not put up a sign in front of the house.

Mr. Hawkins, who is building a model home on the property, said that the public is "going to come to this house".

Councilman Kerrigan declared that it would be a sales yard in a residence zone.

Councilman Burgener pointed out that it would be for only 45 days.

Mr. Hawkins told of trying to buy property for the purpose.

Mr. South said that people who have homes for sale, particularly in tracts, usually ask for reasonable size signs: 5'x5', or 3'x8', which have been permitted.

Mr. Hawkins said that such size sign would be hard to see.

Councilman Burgener agreed that it would not be very big from a distance.

Councilman Godfrey asked about 4'x8'.

Mr. Hawkins spoke about it being wanted just during 30 days in connection with completed.

Mr. Rick said that legally it has no right in a residence zone.

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Mr. Hawkins told of having found 6 throughout the City.  
 Mr. Rick said that they are permitted in tracts.  
 Councilman Kerrigan said that 5 votes would be needed.  
 Councilman Schneider moved to grant the appeal and permit a sign 4'x8' for a limited time, to be left up for 35 days. Motion was seconded by Councilman Burgener.  
 The Vice Mayor told Mr. Hawkins that there are only 5 councilmen present, and that there might be 1 or 2 votes against the variance permit.  
 Councilman Kerrigan asked what the position is if there is a delay of 1 week.  
 Mr. Hawkins replied that it would not be inconvenient.  
 The motion and second were withdrawn.  
 Councilman Kerrigan moved to continue the appeal 1 week.  
 The Vice Mayor said that this is a lame duck session.  
 Councilman Godfrey said that in his opinion it would be smart for Mr. Hawkins to wait.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the appeal was continued until Tuesday, April 26, 1955.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing of appeal of Charles S. Risdon and Margaret P. Risdon from Board of Zoning Adjustment decision denying permission to conduct office studio for interior decorating, with retail sales but no manufacturing, Lot K Block 389 Horton's Addition, 3358 4th Avenue, Zone R-4, the Vice Mayor said that the same point might arise as in the previous hearing regarding there being only 5 members of the Council present.

Councilman Kerrigan said that the question is if the property is the subject a zone hearing. He, too, spoke of need for 5 votes. He said that perhaps the property should be re-zoned. He said the City would be in a bad situation if the business were permitted under a zone variance.

Vice Mayor Wincote said that the Risdons have <sup>bought</sup> the house, and they were told by the real estate man for the purpose desired, on account of others nearby.

Councilman Kerrigan said that the best thing would be to refer it to the Planning Commission, regarding re-zoning. He said that if it becomes a C zone all would be on the same basis.

Councilman Schneider said that if the property owners go before the Planning Commission and get a rezoning, there would be no need to appeal the denied variance.

Glenn A. Rick, City Planning Director, stated that 4th Avenue is in a changing condition. He said that the Risdons have a fine business near 6th and Laurel. He said he would not go along with C; it should be R-c. He said that objection was regarding retail sales and a sign. He said they might have an interim permit. He told the Council that it could be a variance with a couple of conditions.

Mr. Risdon told the Council that the present place of business is to be torn down.

Mr. Rick said that they could go in without the large sign and the retail sales.

Mr. Risdon pointed out that if they sell fabrics they would need a retail license. He read a copy of the appeal, which is on file with the Clerk.

Councilman Kerrigan said that the Council could amend the existing ordinance in such a manner that it would permit this kind of business in Zone R-4. He said that a doctor's office and clinic (permitted uses) would be objectionable.

Councilman Schneider stated that there would be more traffic to a doctor's office and clinic than to this business.

The Vice Mayor explained the zone setup.

\* Councilman Kerrigan moved to grant a temporary permit, under terms set up by the Planning Director. Motion was seconded by Councilman Schneider.

Councilman Godfrey stated that he is familiar with the neighborhood, and that R-C zone would be desirable; it would be right.

\* There was incorporated into the motion provision for proper size sign.

Mr. Rick said that the Risdons would not object to having the item referred back to Planning.

Council directed Mr. Rick to draw the conditions to be incorporated.

Councilman Godfrey introduced Mrs. Farrell, who lives "there". She said that several of the property owners, whom she had been asked to represent, have no objection. Mrs. Farrell said that she thinks it would be a fine thing.



RESOLUTION 125852, granting to Charles S. Risdon and Margaret P. Risdon a temporary permit in connection with office studio for interior decorating, with retail sales and no manufacturing, on Lot K Block 389 Horton's Addition, 3358 4th Avenue, in Zone R-4, under terms to be prepared by the Planning Director, together with provision for a proper size sign - for next Tuesday, April 26, 1955 - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing, on petition of Associated Restaurants and Cafes of San Diego, Ned Kimball, attorney, stated that repeal of sale of food from vehicles - all foods - is wanted. He said that the Municipal Code does allow operation of vehicles.

Allan Firestone, Deputy City Attorney, said that the subject is covered in the health chapter of San Diego Municipal Code, and includes all food types. He expressed the belief that the Code might be amended rather than be repealed. He said that concern is not over fruits and vegetables.

Mr. Kimball contended that health hazards exist.

Councilman Kerrigan said that they want to eliminate prepared foods, etc. He said that would need a new ordinance. Mr. Kerrigan said they are not concerned with bread and Good Humor (ice cream) distributors. He said that they are concerned about foods of the kind prepared in restaurants.

Harry E. Florentine, who signed the original petition asking for this hearing, spoke. He read a brief asking for repeal or amendment of the permissive section of the Municipal Code. He said he is against the sale, and that it should be prohibited. He said that the food offered for sale gather dust and filth. He spoke of the coughing and spitting in connection with the food. Mr. Florentine told the Council that the Health Department cannot police the vehicles as they do the restaurants. He said that the trucks do not carry health cards, as the restaurants do. He spoke of the discards from the trucks, resulting in attracting of flies and providing unattractive appearance.

Councilman Kerrigan said that the item should be referred to Conference.

The Vice Mayor said that it should be discussed in Conference with Dr. Askew, the Director of Public Health. He said that would be the best way to approach the problem.

Dr. Askew told the Council that the Restaurant Association had asked for this meeting. He concurred with statements regarding mobile food trucks. He said that there are about 14 trucks in the City. Dr. Askew stated that they were a war-born activity, and that there has been an increasing demand for others to come in. He told of their wanting other types of operation: meat balls, spaghetti and sandwiches. He told the Council that there are no new permits issued, and the trucks are not permitted to expand their activities. He said that San Diego has good restaurants and concessions, and that the type of business to which objection is made is not needed. He said that reference is not to door-to-door groceries, bread trucks, Good Humor ice cream, and milk deliveries. He stated that they do not constitute problems. He said he was not so sure of itinerant vendors. Dr. Askew recommended elimination of the 14 wagons, but would not eliminate caterers. He said he would prohibit the indiscriminate distribution of foods. He told the Council that the Health Department does not really know what the vendors are doing; they have no regular routine inspections.

Councilman Kerrigan asked how they got into the ordinance.

Dr. Askew answered that the population had practically doubled in 1940-41-42, and that the situation was born regarding small businesses trying to meet the needed food service at that time.

Councilman Kerrigan said he wanted to put himself in the position of the vendors, who would be put out of business.

Dr. Askew said that they could be given a period of time to get out of the business - perhaps 6 months.

Councilman Kerrigan said that the City will have a new Council on May 1 (it will be May 2), and that the subject should be discussed in Conference.

Councilman Burgener said that the City should hear from both sides.

Mr. Florentine stated that in Los Angeles there are 3600 such trucks, and that they have created a serious health problem. He said that Los Angeles does not have the same health regulations as San Diego does. He declared the trucks to be a blight on the city. Mr. Florentine then read from the County ordinance on the subject.

Councilman Godfrey said that it is an important problem which is going to have to be referred to the Health Director, the City Manager, and City Attorney. He said that is one week from the last meeting. He said it would be wise to refer the subject to the Health Director, the City Manager and the City Attorney for Conference on both sides. He said that the present Council will not be voting on this.



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The Vice Mayor said that Councilman Godfrey had decided not to run, but that he (Wincote) had run but had not been chosen.

\* A man, who was sitting at the back of the Council Chambers spoke from his seat, and said that organization has been going on for 30 years.

Councilman Godfrey said that suggestion was made in fairness to both sides. He moved to refer the item to the City Manager, the Director of Public and City Attorney. Motion was not seconded.

\* At the request of the clerk, the Vice Mayor asked the name of the speaker. He stated he is Arthur A. Stait, Route 2 Box 395 Lakeside.

Councilman Schneider said that there will be no members on the Council, and that there is no point to the presentation.

Mr. Dewsberry, 837 Market Street, who gave no first name or initials, spoke. He said he is proud of the sanitation operations in San Diego Cafe business.

Councilman Godfrey moved to refer the petition to the Director of Public Health, the City Manager, the City Attorney for consideration and discussion, and to hold a hearing in 4 weeks. Motion was seconded by Councilman Schneider.

Reggie C. Jenson, who did not give an address, said he wants the economy of the community, also. He spoke of a tremendous investment, and of being entitled to realize from the investment. He stated that San Diego is at the end of the line, as Los Angeles chooses to say. He said that the people involved need help.

The roll was called, resulting in

RESOLUTION 125853, referring to the Director of Public Health, the City Manager and City Attorney for their consideration and discussion the request of Associated Restaurants & Cafes of San Diego and San Diego Tavern Owners Association for elimination of food vending trucks from the city; and establishing a hearing at 10:00 o'clock A.M., May 19, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Petition of Lewis J. Dowdy, San Diego Liquid Gas & Appliance, Inc., which had been referred been taken up on April 14, 1955, at his request although not listed on the agenda; was considered again. Mr. Dowdy had asked for approval of plans and plant under the new Liquified Petroleum Gas Ordinance, now in effect. The petition and plans, undocumented, had been referred to the City Manager that date with direction that it be placed on agenda for this meeting.

Mr. Dowdy told the Council that the Planning had passed the item yesterday, and had approved it.

Glenn A. Rick, City Planning Director, agreed.

RESOLUTION 125854, approving the new plant of Lewis Dowdy, San Diego Liquid Gas & Appliance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(The Resolution was not here, but will be written up in proper form by the City Attorney as of today's adoption).

The next 2 items were taken up, by common consent of the Council at this time, out of order.

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

RESOLUTION 125855, suspending Sections 102.07-5, 102.11-1 of San Diego Municipal Code in connection with Tentative Map of Progress Subdivision, 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 Progress Subdivision, a division of portion of north half of north half of Horton's Purchase, located on north side of Market Street approximately 700 feet westerly of Euclid Street (Avenue), on which Council has set hearing re M-1A zoning, was presented. (It is a large 1-lot subdivision)

RESOLUTION 125856, approving Tentative Map of Progress Subdivision, subject to 12 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids received for Gate Valves: Low bids of Industries Supply Co. of San Diego for furnishing Items 1, 2, 4, 5, 6 at total price of \$5,968.25 terms net, plus State Sales Tax; Mission Pipe and Supply Company for furnishing Item 3 at \$8,685.00 terms 2%-30 days, plus State Sales Tax, was presented.

RESOLUTION 125857, accepting bid of Industries Supply Co. of San Diego for furnishing various items of Gate Valves; 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.

RESOLUTION 125858, accepting bid of Mission Pipe and Supply Company for furnishing an item of Gate Valves; 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.

Councilman Kerrigan was excused

RESOLUTION 125859, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Centrifugally Spun Reinforced Concrete Pipe for period of 6 months beginning May 1, 1955, Document 510784, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125860, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Ferric Sulphate for period of 6 months beginning 5/1/55, Document 510785, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125861, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Roller Chains and Sprockets for Alvarado Filtration Plant, Document 510786, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Asked for a report, Acting City Manager E. W. Blom explained the next item to the Council.

RESOLUTION 125862, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Comfort Station and Dressing Room Building at De Anza Cove, Mission Bay Park, Document 510782; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with that Document, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending awards to Griffith Company low bidder on Alternate "B" and Daley Corporation low bidder on Alternate "C" for Resurfacing various streets, was presented.

RESOLUTION 125863, accepting bid of Daley Corporation for Resurfacing 23rd Street, A to G et al., consisting of furnishing approximately 15,733 tons of asphaltic plant mix at total price of \$80,710.29; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125864, accepting bid of Griffith Company for Resurfacing of various City Streets (23rd St., A to G, et al) Alternate "C", consisting of furnishing 14,275 tons of asphalt plant mix at total price of \$74,801.00; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener,

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seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for installation of sewers in La Jolla Country Club Heights Unit No. 2, et al, be amended, was presented.

RESOLUTION 125865, adopting recommendation of City Engineer, Document 510690, and authorizing City Engineer to amend proceedings for installation of sewers in La Jolla Country Club Heights Unit No. 2, et al, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petitions for closing Broad Avenue and Logan Avenue, was presented. It gives a detailed report, and recommends that petitions be denied.

RESOLUTION 125866, denying petitions requesting closing of Broad Avenue westerly of Wabash Freeway et al, and Logan Avenue westerly of Wabash Freeway et al, as recommended by Street Superintendent under Document 510806, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petitions to close portions of Hortensia Street in vicinity of Linwood Street, was presented.

RESOLUTION 125867, denying petition to close Hortensia Street (as described) as recommended by Street Superintendent under Document 510807, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Quentin E. Davis, 2112 Clematis Street, San Diego 5, dated April 18, 1955, relative to small retainer wall constructed by him on each side of his property, crossing over City property to the street curb, and objecting to existing ordinance in connection therewith and statement of City Engineering Department that encroachment permit could be obtained for \$20.00, was presented.

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

Communication from Geo. M. Vermillion, Mayor of Long Beach, California, expressing appreciation for the City of San Diego's stand in opposing the Allen Bill relative to moneys received as revenues on municipal tidelands, was presented.

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

Communication from San Diego Municipal Employees' Association, Inc., dated April 18, 1955, signed by Mary E. Harvey, Executive Secretary, was presented. It submits salary recommendations for the next fiscal year.

RESOLUTION 125868, referring to Council Conference communication from San Diego Municipal Employees' Association, Incorporated, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from San Diego Municipal Employees' Association, Inc., dated April 19, 1955, signed by Mary E. Harvey, Executive Secretary, was presented. It requests the Council to hold an evening public hearing for employees on Civil Service salary recommendations, before final salary ordinance decisions are made.

RESOLUTION 125869, referring communication from San Diego Municipal Association, Inc., requesting the Council to hold an evening public hearing for employees on the Civil Service salary recommendations before final salary ordinance decisions are made, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125870, authorizing and empowering City Manager to execute, for and on behalf of the City an agreement with Atchison, Topeka and Santa Fe Railway Company for installation of storm drain and relocation of existing crossing signals by railroad forces in conjunction with Ash Street widening project, re Document 510870, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125871, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Chas. L. Good and Hugh D. Good of Tract "C" and "G" Rancho El Cajon, and portion of Rancho El Cajon for stock grazing purposes, for 5 years ending August 24, 1958, at annual rental of \$1200, under Document 510871 - property has value of \$40,000. 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125872, approving Change Order 1 dated April 8, 1955, heretofore filed with City Clerk as Document 510811, issued in connection with contract between The City of San Diego and M. H. Golden Construction Co. for improvement of Brookline, Elm, Marilou, et al. Streets, contract contained in Document 509834 on file in office of City Clerk, increase in contract price of \$38.70, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125873, granting to Clyde Beatty Circus, sponsored by Welfare Foundation of the Lions' Club, permission to hold circus at Convair Field, Midway and Rosecrans Streets, April 22, 23, 24, 1955, upon payment of license fee provided by Section 31.0320 of San Diego Municipal Code, and deposit of \$500.00 with City Treasurer to guarantee required and policing of premises, according to the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125874, granting revocable permit to Ray W. Owens, 3541 Wilcox Street, San Diego, to install and maintain sewer line under Wilcox Street, to City sewer line under Wilcox Street to City sewer main at end of Wilcox, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125875, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 30 and 31 and portion Lot 32 Block 13 American Park Addition, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125876, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 24 to 29 inclusive Block 13 American Park, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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RESOLUTION 125877, 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 10 Block 99 Roseville, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125878, approving claim of B. Leon Carson, Document #509925, in amount of \$42.50; directing City Auditor & Comptroller to draw warrant in full payment of claim, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125879, denying claim of Marion F. Ferguson, Document #509841, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125880, denying claim of North Park Car Wash, Document #508912, was on motion Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125881, allowing bill of San Diego Convention and Tourist Bureau, \$2,426.32; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1954-1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125882, accepting subordination agreement, executed by Security Trust and Savings Bank of San Diego, beneficiary, and Security Trust and Savings Bank of San Diego, trustee, April 11, 1955, subordinating right, title and interest in and to portion of Lot 8 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 Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125883, accepting subordination agreement, executed by Security Title Insurance Company, beneficiary, and Security Title Insurance Company, trustee, March 17, 1955, subordinating right, title and interest in and to portion Lot 67 Rancho Mission, 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 Resolution, in office of Recorder of San Diego County, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125884, accepting deed of The Regents of the University of California, March 7, 1955, conveying portion Pueblo Lot 1298; authorizing and directing City Clerk to transmit deed to City Properties Department, together with certified copy of Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution provides for recording when escrow instructions have been complied with.

RESOLUTION 125885, accepting deed of D. J. Sass and Doris L. Sass, April 13, 1955, conveying Fractional Block 133 Choate's Addition; authorizing and directing City Clerk

to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125886, accepting deed of United States Holding Company, April 11, 1955, conveying easement and right of way for street purposes in portion Lot 4 Block 520 Old San Diego, setting aside and dedicating land to public use as public street and naming it Juan Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125887, accepting deed of Albert W. Larson and Mary G. Larson, April 4, 1955, conveying easement and right of way for street purposes in portion Lot 8 Block 99 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 transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125888, accepting deed of Vinley Coporation, February 22, 1955, conveying easement and right of way for street purposes in portion Lot 67 Ranchó Mission; drying aside and dedicating land to public use as and for public street and naming it Waring Road; authorizing and directing City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125889, accepting Lulu T. Glasgow, April 12, 1955, conveying easement and right of way for earth fill and drain purposes in portion Lot 15 Block H Burlingame; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 125890, accepting deed of Lois L. Hines, April 12, 1955, conveying easement and right of way for earth fill and drain purposes in portion Lot 16 Block H Burlingame; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION 135891, accepting deed of Frank E. Tunison and Ellen Mae Tunison, April 9, 1955, conveying easement and right of way for public utility purposes in portion Lots 7 and 8 Empire Addition, Encanto Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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

On motion of Councilman Burgener, seconded by Councilman Godfrey, reading of next ordinance was dispensed with by not less than 4 votes of the Council.

ORDINANCE 6487 (New Series), appropriating \$10,000.00 from Capital Outlay



Fund for additional funds to pay City's Share of Cost of construction of Storm Sewers under co-operative agreements with property owners, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey. Nays--None. Absent--Councilmen Dail, Kerrigan, 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 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 6488 (New Series) - an interim ordinance establishing regulations governing use of land in Grantville-Rancho Mission annexation, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey. Nays--None. Absent--Councilmen Dail, Kerrigan, Mayor Butler.

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

On motion of Councilman Burgener, seconded by Councilman Godfrey, reading was dispensed with by 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 6489 (New Series) - establishing regulations governing use of land in portion of Lot 13 Rancho Mission, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey. Nays--None. Absent--Councilmen Dail, Kerrigan, Mayor Butler.

(The Ordinance does not so state, but it is the property annexed recently as "Federal Boulevard Tract").

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance incorporating west half of Lot 62 Ex-Mission Lands into C-1A Zone, as defined by Section 101.0411.1 of San Diego Municipal Code and repealing Ordinance 78 (New Series) insofar as it conflicts, was introduced by following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Godfrey. Nays--None. Absent--Councilmen Dail, Kerrigan, Mayor Butler.

(It was explained to the Council by the Planning Director that this is the proposed McChesney shopping center area at 47th and Logan).

Councilman Godfrey brought up the next item, not listed on the agenda:

He referred to discussion, during the last election campaign, about expenditures and the reporting thereof. He said the subject should be referred to the City Attorney for Ordinance. Mr. Godfrey said that Federal, State and County are providing for filing of the statements. He moved to refer the subject to the City Attorney for "form" of ordinance, to cover amount spent, a fair and realistic limit on expenditures. He said that the proposition has been proposed in the State Senate.

Councilman Schneider referred to the anonymous opposition which had developed Harbor bonds (which carried). He said that if a candidate spends more than one quarter of salary for the position sought, he is subject to suspect.

Councilman Godfrey said that his idea was to get something into the hopper regarding expenditure. He said that campaigning has become big business.

RESOLUTION 125892, referring to the City Attorney for preparation and presentation of a form of ordinance limiting the amount expended on election campaigns and reports thereon, including receipts, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Vice Mayor Wincote asked the nature of this afternoon's meeting (with the Civil Service Commission, in connection with salaries for City employees during 1955-1955 fiscal year).

Councilman Godfrey said that it should be held in the Council Chambers.

Councilman Schneider said that it is purely discussion; there would be no official action.

The Vice Mayor asked the Council if that is the request to the Civil Service Commission.

It was generally agreed that was the plan: an informal meeting with the Commission, with no action to be taken.

On motion of Councilman Schneider, seconded by Councilman Godfrey, at 11:30 A.M. the Council took a recess until 2:00 P.M.

The Council reconvened at 2:08 P.M., at which time the Vice Mayor called the meeting to order.

Roll call showed the following:

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan

Absent--Councilmen Dail, Godfrey, Mayor Butler

Clerk---Fred W. Sick

The Council met, as had been agreed previously, with City Civil Service Commission members Mildred Perry Waite, William P. Elser, Dr. Walter Hepner.

Vice Mayor Charles B. Wincote stated that it had been decided this morning that this was to be a regular meeting. He introduced his successor, Dudley D. Williams, who had been elected as member of the Council in District 2. He said that Mr. Elser, of the Civil Service Commission, might want to be in the chair.

Mr. Elser, president of the Commission, said that this is a Council meeting (indicating that he should not preside). He said that he has a few things to call to the Council's attention. He read a prepared statement, copy of which he filed later.

Councilman Godfrey entered during the reading of the statement.

Mr. Elser said that he wanted the Council to understand the procedures. He introduced Mrs. Waite and Dr. Hepner.

Mary Harvey, executive secretary of Municipal Employees Association, stated that she had found membership of the Association confused, in that it had been understood that this was to be an informal conference. She told of having filed a letter asking for an additional public hearing (it was on the agenda at this morning's meeting, and was referred to Council Conference). She said that at the March 25 hearing it was not known what the Civil Service recommendation was. She said that there were independent recommendations. She wondered if an evening hearing is to be held.

The Vice Mayor said that he did not know if this was to be a meeting, or not. He said that if it is for information and data complete, recommendation should be read at this time, if not too long.

Councilman Godfrey pointed out that action will be taken after the change over in the Council has been made. He stated that he will have a continuing interest, but that he will not vote on it.

Miss Harvey asked for a public hearing, and said she had fought conference sessions. She wanted an evening hearing, inasmuch as many employees want to speak.

Councilman Schneider spoke to Miss Harvey regarding the custom to have evening hearing. He said that in February there had been discussion about a new Council coming in. It was not known what the change would be.

The Vice Mayor pointed out that this Council will not take action. He said that the meeting should be determined now.

Councilman Schneider spoke of being unable to attend evening meeting.

The Vice Mayor said that the Council did not have a report then, but the report has been filed now. He said he wants it to be decided here and now.

Recess  
Reconvene  
Session re employees'  
salaries for 1955-56

4/21/55

Council Kerrigan said that a new member of the Council - Mr. Williams - is here. He said that Mr. Williams might to make a statement.

Councilman Schneider said that would not be fair.

Councilman Kerrigan said that he wants to have the information.

Mr. Williams said that it would be beneficial to have more time.

The Vice Mayor said that Mr. Evenson had been invited to be here.

Councilman Godfrey said that Mr. Evenson had telephoned and said that he was to be out of town.

The Vice Mayor said that each year the Council is hard pressed to get the Ordinance passed in time. He stated that this year the Council is trying to stream line the procedure.

Councilman Burgener moved to have a hearing in the evening, date to be set in the second week in May. Motion was seconded by Councilman Godfrey.

Mr. Elser declared that this is getting a little far away from what the Civil Service has to do. He pointed out that the Commission is not influenced by the Council and the employees. He said he does not see why the Commission should hear the employees. He stated that living costs are down, there are no recruitment problems, and there is small turn over. He spoke about writing up a request, and the Council making additional survey. He said, again, that the Commission would not be influenced. He said that they had expressed themselves in the recommendation.

The Vice Mayor said that trouble has developed over misunderstandings. He said that the Council has not made recommendations; the Civil Service has. He spoke about last year going round and round. He said that Mrs. Waite explained the Civil Service point of view. He said that if members of the Commission attend (a hearing) they will be prepared; if they do not attend, they should have staff present.

Mr. Elser stated that he would be happy to come and listen, but that the Commission should not be asked "why they do this and that". He said that the Council should ask, if anyone does.

Councilman Schneider spoke to Mr. Elser regarding the hearing.

Mr. Elser and Mrs. Waite said that opportunity had been given at night.

Councilman Schneider asked Mr. Elser if he was willing to have the Commission present at the hearing.

Mr. Elser's reply was "yes".

RESOLUTION 125893, determining that an hearing shall be held relative to compensation schedule for the fiscal year 1955-1956, date to be set in the 2nd week in May, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Miss Harvey said that Mr. Elser had prefaced his remarks with a statement that the Civil Service would not be influenced. She asked what the point is of the first hearing, until it is known what the recommendation. She said that Mr. Elser does not want to argue the recommendations.

The Vice Mayor stated that the Council will bear the brunt of the attack. He said that he does not want to cut anybody short. He said that it would be better to make it in the second week in May.

Miss Harvey said that the Civil Service needs to sit down and discuss the cases. She said that it should get to a conference basis. She stated that would take a lot of heat off the Commission. She told of statement having been given in writing, and that she will make a brief verbal presentation. She said that she wants the Council to study the recommendations made by the Association. Then she thanked the Council.

Councilman Burgener spoke to Miss Harvey regarding requests.

Miss Harvey referred to keeping the survey running, but about being tied. She said that Mr. Elser has stated that there is no recruitment problem and retention problem. Miss Harvey stated that she takes issue with Mr. Elser's statement.

The Vice Mayor referred to being aware of recommendations of the budget.

Miss Harvey said that additional information is not available.

The Vice Mayor said that Gene Ageno is here.

Mr. Elser said that perhaps he has the wrong impression, and made reference to what he thought was request for more than 5%. He said that information came in in writing. He told about there being a book full of requests and studies.

Councilman Schneider spoke to Mr. Ageno regarding library comments in letter, regarding new library.

Eugene T. Ageno, Chairman, City Budget Committee, San Diego Taxpayers' Association, was heard. He said that salaries and duties have been increased. He told of having taken the whole City budget, but perhaps there should be a complete review of the library.

Councilman Kerrigan stated that the discussion is off the subject, when it goes into the budget.

Mr. Ageno stated that the survey used by the Civil Service is good and reasonable. He stated that there is also the matter of the effect on the City budget. He read a letter, which he filed. He declared that it is germane to the problem; salaries reflect more than 1/2 of the budget.

John Leppert, manager of San Diego Taxpayers' Association, told of asking for a joint study. He said that there had been no staff study since 1950. (It was not clear to the Clerk to whose staff he made reference, but presumably the Taxpayers'). He declared that now is the time to make a joint study of the library budget. He said that they are inter-related. Mr. Leppert stated that he was speaking to both the City Council and the Civil Service Commission.

Councilman Schneider spoke to Mr. Leppert about the new library, in connection with the entire library setup.

Mr. Leppert said that had been taken into consideration. He said that now is the time for salary-wise and budget-wise study.

Mrs. Waite stated that the Civil Service is aware of San Diego getting into the situation of a post-school for public administration. She said that some stay 1 or 2 years, and leave for better positions elsewhere. He referred to having a continual turnover. She said that the turnover figures on the librarians covers going to other jobs. She said that San Diego will soon have heads of departments getting less than their assistants.

Otto Hahn, business representative for San Diego County and Municipal Employees Local Number 127, was heard next. He spoke of coming back on a double session. He said that he is busy trying to prepare something in writing on the recommendations. He said that he is always happy that his organization tries to stay with the facts. Mr. Hahn said that it is based on industries and other West Coast cities. He said that salary survey shows a trend for higher salaries in this community. Mr. Hahn said that there are great strides in fields other than salaries. He said that the City should take into consideration other increased by various agencies which have been granted since the Civil survey was made. He said that it is expected exactly what the Charter reads: comparable salaries. He told of having hurriedly made up a letter, which he read. Mr. Hahn said that he will file it, which he did, later. He said that he has not prepared the document regarding salary raises, but that he will prepare and file one. He spoke of giving more arguments at the second meeting. He said that he talked to Mr. Krah (Personnel Director) regarding information from Los Angeles. He said that Mr. Krah has the recommendation of Los Angeles on salaries, for 10% increase on trades.

Councilman Schneider spoke to Mr. Hahn regarding wages in Los Angeles and San Diego.

Mr. Hahn replied that for unions it is the same.

A. E. Derrick, member of the Fire Fighters, was heard next. He invited members of the Civil Service Commission to take a tour of the stations. He told of not trying to impress them, but show them. He said that the Firemen received just 5 holidays. He asked the Council to consider: 63-hour week, 11-paid holidays, 5% increase. Mr. Derrick said that his organization is not asking for the moon. He said that a written request will be put into the Civil Service Commission. He stated that many members felt left out of the picture. He declared that San Diego has the finest Fire Department in the United States.

Harvey C. Harmelink, Engineer in the Fire Department, spoke. He asked if errors had been found in the survey. He said that Los Angeles engineer in the Fire Department draws more than an engineer here, but does not need more knowledge. He stated that Los Angeles County granted increase as of March 1. Mr. Harmelink said that San Diego salaries are 9th in the State, although 3rd in population, in California. He continued to review salaries of other cities. He asked who shortens the work week.

Mr. Elser replied that it is the City Manager.

Mr. Harmelink then said that San Bernardino is ahead of San Diego, making San Diego 10th in line.

Councilman Schneider spoke to Mr. Harmelink regarding the hours.

Mr. Harmelink said that several have shorter work week. He asked for change to be made in booklets filed, regarding San Bernardino.

Councilman Schneider moved to continue the discussion after May 2.

Mr. Elser said that it is important that the Civil Service work with the City Manager regarding the unclassified salaries.

RESOLUTION 125894, requesting the Civil Service Commission, in conjunction with the City Manager, to report on the unclassified recommendations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

4/21/55

Mrs. Waite stated that the State of California has introduced a bill regarding holidays, which may make a change.

Councilman Godfrey said that there are items of interest in recreation, particularly regarding the Jack Hoxsey (who has left the City).

Hal Martin, of the Civil Service staff, spoke regarding 4 steps differential in recreational leaders.

Mrs. Waite spoke of spoke of a 10% spread.

Mr. Martin spoke of 16 to 17.

There was discussion between Councilmen Schneider, Godfrey, and Mrs. Waite.

Councilman Godfrey referred to continual expansion regarding recreation.

Mr. Martin referred to there being a different differential from last year.

Councilman Kerrigan spoke of 20% differential last year; 15% this year.

Mrs. Waite stated that sometimes the Council "plays hobb" with the spread. She said that it has an effect.

Councilman Godfrey said that even the brilliant Kroeger (who was engaged by the City in the past to make a survey) created more problems, although he did, basically, a good job. He spoke of it removing a unit from the organization.

Councilman Kerrigan spoke to Councilman Godfrey regarding elimination of position, and placing more people below. He said that sometimes decisions are made by other cities in California.

Mr. Elser said that the problem seems to be regarding the one who did not go up 5%.

There was discussion between Councilman Godfrey and Mrs. Elser regarding elimination, on recommendation of the City Manager.

Councilman Godfrey said that it is either something new - or wrong a long time.

Councilman Schneider said that Mr. Hoxsey went somewhere else, as had been shown in these minutes.

Councilman Godfrey said there may be a good reason. He said that usually there is a difference of 2 steps.

Miss Harvey told the Council and the Civil Service Commission, that recreation people are disturbed. She spoke of a written report, of only 8 people, and referred to eliminating spreading on the district leaders. She said that they have not had increases in 3 years, in the top level. She said that they work a broken week. Miss Harvey told of working 50 hours a week, with no time off. She said that the whole program is liable to sag, and said that it is not a good practice.

Joe Stacey, a former City fireman, said he wondered if the San Diego Taxpayers' would speak about librarians.

Vice Mayor Wincote said that there is a report.

Councilman Schneider said that if there is a hearing today "have it", since the Council doesn't want to hear it another time.

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

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 3:30 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadatum*  
Deputy

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

## REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-  
ornia, Tuesday, April 26, 1955  
10:02 o'clock A.M.

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

The Mayor announced that the minister who was to have been present to give the invocation was not able to be here. As a result, he requested all present to rise and give a silent prayer for the deliberations of the Council in this session.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the Minutes of the Regular Council Meetings of Tuesday, March 19, 1955, and of Thursday, March 21, 1955, were approved without reading, after which they were signed by the Mayor.

The Mayor welcomed Councilman Charles C. Dail, Mayor elect; Councilmen elect D. D. Williams, District 2; Frank Curran, District 5; Justin C. Evenson, District 6. Each stood during his introduction to receive applause from the gallery.

The Mayor introduced some 50 pupils, student body commissioners and home room representatives from Dana Junior High School who attended with Clarence Swenson, Principal.

Then the Mayor presented members of the ASB Council from La Jolla High School, accompanied by C. Y. Harris, teacher.

The Council's procedure was explained by the Mayor, including comments about conferences which are held in addition to the regular meetings.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for auction sale of portions of Pueblo Lots 1296, 1297, 1280 (in La Jolla), the Clerk opened the bid, which he handed to the Mayor.

The Mayor stated that no one is authorized to raise the bid, unless one in writing had been filed.

He read the bid, signed by William H. Black, Harry L. Summers, Maria Helen Alvarez, Andrew J. Crevolin, jointly and several: acres

For area "A" containing approximately 138/(minimum bid \$260,000..\$260,000.00;

For area "B" containing approximately 98 acres (minimum bid

\$277,500.....\$280,000.00;

For areas "B" and "B" combined, containing approximately 234

acres (minimum bid \$537,500).....\$540,000.00;

Transmitting the bid was communication from La Jolla Enterprises, signed by Andrew Andeck, dated April 26, 1955. It enclosed cashier's check written by La Jolla Branch of The First National Trust and Savings Bank of San Diego, La Jolla, Calif., April 21, 1955 - No. E45154 in sum of \$27,000.00 and cashier's check written by First National Bank of Dallas, Dallas, Texas - No. X91242 in sum of \$28,000.00.

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

The item was held for the report, but the award is shown next, to keep the item together.

The Mayor stated that report is back on the sale; it is in order, and meets the appraisal.

Convened  
Visitors  
Welcome of  
newly-elected Mayor &  
Councilmen  
Auction of P/L



the awards.

RESOLUTION 125895, declaring that William H. Black, Harry L. Summers, Maria Helen Alvarez, and Andrew J. Crevolin, jointly and severally, are the high bidders with bid of \$540,000.00 for purchase of portions of Pueblo Lots 1280, 1296, 1298 and 1299, comprising all of Parcels "A" and "B", from The City of San Diego, and directing Property Supervisor to do the necessary acts to effect the sale of the abovementioned property to the successful bidders; authorizing and directing the Property Supervisor to return to Andrew Andeck, the registered real estate agent for the successful bidders, the deposit in the sum of \$27,000.00; authorizing and empowering the Auditor and Comptroller at the close of the escrow to pay to Andrew Andeck, the real estate agent's commission in amount of \$27,000.00, and such sum, together with all the other costs and expenses in connection with the sale of the property, shall be deducted from the sale of the property received by the City, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting that on Friday, April 22, 1955, he opened 1911 Act bids in the Council Chamber for improvement of Wawona Drive, was presented. It states that bids were from V. R. Dennis Constr., Griffith Company, Daley Corporation, R. E. Hazard.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a finding was made that the bids had been opened as reported, and referred them to the City Manager and to the City Attorney for recommendation.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Intention 123286 for paving and otherwise improving Alley Block 113 Pacific Beach, the Clerk reported written protests from Olive Camporini, Mrs. Clara B. Brubaker, Gust Pearson, Celia F. Denlinger Fleisher and others, R. Walter Fleisher and Celia F. Fleisher, Bruce A. Thyberg and Bertha L. Thyberg. They were presented to the Council.

Willard Olson, of the City Engineer's office, reported a 31.7%, all of the property owners wanting asphalt instead of concrete.

The Mayor said that it is the policy is based on tests.

Mr. Olson said that the City uses all concrete on alleys, rather than on tests.

The Mayor asked if anyone was present to be heard.

There were no verbal protests.

RESOLUTION 125896, overruling and denying protests against improvement of Alley Block 113 Pacific Beach, Resolution of Intention 123286; overruling and denying other protests, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

On motion of Councilman Wincote, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Intention 123287 for sewers in Inez Street and Gage Drive, the Clerk reported a written protest, which he presented to the Council.

The City Engineer was asked for a report on the protest. He replied that it is 36.4%, regarding cost over estimate.

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

John H. Bush told the Council that he owns 5 lots. He said that he is not protesting the sewer, but is worried about high bid. He said that there is a high estimate. Mr. Bush told the Council that when he circulated the petition, the sewer line was to run a shorter distance. He stated that it is not needed for the last 50 feet. He said that he owns Lots 2 to 12, except that 2 of them had been sold.

Councilman Schneider spoke to Mr. Bush regarding decreased cost. He asked the City Engineer if the line can be shortened.

The City Engineer replied that it had been continued, "to catch Lot 12".

Mr. Bush stated that it would not be needed beyond Lot 11.

The City Engineer recommended continuing the proceedings 1 week.

Mr. Bush said that it could be on the line between the extension of Lots 10 and 11.

RESOLUTION 125897, continuing hearing on proposed improvement of Inez Street and Gage Drive, Resolution of Intention 123287 until 10:00 o'clock A.M., Tuesday, May 3, 1955,

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

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Intention 123288 for paving and otherwise improving portions of Shafter Street and Scott Street, the Clerk reported no written protests.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution Ordering Work.  
(Proceedings were considered twice again).

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 123413 for paving and otherwise improving Alley Block 4 Carmel Heights, the Clerk reported written protest from John J. McGrath. It was presented to the Council.

The City Engineer reported a 4.2% protest - based upon the grade.

The Mayor inquired if anyone was present to be heard.

John J. McGrath told the Council that when he purchased the lot it was semi-canyon. He identified the property as being lots at the southeast corner of Felton and Nutmeg. He said that the City Engineer has laid the grade at 19.2%. He told of having a fill on the back of the lot. He said that he saw no objection to development of the upper portion of the alley, but not the lower portion. He asked for amendment to the Resolution to cover the portion where it can be used. He said that there will be an encroachment. He asked for elimination of a portion.

The Mayor said that if action is taken, as suggested by Mr. McGrath, proceedings would have to be abandoned.

The City Engineer exhibited a profile of the alley, and said that it is not a prohibitive grade, although it is steep.

Mr. McGrath said that there are 3 garages on the alley, the others are on Felton. He told the Council that several property owners are not in favor of the improvement. (They did not, however, file protests to indicate that).

Councilman Kerrigan said that there will be another hearing; this one is on the Preliminary Determination. He said that there is also a question of retaining wall.

Mr. McGrath said that there is a question if there would be sufficient benefit to warrant the improvement.

Councilman Burgener said that the proceedings hearing might be continued 1 week to see if neighbors would put their protests in writing.

Councilman Kerrigan said that if the proposal of Mr. McGrath is feasible, proceedings would have to be abandoned - if portion of improvement were to be eliminated. He said that the proposed improvement is on petition for paving.

There was discussion between Councilman Schneider, Kerrigan and the City Engineer regarding the grade.

The City Engineer said that "the grade is not too bad".

Mr. McGrath replied that it is 19.2%.

The City Engineer stated that the City has main streets steeper, and referred to 24% grade on B Street. He said that a collector drain should be put in.

Councilman Schneider moved to continue the hearing 1 week.

Councilman Kerrigan said that if drain is put in, Mr. McGrath would have to pay.

Councilman Schneider moved again to continue the hearing 1 week.

Councilman Kerrigan said that Mr. McGrath does not want to throw out the proceedings, but improve the alley for the benefit of others.

The City Engineer stated that dead end alleys are not good. He said that he tries to avoid them, so that rubbish and garbage trucks can go through, instead of having to back out.

Councilman Kerrigan moved to continue the hearing 1 week, and Mr. McGrath talk to the City Engineer. Motion was seconded by Councilman Schneider, adopted.

Councilman Wincote pointed out that this is the last day to protest, not at a continued hearing, since that would be only persuasive.

RESOLUTION 125898, continuing hearing on proposed improvement of Alley Block 4 Carmel Heights, and Nutmeg Street, Resolution of Preliminary Determination 123413 until 10:00 A.M., Tuesday, May 3, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 123414, the Clerk reported that no written protests had been

received.

The Mayor inquired if anyone was present to be heard.

A woman, identified later as Bertha Bojack, asked for information. She asked how much assessment would be. She stated that 11 in the block are against the improvement.

The Mayor stated that the Council is guided by property owners, and explained the procedure.

Mrs. Bojack asked if this is the first hearing.

The Mayor's reply was "yes".

The City Engineer said that there are several alleys in the proceedings, and cost would be probably \$225.00 and \$275.00 - depending on the alley width.

Mrs. Bojack identified her property as Lots 6 and 7 Block D.

The City Engineer said that assessment would be about \$185. to \$190.

Mrs. Bojack stated that she would be willing to pay \$200.

Mrs. Nora Nagler asked if bonds are purchased by 1 person.

The City Engineer replied that the contractor arranges for the bonds.

Councilman Schneider spoke to Mrs. Nagler regarding separate bonds on individual parcels of land.

The City Engineer said that if Mrs. Nagler wants to buy bonds she can arrange to do so.

A woman, identified later, as Mrs. Shaw protested, stating that she represents 2 or 3, but did not say who they are or what property they own.

The Mayor said that she should get a protest.

RESOLUTION 125899, overruling and denying protest of Mrs. Bertha Bojack against proposed improvement of Alley lying easterly of and contiguous to Lots 1 to 12 and Lot 15 Block D Sterlingworth; Alley Block C Sterlingworth; Alley Block B Teralta; Alley Block 37 Resubdivision of Blocks H and I Teralta, Resolution of Preliminary Determination 123414; overruling and denying other protests, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 125900, determining that improvement of Alley lying easterly of and contiguous to Lots 1 to 12 and Lot 15 Block D Sterlingworth; Alley Block C Sterlingworth; Alley Block B Teralta; Alley Block 37 Resubdivision of Blocks H and I Teralta, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The action taken on Resolution of Intention 123288, shown earlier in the meeting, for paving of Shafter Street was reconsidered.

Harry Goldfarb, representing Wynn, Inc., appeared to protest. It was his arrival that prompted reconsideration by the Council of its action. He said that his plane was late, so that he was not able to get to the hearing when scheduled. He said that the corporation he represents owns a square block - extending to the Bay.

Councilman Kerrigan asked if it constituted a majority protest.

Mr. Goldfarb said that the protest is a minority. He declared the assessment to be unfair, in that it would constitute approximately 1/3 of the entire assessment.

Councilman Schneider spoke to Mr. Goldfarb regarding Council action.

The City Engineer said that this is not the assessment hearing. He stated that assessment would be on a 70% - 30% basis.

The item was held up, and considered again later in this meeting.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 123415 for paving and otherwise improving portion of Frost Street, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

No one was present to speak, and no written protests were filed.

RESOLUTION 125901, determining that improvement of Frost Street, Resolution 123415 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on

Resolution 123416 of Preliminary Determination for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125902, determining that improvement of Grand Avenue, Jewell Street and Balboa Avenue, Resolution 123416 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 123417 for paving and otherwise improving Roosevelt Avenue, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125903, determining that improvement of Roosevelt Avenue, Resolution 123417 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2348 made to cover cost and expenses of paving and otherwise improving Jewell Street, Resolution of Intention 118979, the Clerk reported no written appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125904, confirming and approving Street Superintendent's Assessment 2348 made to cover improvements in Jewell Street, Resolution of Intention 118979; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2349 made to cover cost and expenses of paving and otherwise improving Alleys Block 4 Ocean View and Block 2 Sunset Grove, Resolution of Intention 120266, the Clerk reported no written appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125905, confirming and approving Street Superintendent's Assessment 2349 made to cover improvements in Alleys Block 4 Ocean View and Block 2 Sunset Grove, Resolution of Intention 120266; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2350 made to cover cost and expenses of paving and otherwise improving Alley Block 22 Ocean Beach, Resolution of Intention 117902, the Clerk reported written appeal from Joseph E. Turner, Daisy E. Smith and J. E. & M. T. Turner. It was presented to the Council.

The City Engineer reported a 4.2% appeal, based on area assessment.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 125906, overruling and denying appeal of Joseph E. Turner from Street Superintendent's Assessment 2350 made to cover costs and expenses of paving and otherwise improving Alley Block 22 Ocean Beach, Resolution of Intention 117902; Resolution of Intention 117902; 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 Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of K. M. Hawkins from Board of Zoning Adjustment in denying permission to paint 8'x20' sign on side of a construction tool shed, advertising a model home for sale, to be used approximately 90 days, on Lots 19 and 20 Block 499 H. M. Dougherty's Subdivision, at 4223 Delta Street, in Zone R-4, Mr. Hawkins appeared, but was not heard immediately.

Councilman Godfrey said that the thing had been pretty well decided.

D. E. South, Zoning Administrator, stated that the hearing had been continued from April 21, 1955, on account of there not being enough members of the Council present to overrule the Board, if it wished to do so.

Councilman Godfrey said that it had been indicated that it would be agreeable to have a temporary 4'x4' sign.

Mr. Hawkins said that it would be wanted for 45 days.

Councilman Godfrey moved to grant a 4'x8' sign, to terminate 45 days from completion of the building. Motion was seconded by Councilman Schneider. The motion was changed to 60 days from today.

Councilman Burgener said that it had been indicated that a piece of ply wood would be used, rather than painting the sign directly upon the tool shed. That was not, however, included in the motion - although it seemed to be understood that proposal will be followed.

RESOLUTION 125907, overruling and denying action of Board of Zoning Adjustment in denying permission to K. M. Hawkins to paint a sign 8'x20', advertising a model home for sale, on Lots 19 and 20 Block 499 H. M. Dougherty's Subdivision, at 4223 Delta Street in Zone R-4; granting permission to paint the sign and maintain it at said location for a period of 60 days from this date, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Charles S. Margaret P. Risdon from Board of Zoning Adjustment decision in denying variance to operate office studio for interior decorating, etc., Lot K Block 389 Horton's Addition, 3358 - 4th Avenue in Zone R-4 (continued for the purpose of presenting Resolution for adoption at this meeting, with conditions to be written in by Planning Director, the Mayor presented and read a suggested resolution.

RESOLUTION 125908, sustaining appeal of Charles S. and Margaret P. Risdon from decision of Board of Zoning Adjustment in denying by its Resolution 8833 application 13912, for variance to provisions of Ordinance 12987 to operate office studio for interior decorating with retail sales on Lot K Block 389 Horton's Addition, 3358 - 4th Avenue in Zone R-4; overruling said decision; subject to conditions of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, reporting on sole bid of J. E. Bauer Company for furnishing 3 items of material for Airport striping at total price of \$1,776.50 plus State Sales Tax, was presented.

RESOLUTION 125909, accepting bid of J. E. Bauer Company for furnishing material for Airport Striping (listed in the report and Resolution); awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Corbett & Edelen - low bidder - on 1st Alternate Bid for furnishing False Arrest Insurance for period of 1 year beginning April 28, 1955, was presented.

RESOLUTION 125910, accepting bid of Corbett & Edelen for furnishing False Arrest Insurance for 1 year beginning April 28, 1955 - details in the Resolution - awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of V. R. Dennis Construction Company - 3 bids - for construction of Stone Groin near Cape May Avenue, \$27,450.00, was presented.

RESOLUTION 125911, accepting bid of V. R. Dennis Construction Company for construction of Stone Groin near Cape May Avenue; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Industries Supply Company for furnishing Galvanized Pipe for new Traffic Signs in Downtown area - 6 bidders - \$3,142.09 including State Sales Tax, was presented.

RESOLUTION 125912, accepting bid of Industries Supply Co. for furnishing Galvanized Pipe; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval on low bid of National Steel and Shipbuilding Corporation for furnishing 50 - 22" Manhole Covers and 50 - 22" Manhole Frames for total of \$1,500. plus State Sales Tax - 2 bids - was presented.

RESOLUTION 125913, accepting bid of National Steel and Shipbuilding Corporation for furnishing Manhole Covers and Manhole Frames; 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.

Report of Purchasing Agent, with City Manager's stamp of approval on sole bid of San Diego Elevator Company for servicing San Diego Public Library elevators for 14 months beginning May 1, 1955 at \$120.00 per month, was presented.

RESOLUTION 125914, accepting bid of San Diego Elevator Company for servicing San Diego Public Library (elevators); 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 Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, recommending purchase from Calavar Corporation, without bids, air operated tree trimming tools at total price of \$1,164.23 including State Sales Tax, was presented. It says that extensive search for additional sources of supply was without avail. It says, also, that equipment required is engineered for use with aerial ladder purchased recently.

RESOLUTION 125915, authorizing and directing Purchasing Agent to purchase from Calavar Corporation tree trimming tools, listed in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 125916, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental



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for construction of Balboa Avenue between Pacific Highway and Clairemont Drive, Document 510902; 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 125917, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of traffic islands at Pershing Drive and Florida Street, Document 510904; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 125918, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installation of dumb waiter, including construction of a hatch, in the Civic Center Building, Document 510905; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on sale of old buildings no longer useful to the City, authorized by Resolution 123328 - in excess of 40 years old, infested by termites - 1 in condition to be moved, remaining 3 purchased for dismantling, was presented. It says that the \$472.00 received has been deposited in proper accounts with the City Treasurer.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending finding in connection with filing of final Record of Survey Map of Survey on Lots 21, 22, 23 Block 26 La Jolla Park, was presented.

RESOLUTION 125919, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, on Lots 21, 22, 23 Block 26 La Jolla Park, Map 352, and makes finding that all of conditions of Resolution 122603 dated February 10, 1955, approving Tentative Map have been complied with, 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 La Jolla Valley Vista No. 2 (formerly known as La Jolla Mesa Unit No. 2), was presented.

RESOLUTION 125920, suspending Sections 102.09 1 & 2, 102.07-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of La Jolla Valley Vista Unit 2, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of La Jolla Vista Unit No. 2, 14-lot subdivision of Lots 17 to 28 Block 4 Buena Vista Tract, Lots 43 through 48 Block 3 Pacific Beach, and portion Pueblo Lot 1782 - in Pacific Beach area northerly of Van Nuys Street, west of northerly extension of Bayard Street, subject to 12 conditions, was presented.

RESOLUTION 125921, approving Tentative Map of La Jolla Valley Vista Unit No. 4, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommend-

ing suspension of portion of San Diego Municipal Code in connection with Tentative Map for divisions of Portions of Lots A and B Block 4 Magnolia Park, was presented.

RESOLUTION 125922, suspending Sections 102.17-c of San Diego Municipal Code in connection with Tentative Map of Magnolia Park, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(It was adopted along with the next Resolution, but is listed ahead of the discussion upon which that was based).

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of portion Lots "A" and "B" Block 4 Magnolia Park, subject to 9 conditions, was presented. It was read to the Council by the Clerk.

Glenn A. Rick, Planning Director, told the Council that the Planning Commission had upheld the recommendations of the City Engineer and Assistant Planning Director, in connection with required improvements. He said that there is a drainage problem, but questioned that the developers be required to pay for the drain (although that is one of the conditions in the recommendation from the Commission, and in the proposed Resolution). He said there is a question on street improvement. He stated that the property is not part of a tract; there are only 2 lots. Mr. Rick told the Council that he thinks the City should arrive at a "middle ground". He and Councilman had looked at the property, and the street, in connection with an earlier similar property division. He stated that the lots are of ample size. He stated that the question is regarding the improvements.

Councilman Wincote said that this is the same question as when "2 young fellows" came in. He pointed to a map which was held up for the audience to see, also.

The City Engineer spoke of having followed a standard procedure. He declared that there is a bad drainage problem. He said that if anything is done, the storm drain should be extended under the 50% cooperative arrangement. He said that it is an option if there is to be paving.

Everett B. Williams, 7818 Barton, Lemon Grove, and Chas. T. Newton, 418 Belvedere Street, San Diego - both of whom are involved, appeared. Each of them spoke, and their identity was learned later from the Planning Director, since neither gave his name or was asked.

Mr. Williams said that he was not a partner; it was just a coincidence that he and Mr. Newton had bought simultaneously.

The two men pointed out the property on a map.

Mr. Newton said that the property was a huge lot; 2 pieces had been sold of and built upon. He said that he came down to take out a building permit, and was informed that they were subdividers. He told the Council that the Ordinance affecting property went in while the property was in escrow. He said that the things did not apply.

Mr. Rick said that it is a matter for the Attorney to determine, and the City Attorney had said that it would require a record of survey.

Mr. Williams told of sewer which has been extended. He said that demand is for street paving and storm drainage. He stated that does not conform with the Point Loma area, where attempt is made to keep a rural atmosphere. He said that Kesling got zoning.

Councilman Wincote said that Tentative Map had been accepted (on the Kesling property) before petition came in for increasing size under a proposed zoning.

Mr. Newton said that the drain is an open ditch, and it was pointed out on a large photograph.

There was discussion between several Councilmen and the 2 men, over a map.

Photographs were passed around by Mr. Newton.

Councilman Kerrigan said that there will be 3 houses, accessible by easement, although no street for access.

Mr. Newton said that when there are property owners there, he thinks they will get together to provide paving.

Councilman Kerrigan said that there is no accessibility to other property. He spoke to the 2 men interested.

Mr. Newton said that it is difficult to see where there was water in the ditch - which had been dug, not created through drainage. He said that he is not a hydraulic engineer, and would not take the position that all water could run in the street.

Mr. Williams pointed out on the map, in response to Councilman Kerrigan's request, regarding the water.

Mr. Newton said that there is oil surface now (on the streets) - one day somebody dumped black top there.

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The City Manager declared that there is a drainage problem, and has been for years.

The City Engineer pointed out on a map regarding the drainage area. He said that if anything is done, the storm drain should be put in to the upper side of Dudley Street. He said that if there is grading and paving, storm drain should go in. He told the Council that if it is put in there should be a cooperative project, and cost would be about \$880.00 on each.

Councilman Kerrigan said that would be reasonable.

Mr. Williams stated that storm drain on a portion would not be of benefit.

Councilman Wincote said that if the Council has any doubt, members should go out and look at the area. He said that difficulty (from the storm water) is caused from above.

Mr. Newton spoke of having bought the lots in good faith, and that he does not have funds to improve. He said that purpose of dividing into 2 or more lots, was regarding subdivision. He stated that the property had been divided before he bought.

Councilman Schneider asked it was previously divided, and on record.

Mr. Rick replied that all of Lot "A" was owned by Frank Faust, and was sold off. He said that purchaser did not know of requirement. He said that Benton built on 1/2, and others did not know of requests being not granted.

Councilman Schneider said that if there was recorded sale prior to acquisition, they have a point.

Mr. Rick said they think the Attorney is tough on them.

The Mayor and Councilman Wincote spoke about the storm drain.

Mr. Newton said that if the improvement is made, ultimately, they would have to pay.

Councilman Wincote moved to eliminate the storm drain, paving and curbs, grading. Motion was seconded by Councilman Schneider. It carried.

RESOLUTION 125923, approving Tentative Map of Magnolia Park, portion of Lots A and B Block 4, subject to conditions of the Resolution (there were 9, 4 of which were eliminated), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hearing on Resolution of Intention 123288, shown twice before in Minutes for this meeting, was brought up again.

Mr. Goldfarb, who had spoken earlier, appeared at the microphone.

Councilman Schneider was excused, for taking of a picture.

Councilman Godfrey pointed out that the people who were here earlier, in favor of the proposed improvement, have now left - while the Council is giving further consideration.

The City Engineer said that there were no protests.

Mr. Goldfarb showed a map, and told of Wynn, Inc. having owned the property 4 or 5 years.

The City Engineer suggested continuance of proceedings 1 week, in that the now-protestant may have a majority protest.

Mr. Goldfarb told of having had estimates from the City Engineer. He stated that the Navy has condemned a portion next to the Yacht Club.

RESOLUTION 125924, continuing hearing on Resolution of Intention 123288 for proposed improvement of Shafter Street, Upshur Street and Scott Street until 10:00 o'clock A.M., Tuesday, May 3, 1955; was on motion of Councilman Dail, seconded by Councilman Burgenner, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of portion of Pueblo Lots 106 and 117, was presented.

RESOLUTION 125925, suspending Sections 102.11-2 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of portion of Pueblo Lots 106 and 117, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recom-

mending approval of Tentative Map for 2-lot subdivision of portion of Pueblo Lots 106 and 117, located on west side of San Geronio Street and southerly of Kellogg Street, La Playa area, within R-1C, was presented. It reports existing residence on Lot 2 which has 124 foot frontage; Lot 1 will have 90 foot frontage, which is considerably less than adjacent lot but is comparable to overall development of the area. Recommendation is subject to 4 conditions.

RESOLUTION 125926, approving Tentative Map of portion of Pueblo Lots 106 and 117, 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 of Municipal Code, was presented.

RESOLUTION 125927, suspending Sections 102.09-1 & 2, 102.08-5, 102.07-c of San Diego Municipal Code in connection with Tentative Map of Roseville, Blocks 122 and 131, 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 redivision of Lots 1, 2, 11, 12 Blocks 122 and 131 Roseville, located on southerly side of Evergreen Street between Newell and Poe Streets, in the Roseville area on the hillside overlooking San Diego Bay, was presented. Recommendation is subject to 3 conditions.

RESOLUTION 125928, approving Tentative Map of Roseville, Blocks 122 and 131, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communications from City Planning Commission submitting communication from William F. Reed requesting that City give assistance to subdivider of Hidden Valley Hills in acquisition of 2 access roads; recommending suspension of portion of Municipal Code in connection with Hidden Valley Hills; and submitting Resolution approving Tentative Map of Hidden Valley Hills, being portion of Pueblo Lot 1287 located on north slope of Mount Soledad between Hidden Valley Road and Hillside Drive, were presented.

(The items were held awaiting Mr. Reed's arrival).

Councilman Schneider returned during consideration of the first of the three communications on Hidden Valley Hills.

Councilman Kerrigan was excused to have his picture taken.

Communication from Glenn A. Rick, City Planning Director, recommending amendments to the setback ordinance, and suggesting that City Attorney's office be instructed to work with Planning Department to prepare ordinance for Council consideration, was presented.

RESOLUTION 125929, referring to Council Conference communication from City Planning Director recommending amendment to Setback Ordinance, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Glenn A. Rick, City Planning Director, recommending amendment for Area requirements in connection with zone ordinance pertaining to required lot area per family, particularly in zones R-2 and R-4, was presented. It recommends that City Attorney and Planning Director be instructed to prepare draft of ordinance for consideration of Planning Commission and City Council.

RESOLUTION 125930, referring to Council Conference communication from City Planning Director recommending amendment to Zoning Ordinance in connection with area requirements, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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Certificate of City Clerk, pursuant to Section 10 of Article II of City Charter, and to Resolution 125850 adopted by the Council of The City of San Diego on Thursday, April 21, 1955, to results of canvass of Municipal General Election, and of Municipal Special Elections, held on Tuesday April 19th, 1955, was presented.

The certificate shows:

- (a) The whole number of votes cast in the City was 85,640;  
 (b) The names of persons voted for; office each person was voted for; and number of votes given in City to each person are as follows, to-wit:

For the Office of Mayor

Charles C. Dail (councilman)	received	42,897 votes
Harry L. Foster	received	41,660 votes

For the Office of Councilman District No. 2

Charles B. Wincote (incumbent)	received	38,788 votes
Dudley D. Williams, Jr.	received	39,814 votes

For the Office of Councilman District No. 5

Francis E. "Frank" Curran	received	38,913 votes
W. West Kennerly	received	32,724 votes

For the Office of Councilman District No. 6

Justin C. Evenson	received	45,271 votes
Al Mix	received	28,864 votes

- (c) The measures and or propositions voted upon, and the number of votes given for and against each measure and or proposition are as follows, to-wit:

PROPOSITION "A"

Amend Section 35 of Article V of the Charter of the City of San Diego	
Total vote was	77,356 votes
For said proposition the vote was	20,651 votes
Against said proposition the vote was	56,705 votes

PROPOSITION "B"

Amend Article X of the Charter of The City of San Diego	
Total vote was	77,035 votes
For said proposition the vote was	58,146 votes
Against said proposition the vote was	18,889 votes

PROPOSITION "C"

Shall Ordinance No. 6427 (New Series) of the ordinances of the City of San Diego, entitled, "An Ordinance authorizing the sale and conveyance of Pueblo Lot 1240 of the Pueblo Lands of The City of San Diego be ratified and approved

The total vote was	73,801 votes
For said Ordinance the vote was	55,142 votes
Against said Ordinance the vote was	18,659 votes

PROPOSITION "D"

Tenth Avenue Shipping Terminal Bond Proposition	
The total vote was	82,359 votes
For said Bonds the vote was	60,967 votes
Against said bonds the vote was	21,392 votes

- (d) The number of votes given in each precinct to each person, and for and against each measure and or proposition are recorded in the Election Returns Book.

RESOLUTION 125931, declaring result of the Municipal Election held in the City of San Diego, California, on April 19th, 1955 - as shown above on this page, in Certificate of City Clerk - was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Resolution covers the results for the offices of Mayor, Member of the Council from District No. 2; Member of the Council from District No. 5; Member of the Council from District No. 6; Propositions A, B, C.

RESOLUTION 125932, stating the result of the canvass of the returns of the Special Municipal Bond Election held April 19, 1955 "Tenth Avenue Shipping Terminal Bond Proposition: Shall The City of San Diego incur a bonded indebtedness in the principal sum of \$9,460,000 for the acquisition and construction by said city of a certain municipal

improvement, to wit: the Tenth Avenue Shipping Terminal in the Bay of San Diego and on the adjacent municipal tidelands for the receipt, storage and shipping of cargo and the transportation of persons and property, including dredging, fill, bulkheads, dock walls, wharves, transit sheds, oil tanker dock, offices, railway tracks, drainage structures, water tanks, utilities, access roads, paving and all appurtenances, structures and works necessary or convenient for said Terminal?

The whole number of votes cast in the city at said special municipal election was - - - - - 82,359;

The number of votes given in the city for said measure is 60,967;

The number of votes given in the city against said measure is - - - - - 21,392;

that number of votes given in each precinct for and against bond measure are recorded in the election returns book and are hereby made a part of the record of the Council and shall be considered as part of such record;

that votes of more than two-thirds of the voters of The City of San Diego voting at said election were cast in favor of said bond measure, and said measure is hereby declared to be carried;

it is ordered that the Clerk enter on the minutes of the Council statement showing the measure voted upon, the whole number of votes cast in the city upon the measure, number of votes given for and against the measure, and statement that number of votes given in each precinct for and against the measure are recorded in the election returns book;

that resolution shall be published by one insertion in the San Diego Union, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for paving and otherwise improving Alley Block 17 Nordica Heights No. 2, be amended, was presented.

RESOLUTION 125933, authorizing amendment to proceedings for improvement of Alley Block 17 Nordica Heights No. 2, in accordance with recommendation of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125934, granting permission to Carlos Tavares to install sanitary sewers in La Jolla Scenic Drive at Pueblo Lot 1256 by private contract, under Document 510781, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for improvement of Quince Street be amended, was presented.

RESOLUTION 125935, authorizing City Engineer to amend proceedings for improvement of Quince Street in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A majority of the members of the Council executed undertaking for street lighting in College Park Lighting District No. 1, with San Diego Gas & Electric Co.

RESOLUTION 125936, directing notice of filing Assessment 2353 and of time and place of hearing for paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, Resolution of Intention 116494, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 125937, accepting bid of Al E. Riley, Inc., and awarding contract for paving and otherwise improving Taft Avenue and Bellevue Avenue, Resolution of Intention 122545, was on motion of Councilman Burgener, seconded by Councilman Schneider,



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adopted.

City Engineer reported in writing that low bid is 13.8% below estimate.

RESOLUTION 125938, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 247 Pacific Beach, and Public Right of Way in Lot 26; approving Plat 2669 showing 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 125939, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Kurtz Street, Rosecrans Street, Alley Block 373 E. O. Rogers Subdivision of Blocks 370, 373, 367 and 366 Old San Diego; Hancock Street, Moore Street, Jefferson Street, Gaines Street, Smith Street and Mason Street; approving Plat 2682 showing 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 125940, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue; approving Plat 2701 showing boundaries of district to be included in assessment for work and improving, directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 125941, for paving and otherwise improving Alley Block 8 La Jolla Park, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK 125942, for paving and otherwise improving Guy Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK 125943, for paving and otherwise improving 31st Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 125944, for paving and otherwise improving Calle del Oro and La Jolla Shores Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125945, for paving and otherwise improving Alley Block 247 Pacific Beach, and Public Right of Way in Lot 26 (said block), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125946, for paving and otherwise improving Kurtz Street, Rosecrans Street, Alley Block 373 E. O. Rogers Subdivision of Blocks

370, 373, 367 and 366 Old San Diego; Hancock Street, Moore Street, Jefferson Street, Gaines Street, Smith Street and Mason Street, was on motion of Councilman Schneider, seconded by Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 125947, for paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125948, ascertaining and declaring wage scale for paving and otherwise improving Alleys Blocks 22, 23 and portion between Blocks 22 and 8 La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125949, ascertaining and declaring wage scale for paving and otherwise improving 53rd Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125950, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 3 La Mesa Colony, Resolution of Intention 121183, and to be assessed therefor; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125951, approving diagram of property affected or benefited by work of installing sanitary sewer mains in Market St., Pitta St., J Street and Public Right of Way, Resolution of Intention 120270, and to be assessed therefor; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125952, granting petition, Document 510665, for installation of sewers in areas adjacent to Winston Drive; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION 125953, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sewer main in Alley Block 16 La Mesa Colony; 73rd Street; Public Right of Way in Lot 40 La Mesa Colony, Resolution of Intention 121772 and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125954, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving and otherwise improving Alleys Block 35 Parish and Loomis Subdivision, Resolution of Intention 121530 and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125955, directing City Engineer to furnish diagram of property affected and benefited by removing of existing ornamental light standards and installing new ornamental light standards in Broadway, Resolution of Intention 121648, and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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RESOLUTION 125956, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Everts Street, Resolution of Intention 121531, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125957, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 40th Street, Resolution of Intention 121402, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125958, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 69th Street, Resolution of Intention 121532, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125959, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Lister Street, Jellet Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, et al., Resolution of Intention 119501, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125960, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sidewalks in Tipton Street, Rincon Street and Ewing Street, Resolution of Intention 121403, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 125961, establishing Parking Time Limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:  
Santa Monica Avenue, between Sunset Cliffs Boulevard and Bacon Street; and  
Cable Street, between Santa Monica Avenue and Saratoga Avenue;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 125962, establishing Parking Time Limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:  
Both sides of National Avenue, between Commercial Street and 16th Street;  
establishing a 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 Godfrey, adopted.

RESOLUTION 125963, approving Change Order 2 dated March 30, 1955, Document 511003, issued in connection with contract between The City of San Diego and A. F. Andersen for remodeling men's restroom, Administration Building, Lindbergh Field, contract contained in Document 507952; approving changes amounting to decrease in contract price of \$135.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 125964, approving Change Order 3 dated April 15, 1955, Document 511005, 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; changes amounting to an increase of approximately \$568.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION 125965, rescinding Resolution 125769 adopted April 14, 1955, extending completion time for construction of Clairemont Recreation Building; waiving all claims for damages for failure to complete work within time agreed upon by contract of H. W. Grizzle, Document 500819, and particularly paragraph D-02 of specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125966, granting J. G. Driscoll, Jr., 3221 Russell Street, San Diego, revocable permit to install and maintain underground conduit in portion Quimby Street between Evergreen and Willow Streets, in order to extend existing conduit to S.D. Gas and Electric Company pole at changed location, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125967, granting revocable permit to Walter J. McCoy, 3252 Webster Street, San Diego, to install and maintain private 3/4" copper water line under Bancroft Street to City Meter at Bancroft and Webster Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 125968, granting revocable permit to Idell Price Richardson, 730 South 31st Street, San Diego 13, to install and maintain under 31st Street for the North 30' of Lots 47, 48 Block 325 Choates Addition, a meter at 31st Street and Greeley Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Councilman Kerrigan returned

RESOLUTION 125969, authorizing a member of the Purchasing Division, Department of Finance, of The City of San Diego, to attend Annual Conference on Purchasing sponsored by School of Business Administration at University of California at Los Angeles, April 29 through April 30, 1955; authorizing incurring of all expenses necessary, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 125970, accepting quitclaim deed, April 15, 1955, from Emanon Corporation, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named "Dass Manor", being subdivision of portion Lot 27 La Mesa Colony; 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 Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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 6489 (New Series), amending Sections 63.25.4, 63.25.5, 63.25.6, 63.25.7 and 63.25.8 of San Diego Municipal Code regulating operation of Watercraft in Mission Bay, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by

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the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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 6490 (New Series), revoking and repealing Ordinance 7905, and allowing The Atchison, Topeka and Santa Fe Railway Company to construct, maintain and operate existing spur track on Island Avenue in the City of San Diego, and to reline portion of said spur track, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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 6491 (New Series) authorizing City Manager to execute lease with O. C. Helming Jr. and Barbara E. Helming in portion Pueblo Lot 1355 - Sorrento Valley - for stock grazing and agricultural purposes - 5 years at annual rental of \$51.00, Document 511119, real property has value of \$2,000.00 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 Godfrey, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--None. Absent--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 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 6492 (New Series) appropriating \$30,200.00 from Capital Outlay Fund for construction of a stone groin near Cape May Avenue, Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Dail, Ordinance which had been continued from the meetings of April 5, 1955 and April 26, 1955, was continued until the meeting of Tuesday, May 3, 1955.

William F. Reed, for whom 3 items shown earlier on the agenda, appeared on behalf of the subdivider of Hidden Valley Hills, and was heard. He told the Council that the Planning Commission has as a condition that the subdivider condemn the land and provide an access to the north. He stated that puts a burden on the subdivider. He stated that may take years, and is impractical.

The City Manager stated that the City is agreeing to assist.

The Mayor asked Mr. Reed if the subdivider is willing to pay.

Mr. Reed replied that he is willing to pay portion. He told the Council that the proposed road runs through the Rose property, and that it would be just as beneficial to the Rose property.

The Mayor asked if the Rose property is willing to assist.

Mr. Reed said it is being opposed.

The City Manager stated that if the subdivider is willing to go ahead, the City is willing to help. He spoke of there being no way to condemn the property.

Mr. Reed asked if the City is willing to condemn.

The City Manager replied that the City is not in the subdivision business.

Glenn A. Rick, City Planning Director, showed a map of the property.

The City Manager reported that the will consent

There was discussion over a map presented by Mr. Rick.

Mr. Rick talked to Mr. Reed.

Mr. Reed asked if recommendation could be withheld. He said "the subdivider comes in...." (did not complete the statement).

The Mayor said that Mr. Reed and his client might negotiate with the City Manager and with the City Attorney.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the 3 communications having to do with Hidden Valley Hills were continued 1 week, for consideration with the City Manager and the City Attorney. Motion was seconded by Councilman Godfrey. It carried.

Mr. Reed, who had spoken on the items just continued congratulated the Mayor, who is leaving his office, upon his administration.

Councilman Burgener requested, and was granted, unanimous consent to present the next item not listed on the agenda. He moved that permission be granted to San Diego County Epileptic Society to sell boutonnieres on April 30, 1955, subject to approval of the Social Service.

RESOLUTION 125971, granting permission to The San Diego County Epileptic Society, pursuant to recommendation of City Manager, to sell fresh flower boutonnieres on the streets of The City of San Diego on Saturday, April 30, 1955, for raising funds to carry on educational campaigns relative to epilepsy, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Dail requested, and was granted, unanimous consent to present the next 2 Resolutions, not listed on the agenda:

RESOLUTION 125972, approving and ratifying appointment by the Mayor of Harry L. Foster as a member of the Harbor Commission of the City, for a full term of 4 years, to succeed Gen. Holland M. Smith, whose term has expired, was on motion of Councilman Dail, seconded by Councilman Burgener.

RESOLUTION 125973, approving and ratifying appointment by the Mayor of Anderson T. Borthwick as a member of the Harbor Commission of the City, for the full term of 4 years, to succeed himself, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

#### Councilman Dail was excused

The Mayor requested, and was granted unanimous consent the next item, not listed on the agenda. It has to do with the re-opening of the Mission Bay Channel, which has been closed since shortly after Mayor took office.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance repealing Section 63.25.70, Art. 3, Chap. VI of The San Diego Municipal Code, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Dail.

(The Ordinance does not mention the Channel, but according to the Mayor that is the subject. He mentioned the work is to be completed within some months).

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

RESOLUTION 125974, appointing Charles O. Taylor as a member of the City Planning Commission of The City of San Diego, to succeed himself, for the full term of 2 years, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



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The City Manager requested, and was granted unanimous consent to present the next item, not listed on the agenda. He said that it does not obligate the City to anything. He stated that the City of San Diego has water from the Colorado River, through Metropolitan Water System by reason of foresighted citizens having planted a tin can on the banks of the Colorado River, providing for a claim.

RESOLUTION 125975, authorizing and directing the City Manager, on behalf of The City of San Diego, to prepare and file with the Division of Water Resources of the State of California an application to divert from surplus waters of the Delta at the junction of the Sacramento and San Joaquin Rivers, 500,000 acre feet per year of surplus waters, and transport same to The City of San Diego for use by the City in supplying its inhabitants with water, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The City Manager told the Council that there will be a similar resolution before long on the Feather River.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:00 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Charles B. Dail*  
Vice Mayor of The City of San Diego, California

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, April 28, 1955

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

Also present were Mayor-elect Dail, as noted above, and Councilmen-elect Williams, Curran and Evenson

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

Members of the Point Loma High School Civics Class were welcomed as visitors.

The Vice Mayor presented Mrs. Vincent T. Godfrey, wife of the out-going Councilman, and his 2 daughters.

The Vice Mayor feigned a heavy cold, and turned the meeting over to Councilman Godfrey, who presided for the entire session.

125975  
Adjournment  
Meeting convened  
Visitors  
Meeting turned over to Councilman Godfrey  
to preside

The hour of 10:00 o'clock A.M. having arrived, time set for proposed rezoning of lots in Clairemont Unit 16 for a neighborhood business center, a church site and school site - property on a ridge 1200 to 1500 feet west of Clairemont Drive, running generally in a north-south direction, Glenn A. Rick, City Planning Director, told the Council that there is no controversy. He said that the original request had been compromised.

The presiding officer inquired if any interested persons were present to be heard.

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

RESOLUTION 125976, requesting City Attorney to prepare and present necessary ordinance to rezoning portion of Clairemont Unit 16 from existing R-1 Zone to Zones R-2, R-4 and C-1A in accordance with recommendation of City Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing for proposed rezoning from R-1 to C Zones of the Northeast One-Quarter of the Northwest One-Quarter of Lot 18 Ex-Mission Lands, located on both sides of Federal Boulevard about 400 feet west of 47th Street and extending about 400 feet further west along the Boulevard - about 4 acres - The Planning Director told the Council that he had gone out and looked at the property with Mr. Christman (J. R. & H. L. Christman, 4580 Federal Boulevard, are the petitioners for the zone change). He told the Council that the Engineer had agreed to an original line cutting through the property, which will not be in the recommendation. He said that the location of proposed parkway has been moved, and the road will not be through the property. He said that changes the picture. He agreed that it is not a good zoning pattern, but there is some merit to C and C-1A Zoning.

Mr. Christman told the Council that it is "all right".

RESOLUTION 125977, requesting the City Attorney to prepare and present necessary ordinance for rezoning from R-1 to C and C-1A of the northeast One-Quarter of the Northwest One-Quarter of Lot 18 Ex-Mission Lands, located on both sides of Federal Boulevard about 400 feet west of 47th Street and extending about 400 feet further west along the Boulevard - approximately 4 acres - in accordance with new suggestion of the Planning Director, as well as requirement for a subdivision map on the property, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on rezoning of about one acre of M-1 property owned by the City to C-1A Zone, in a portion of Pueblo Lot 1100, the Planning Director explained that it is City-owned and in the vicinity of the dog pound. He said that area was recently rezoned at the isolation hospital, etc. He recommended tightening up the zone, and said that the Gas Co. property is already in Zone C-1A, and the Polo Grounds portion (answering a question from Councilman Wincote) had been rezoned. He said that there have been no objections from attorneys for San Diego College for Women (who had protested on other rezonings in Mission Valley).

Councilman Wincote asked if property is adjacent to the Polo Grounds.

The Planning Director replied that it is not adjacent.

Councilman Schneider spoke to Mr. Rick about new hotel property reported to be going up in the Valley.

Mr. Rick repeated that there was no protest.

RESOLUTION 125978, requesting City Attorney to prepare and present ordinance to rezone portion of Pueblo Lot 1100 (City-owned property) from Zone M-1 to Zone C-1A, in accordance with recommendation of City Planning Commission, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on rezoning from R-1 to C-1A Zone of portion of Parcels "O" and "OO" Lot 19 Rancho Mission of San Diego, on south side of University Avenue east of Aragon Drive - about 8 acres of land involved - the Clerk reported no protests.

Glenn A. Rick, City Planning Director, said that proposal has been approved,

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and there are no objections to the proposal. He spoke of having a final map in anticipation of this rezoning, including necessary dedications.

Councilman Schneider asked if it would be C-1A later.

Mr. Rick replied that it is commercial.

RESOLUTION 125979, requesting City Attorney to prepare and present ordinance to rezone from the existing R-1 to C-1A of portion of Parcels "O" and "OO" Lot 19 Rancho Mission of San Diego, on the south side of University Avenue east of Aragon Drive - about 8 acres - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Mrs. Leona B. Davis from decision of Board of Zoning Adjustment granting permission to Bernard J. Francis Sue Smith to add a 2-foot, 6-inch by 10-foot addition to an attached garage and convert a portion of the structure to a bedroom and the remainder of the garage to be used as a service room - Lot 1 Block 162 Middletown, located at southeast corner of Columbia and Chalmers Streets - Mrs. Davis appeared.

Councilman Godfrey, who was presiding, spoke to Mrs. Davis. He said that the Council would need votes, and that there are only 3 here. He said that it would save the bother of going through her presentation if it is continued until a week, when the appeal can be heard properly.

On motion of Councilman Schneider, seconded by Councilman Dail, the hearing was continued one week - to Thursday, May 5, 1955.

After the continued hearing had been determined upon, Councilman Schneider told Mrs. Davis that the 3 new members who were present at this meeting can't vote until next Tuesday.

Petition, which had had previous continuances, listed again on today's agenda again, in behalf of Mission Beach residents for stop light at corner of Ventura Street and Mission Boulevard, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, it was continued to the meeting of Tuesday, May 3, 1955.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Link-Belt Company meeting specifications, for furnishing 1 Triple Deck Vibrating Screen Unit and Appurtenances at \$3,900.00 plus State Sales Tax - 2 bids received - was presented. It is for washing and sorting filter media from City's various filter plants.

RESOLUTION 125980, accepting bid of Link-Belt Company for furnishing 1 Triple Deck Vibrating Screen Unit and Appurtenances; 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 of Purchasing Agent, with City Manager's stamp of approval, on low bid of "Luckey" Marine Radio meeting specifications, for furnishing Marine Radio Transmitter, Receiver, and Direction Finder and installing in Harbor Patrol Boat for total price of \$1,626.50 net, plus State Sales Tax, was presented. There were 3 bids.

RESOLUTION 125981, accepting bid of Luckey Marine Radio for furnishing and installing Marine Radio Transmitter, Receiver, and Direction Finder for Harbor Patrol Boat; 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 specifications on file in office of Purchasing Agent, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 125982, accepting bid of W. V. Hutchison Co. for furnishing and

installation of small water main replacements, Group No. 19, declaring it to be the lowest bid received April 20, 1955 - 5 bidders - rejecting all bids received except said bid; awarding contract in unit prices amounting to total estimated sum of \$49,423.63; authorizing and empowering City Manager to execute, for and on behalf of the City, contract upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on request for furnishing by Remington Rand, Inc. of 1 Kardex Multi-Cabinet complete with Kardex Interior Unit at \$3,082.00 plus State Sales Tax, for Water Accounting Department, was presented.

RESOLUTION 125983, authorizing and directing Purchasing Agent to purchase from Remington Rand, Inc., 1 Steel Kardex Multi-Cabinet complete with 1 Kardex Interior Unit, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125984, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 3 2-ton Truck Chassis, and 1 1/2-Ton Pickup Truck, Document 511118, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 125985, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of addition to Boat House on Santa Clara Point, to be used for Sabot Storage, Document 511077; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION 125986, authorizing and directing Purchasing Agent to advertise for sale and sell 9 Trucks, Cabs & Chassis, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The next item was numbered out of order, as a matter of expediency:

RESOLUTION 125987, authorizing and directing the Director of the Water Department to file with State Director of Finance a letter on behalf of The City of San Diego requesting adequate assignment of 500 cubic feet per second or 362,000 acre feet per annum of water from the Feather River project for use of The City of San Diego and its contiguous area as soon as assignments may be available to be made by the State Director of Finance, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Resolution says that the City Manager, through Director of Water Department, has advised that The City of San Diego probably faces a severe shortage of water in the very near future, and that plans for additional water supply should be now adopted in order that consumers of the City may not suffer a shortage. It goes on to make statements re the opinions of Director of Water Department and his advising of the Council that application should be made.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Del Cerro Unit 1, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 125988, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, contract with The Vinley Corporation, a corporation, for dedication and construction of extension of College Avenue from Del Cerro subdivision to Alvarado Canyon Road to connect with connection and segregation structure to be constructed by State Highway Department on Alvarado Canyon Road, adjacent to Del Cerro Subdivision, and to further provide that the City will contribute to the cost thereof to extent of paying for 2 island curbs and paving of 2 12-foot wide strips of pavement as indicated on City Engineer's Drawing, Document 510859, in an estimated amount of \$12,153.00; and provided further, that City will assume responsibility for construction of extension of College Avenue, if City has obligation to sub-

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divider to contribute to costs of excess street widths in additional units of Del Cerro subdivisions, which are equal to or in excess of subdivider's obligation to construct extension of College Avenue and subdivider waives any and all rights to receive payment from City by reason of construction of excess streets widths, as set out in Document 511183, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 125989, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, a contract with The Vinley Corporation, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Del Cerro Unit No. 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 125990, adopting Map of Del Cerro Unit No. 1 subdivision, a subdivision of portion Lot 67 Rancho Mission of San Diego, accepting Marne Avenue, Raymar Avenue, Madra Avenue, Del Cerro Avenue, Glenmont Street, Raydel Court and unnamed easements shown thereon, together with any and all abutters' rights of access in and to Alvarado Canyon Road, subject to temporary access to Alvarado Canyon Road at intersection of Del Cerro Avenue with Alvarado Road, until such time as permanent access point to Alvarado Canyon Road from the subdivision is provided by State Highway Department, at other location, for public purposes; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that said streets and unnamed easements as dedicated on the map, together with any and all abutters' rights of access in and to Alvarado Canyon Road, subject to the temporary access are accepted; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Marr View Villa (portion of Pueblo Lot 129), was presented.

RESOLUTION 125991, adopting Map of Marr View Villa Subdivision, a subdivision of easterly 170 feet of westerly 300 feet of northerly 165 feet of Pueblo Lot 129; accepting on behalf of the public unnamed easements shown on the map; declaring them to be unnamed easements and dedicated to the public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that unnamed easements are accepted on behalf of the public; directing City Clerk to transmit the map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

In connection with the next item, Councilman Schneider asked if it had been before the Council.

Glenn A. Rick, City Planning Director, said that there is a strong protest in the neighborhood.

Communication from Planning Commission, signed by Harry C. Haelsig, reporting tentative map for resubdivision of Lot 86 Point Loma Villas, was presented. It reports there are 2 parcels fronting on Poinsettia Drive near Curtis Street, and that the Commission held a public hearing on division of the property in that it was essentially a zone variance request to build 2 houses on parcel of land in R-1 zone. In addition to a detailed statement, it states that the Commission was unanimous in its recommendation of denial of the tentative map.

RESOLUTION 125992, denying Tentative Map of resubdivision of Lot 86 Point Loma Villas, in that it does not conform to development of the area, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Regency Park, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 125993, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Harmony Homes, for installation and completion of unfinished improvements and setting of monuments required for Regency Park 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 Dail, adopted.

RESOLUTION 125994, adopting map of Regency Park Subdivision, being portion of Lot 12 Cave and McHatton subdivision, accepting on behalf of the public Radio Drive, Duluth Avenue and portions of Detroit Avenue, 58th Street and 59th Street and unnamed easements shown for public purposes, declaring them to be public streets, portions of public streets and unnamed easements and dedicated to public use; authorizing and directing 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 Dail, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petitions concerned in renaming streets in Rolando Annexation area, was presented. It reports one petition requests that Vantage Drive be changed to Valencia Drive, which street was named Valencia Drive before the area was annexed to the City. It says there are 60 lots fronting on the street concerned and 48 of the property owners fronting on the street have signed petition asking that original name of Valencia Drive be restored. It states that another petition asks that Alamo Place be changed to Toledo Drive as it was named prior to annexation; 11 lots front on Alamo Place, of which 9 are represented by owners' signatures endorsing the change. Also, it says that a third petition requests that Calvert Way be changed to Casita Way, as it was named prior to annexation; 63 lots front on the street and 56 owners have signed petition requesting that original street name be restored. The communication says that Planning Commission considered the facts and heard some of the proponents of the changes; a great many property owners were present in the audience and supported the petitions. It states that the Planning Commission voted 5-0 that Vantage Drive be changed to Valencia Drive; Alamo Place be changed to Toledo Drive, and Calvert Way be changed to Casita Way.

RESOLUTION 125995, requesting City Attorney to prepare and present necessary ordinance to change street names in accordance with recommendation of City Planning Commission, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from E. A. Blackwood, Blackwoods Auto Seat Covers, 310 A Street, dated April 22, 1955, was presented. It says there is a movement to stop canteen trucks from calling on places of business in the City. It speaks in favor of the canteen service for the 12 persons employed who do not have time to go to a cafe for their coffee and refreshments.

Councilman Schneider moved to refer it to conference.

Councilman Wincote said that Councilman-elect has a question. Mr. Wincote said that he thinks it is to be considered during the 2nd week in May.

On motion of Councilman Wincote, seconded by Councilman Schneider, it was referred to the hearing set for May 19, 1955.

Communication from Marie D. Bown, 1168 Del Mar Ave., Chula Vista, Calif., dated April 22, 1955, was presented. It refers to conditions Tea House and Botanical Gardens in Balboa Park as well as the condition of the Plaza.

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

Communication from Nicolaus J. Haering, 2525 Jackson St., San Diego 10, was presented. It was signed "CIVIC NIColaus J. Haering", and refers to his interest in civic government and to his card speCIVIC-ally inviting San Diegans to become civic minded,

Mr. Haering spoke regarding the cause of civic interest. He requested that the Clerk read the letter, which was done.

Councilman Schneider said that it was a good letter.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was filed. Mr. Haering then files copies of his letter with individual Councilmen.



4/26/55

Protest of Edwin I. Fisher, 131 West Street, et al, against proposed assessment for installation for water main connection charges in connection with installation of new pipe line on West Street from Imperial Avenue South, to the Martin Terrace Subdivision, was presented.

Mr. Fisher told the Council that the original area was served by the Sweetwater Co. He said that the City took over and put in pipe. He stated that other people on West Street have easements from 45th Street. Mr. Fisher spoke of new subdivision, with pipeline coming to the subdivision. He said that a City field representative had come out, regarding an assessment for a pipeline. He told of having protested against paying, and of having 900 feet, 600 feet signed up on new houses. He said that he has the largest frontage, and thought he should protest \$2.75 per foot. Mr. Fisher spoke of already having water. He said it is only for benefit of the subdivision, and asked why it should be necessary to pay.

Councilman Dail said that the system was bought from Sweetwater. He stated that there should be a report from the City Manager. He said that the City bought a substandard water system. He referred to having to bring it up to the standards of the City.

Mr. Fisher spoke of being connected to the City system. He said that if they are assessed regarding assistance to the new subdivision, it is high. He asked if the City could assist.

The City Manager stated that the City has a formula where the subdivider pays proportion of the share; others pay when they hook onto the main.

Councilman Schneider seconded motion to refer the protest to the City Manager.

Councilman Wincote said that when property owners had requested annexation, that subject had been discussed at great length. He said that report from the Manager should include report on all the area.

Councilman Schneider said that the City Manager may find a formula to make it easier.

Mr. Fisher asked what is meant "when the City annexed?"

Councilman Godfrey moved to refer the item to the City Manager. He said that it would be given complete consideration.

Councilman Dail said that the Council should give Mr. Fisher the opportunity to come back.

Mr. Fisher said he wants to find out about 51% requirement. He said that he has a big majority against the proposal.

Councilman Dail spoke to Mr. Fisher, who in turn spoke to Councilman Dail.

On motion of Councilman Dail, seconded by Councilman Schneider, the protest was referred to the City Manager - with request of Councilman Wincote that report be made on "all the area".

Communication from San Diego Junior Chamber of Commerce, signed by James A. Junkin, Manager, dated April 7, 1955, addressed to the City Budget Officer, was presented. It requests financial aid during the fiscal year in connection with the March Clean Up, Paint Up, Fix Up project - \$100. It says funds are to be used for printed material and advertising.

Councilman Wincote said that there was a request in conference that the communication be read.

It was read to the Council by the Clerk.

Councilman Wincote moved to refer it to the City Manager for report. Motion was seconded by Councilman Schneider.

Nicholas J. Haering said that the Old San Diego area wants the same thing.

The roll was called, and the communication was referred to the City Manager.

Councilman Wincote asked what has happened to the "Parky" signs (the Kangaroo used as a symbol on the clean up project).

The City Manager said that was handled by the Mayor (who was not present at this meeting).

Councilman Dail said that when the Mayor gets back he is going to get information from him on that and on other items.

There was no action.

Protest re water line cost  
Communications  
Discussion re the "parky" sign,  
on cleanup campaign.

Communication from State of California, Water Pollution Control Board, San Diego Region No. 9, 3441 University Avenue, San Diego 4, dated 22 April 1955, signed by Harold E. Miller, executive officer, was presented.

It attaches "Tentative Waste Discharge Requirements for The City of San Diego", and transmits Resolution 55-1 "A Resolution enunciating the beneficial uses of San Diego waters to be protected and adopting water quality criteria pertaining thereto", as well as Exhibit I entitled "Findings on beneficial uses and quality requirements of San Diego Bay Water".

Councilman Schneider moved to send the papers to Conference.

The City Manager said that they had been filed for information of the City.

On motion of Councilman Wincote, seconded by Councilman Dail, they were filed.

After they were filed, the City Manager said that he has it under consideration.

Communication from Port Director, dated 27 April 1955, attaching for approval form of lease with Signal Oil Company, covering marine service station at Foot of Hawthorn Street, for 5 years commencing 1 May 1955, replacing one which expires 30 April, identical in all respects to present lease with exception that various provisions have been modified in accordance with recently established policies of the Council and Harbor Commission.

RESOLUTION 125996, approving lease, copy on file in Office of City Clerk as Document 511117, between City of San Diego acting by and through Harbor Commission, as Lessor, and Standard Oil Company of California, a Delaware corporation, doing business as Signal Oil Company, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 125997, stating that it is the sense and opinion of the Council that best interests of The City of San Diego and its inhabitants will be subserved by the City securing grant from Federal Government up to 50% of cost of completing project as recommended by Soil Conservation Service of United States Department of Agriculture for control of soil erosion on Morena Reservoir watershed; authorizing and directing City Manager through Director of Water Department to notify Mountain Empire Soil Conservation District of the attitude of the Council, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 12998, authorizing City Manager to employ Fred A. Brown, cement contractor, to construct sidewalk return at northwest corner of Felspar Street and Pendleton Street; to properly connect to existing paving on Pendleton Street; cost not to exceed \$50.05 payable from Ordinance 5341 (New Series) - in connection with contract for improving portions of Olney and Felspar under 1911 Street Improvement Act proceeding, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The item listed on the agenda regarding Feather River request for assignment of water, was numbered under Resolutions earlier in the meeting.

RESOLUTION 125999, authorizing City Manager to employ H. C. Dennis to replace 16 feet of guard fence on Juniper Street westerly of 39th Street, in Fairmount Park Subdivision, to correspond to 16 feet of guard fence in assessment district for Juniper Street, cost not to exceed \$128.00 payable from Ordinance 5341 (New Series) - in connection with contract for improvement of Juniper, 39th, Pepper, et al under 1911 Street Improvement Act proceeding, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 126000, authorizing City Manager to employ A. W. Thorpe to replace 125 square feet of 5" Portland cement concrete paving at termination of most westerly north-and-south alley Block 35 Parish & Loomis' Subdivision, in E Street; cost not to exceed \$50.00

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payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

Mrs. E. C. Smith, 834 Selma Place appeared at the microphone.

Councilman Dail said that he was asking for unanimous consent at this point inasmuch as Mrs. Smith drives a school bus, and has to get back to her work. He said that it concerns the Navy acquiring the Chollas Housing, and that it plans to do away with the community center.

Mrs. Smith said that she wanted to know if the community center can be acquired. She said he thinks "they" can get it, and asked if the City would maintain it.

Councilman Dail said that the City Manager can brief the Council on the subject. He moved to request the City Manager to report to the Council, and identify the property, which is at 45th and G. He said that the community center was operated by PHA and has been taken over by the Navy.

Mrs. Smith said that if the Navy takes the Center it would be for the Navy, only. She said that Mr. Anderson, whom she did not identify further, had been out and said that the City would not take it.

Councilman Schneider spoke to Mrs. Smith.

Mrs. Smith said that a Navy man had stated that it would be closed May 1.

Councilman Dail said that the whole area uses the community center.

Mrs. Smith told the Council that about 10 things are going on each week, and that there are 1,000 children.

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

(There were no papers filed, so the Clerk sent just a letter to the City Manager advising of the Council's reference).

RESOLUTION 126001, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with Hans Starr of about 1480 acres in the El Capitan Reservoir Basin, for grazing of horses and cattle only, for 10 years at \$1.06 per acre of unflooded land, or \$650.00 per year, whichever sum is greater, Document 511222; property has real property value of \$75,000., 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 126002, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 42 locations, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 126003, establishing and fixing fee of \$12. per year for service charge for the Daley Corporation, permittee, in accordance with provisions of contract filed as Document 502636, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126004, accepting bid of Dorothy L. Gonzales for purchase of Lot M Block 295 Arlington, and selling it for the price bid at public auction sale on April 22, 1955, was on motion of Councilman Schneider, seconded by Councilman Dail. The Resolution authorizes and empowers the Mayor and City Clerk to execute on behalf of the City a quitclaim deed to Alfonso Gonzales and Dorothy L. Gonzales; authorizing and directing Property Supervisor to place deed in escrow, with directions that it be delivered to successful bidder when all escrow instructions have been complied with; authorizing and directing Property Supervisor to return to Clarence E. Hatton deposit made by him pursuant to San Diego Municipal Code (he had made \$100 deposit and requested the City to put the property up for sale, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126005, stating that Jake L. Richardson has petitioned the Council to put Lot 10 Block B Arlington up for sale at public auction, and has accompanied request with \$100. deposited with the Property Supervisor to cover title report, and as a guarantee that he will at the sale bid minimum amount fixed by Council - \$1,200. - setting that figure as minimum amount the Council will consider for sale of the property; reserving right to reject any and all bids at public auction, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION 126006, stating that Walter M. McKellar has petitioned the Council to put Lots 35 to 39 inclusive Block B Swan's Second Addition up for sale at public auction, and has accompanied request with \$100. deposited with the Property Supervisor to cover title report, and as a guarantee that he will at the sale bid minimum amount fixed by Council - \$2,170.00 - setting that figure as minimum amount the Council will consider for sale of the property; reserving right to reject any and all bids at public auction, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending amendment to condition 2 in connection with Tentative Map of Rolando Shopping Center, approved by Resolution 125630, was presented.

RESOLUTION 126007, amending Item 2 of Resolution 125631 approving Tentative Subdivision Map of Rolando Shopping Center (in connection with charge for installation of water main by the City of San Diego as set forth in letter of Water Department dated April 20, 1955), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 126008, granting Isabel Bedford permission to install sewer connection from 3416 44th Street to the alley with 1/8" fall per foot, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126009, granting revocable permit to Clairemont Business Properties, 4109 Huxley Street, San Diego 17, to install and maintain 3/4" galvanized iron water line under Baltimore Street to water meter set at Baltimore Street and Ingulf Street (Lots 1, 2, 3, 4 Block 22 Morena), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 126010, granting revocable permit to Elfrieda J. Hepperley (Hendricks) 4678 Santa Cruz Ave., San Diego 7, to install and maintain brick wall in front of Lots 6 and 7 Block 21 Santa Cruz Avenue (should be Ocean Beach, as in the application, so Resolution is being changed - and agreement will be re-written), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 126011, granting revocable permit to Charles William Heath, 1141 Euclid Avenue, San Diego 14, to install and maintain private 4" cast iron sewer lateral under Bonita Drive from Lot 67 Las Alturas Sites (should be Las Alturas Villa Sites; Resolution is being changed), was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126012, granting Donald N. Sharp Memorial Community Hospital, Frank R. McDougall, Asst. Secretary and Superintendent, 7901 Frost Street, San Diego 11, to

install plumbing in kitchen area, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126013, approving claim, upon recommendation of the City Manager, of La Mesa, Lemon Grove and Spring Valley Irrigation District (Document 493480) for performance of work on University Extension involving water system, which require relocation of certain water distribution facilities lying within area recently annexed to The City of San Diego, which was made by widening University Avenue, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Resolution says that it was estimated that work would cost city in neighborhood of \$2800., and City Manager advises that work under contract has been completed, and that La Mesa, Lemon Grove and Spring Valley Irrigation District now submits to The City its claim for \$6,547.55 alleging that it represents actual cost to the district of relocating the mains which the City in contract agreed to pay. It authorizes and directs City Auditor and Comptroller to allow the claim in full amount of \$6,547.55 and pay same out of funds available from unallocated reserve of Water Department.

RESOLUTION 126014, authorizing City Auditor and Comptroller to compromise claim of Pomeroy and Associated in sum of \$3,286. by paying \$2,786 in full settlement of claim, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Resolution says that Promeroy and Associates have filed a claim against the City in sum of \$3,286.00; \$2,286.00 of which is due on contract dated January 7, 1955, and balance as claim for damages because of alleged negligence of the City in performing in City performing its obligations under the contract, and that City Manager advises claim can be compromised for \$500.00, and there is some evidence justifying contention made by Pomeroy and Associates that City was actually negligent, that City Manager advises that City Attorney recommends the compromise and that he concurs.

RESOLUTION 126015, approving claim of Herbert L. Atkinson, Document 505571 in amount of \$39.27; directing City Auditor and Comptroller to draw warrant in favor of Herbert L. Atkinson, 5958 Linnet, San Diego, in full payment, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126016, approving claim of Joseph C. Sepin on file in Office of City Clerk, Document 510172 in sum of \$71.19; directing City Auditor and Comptroller to draw warrant in favor of Joseph C. Sepin, 3530 Sweetwater Avenue, Lemon Grove, in full payment, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126017, denying claim of Mrs. Pearl Frithian, Document 509362, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126018, authorizing Paul Beerman, Director of Water Department of City of San Diego to attend House and Senate Committee meetings (Resolution reads "House" rather than Assembly) on Feather River Project, to be held in Sacramento, California, April 28 through April 30; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126019, vacating unnamed easements in strip of land 8.0 feet wide in Lot 9 Muirlands, was on motion of Councilman Schneider, seconded by Councilman Dail,

seconded by Councilman Dail, adopted.

Resolution says that on January 25, 1954, Subdivision of Muirlands Terrace Unit 2 was filed in office of Recorder of San Diego County, establishing easements, and that they have not been used for purpose for which acquired since date of acquisition to present time, and that they are unnecessary for present or prospective public use by the City, and that they are vacated pursuant to Section 50443 of the Government Code of State of California.

RESOLUTION 126020, vacating easement for purpose of right of way for construction; operation and maintenance of storm drain in strip of land 8.0 feet wide in Pueblo Lot 1262, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Resolution says that in October 1953, San Diego Unified School District granted to The City of San Diego easement, that easement and right of way has not been used for purpose for which acquired since date of acquisition to present time, and that the City has no present or prospective use for easement and City Manager recommends that City abandon its interest, and that they are vacated pursuant to Section 50443 of Government Code of State of California.

RESOLUTION 126021, accepting quitclaim deed executed on 8th day of February, 1955, by Carlos J. Tavares and Marjorie Claire Tavares, husband and wife, Louis C. Burgener and Patricia W. Burgener, husband and wife, and 6565 Corporation, a corporation, 1150 Silverado, La Jolla, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Clairemont Gardens, being subdivision of portion of Pueblo Lots 1194, 1206, 1207 and unnumbered lot bounded by Pueblo Lot 1194, 1195, 1206 and 1207, known as "The Morrow 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 Dail, adopted.

RESOLUTION 126022, accepting quitclaim deed executed on 19th day of April, 1955, by Jackson & Scott, Inc., a corporation, 9325 El Cajon Boulevard, La Jolla, California, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Terry Heights, being subdivision of portion marked "Reserved for Future Street" lying between Lots 4 and 5-Wiemeyer 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 Dail, adopted.

RESOLUTION 126023, accepting subordination agreement executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Corporation, trustee, April 11, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 1 Block 44 Paradise Hills Unit 3, 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126024, accepting subordination agreement, executed by Jack Lee Thompson and Vesta J. Thompson, beneficiaries, and Security Title Insurance Company, trustee, March 23, 1955, subordinating all right, title and interest in and to portion Lots 30, 31, 32, Block 241 University 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.



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RESOLUTION 126025, accepting partial reconveyance executed by Union Title Insurance and Trust Company, a corporation, quitclaiming portion Lot 1 of Pueblo Lot 1783; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126026, accepting deed of Union Title Insurance and Trust Company, March 31, 1955, conveying portion Lot 1 of Pueblo Lot 1783; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126027, accepting deed of John B. Gouveia and Maria T. Gouveia, April 18, 1955, conveying easement and right of way for street purposes in portion Lot 9 Block 99 Roseville, setting aside and dedicating to public use as and for public street and naming Lowell 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126028, accepting deed of Jane D. Patrick, April 18, 1955, conveying easement and right of way for public utilities purposes in portion Lot 23 Block 26 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION 126029, accepting subordination agreement, executed by Ina S. Zimmerman, beneficiary, and Security Title Insurance Company, trustee, March 23, 1955, wherein they subordinate all their right, title and interest in and to portion Lots 30, 31, 32 Block 241 University Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

On motion of Councilman Wincote, seconded by Councilman Schneider, reading of the next ordinance was dispensed with. There was available for each member of the Council before the day of adoption, a written or printed copy.

ORDINANCE 6493 (New Series), incorporating West Half of Lot 62 Ex-Mission Lands into C-1A Zone as defined by Section 101.0411.1 of San Diego Municipal Code and repealing Ordinance 78 (New Series) adopted November 14, 1932, insofar as it conflicts, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Burgeñer, Kerrigan, Mayor Butler.

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

RESOLUTION 126030, accepting preferential use and occupancy permit executed by KCBQ, Inc., granting to The City of San Diego use and occupancy of Lots 8 and 18 La Mesa Colony, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

(The resolution does not so state, but it has as its purpose the granting of land adj Radio Towers for "Sand Lot" baseball, for boys).

The City Manager requested, and was granted unanimous consent to present the

next item, not listed on the agenda:

RESOLUTION 126031, authorizing and empowering City Manager to execute, for and on behalf of the City, a preferential use and occupancy permit with San Diego Youth Baseball Council, for use and occupancy of Lots 8 and 18 La Mesa Colony, for recreational purposes set forth in Document 511260, was on motion of Councilman Schneider, seconded by Councilman Dail.

(Use is for purpose shown at end of Resolution 126030).

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Western Hills Unit No. 1, was presented. It is to be subject to posting of adequate bond to insure installation of required improvements.

RESOLUTION 126032, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Western Hills, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Western Hills Unit No. 1 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 Dail, adopted.

RESOLUTION 126033, adopting map of Western Hills Unit No. 1, a subdivision of portion Lots 131, 132 and 133 Morena; accepting Dunhaven Street, Milton Street, Northaven Avenue, Penrose Street, Southcrest Avenue, Tokalon Street and Whitehaven Way, and named and unnamed easements shown for public purposes; declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that public streets, named 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 Schneider, seconded by Councilman Dail, adopted.

Councilman Schneider requested, and was granted, unanimous consent to present the next Resolution, which the Clerk read.

RESOLUTION 126034, commending Faye Hartman for her splendid spirit of public and cooperative service in her official position as Special Field Representative of the Public Housing Administration of the United States, was on motion of Councilman Schneider, adopted.

The Resolution says that Mrs. Hartman was appointed in December, 1953, and charged with responsibility of disposing of PHA temporary housing units in San Diego area; that the City was desirous of purchasing temporary housing units in Frontier and Linda Vista areas particularly, and negotiations were successfully carried on for purchase by representatives of The City and the Special Field Representative with complete good will and a minimum of friction.

Councilman Godfrey thanked Vice Mayor Wincote for his courtesy in turning over the chairmanship for this meeting (Councilman Godfrey's session as member of the Council - as well as Councilman Wincote's last session).

There being no further business to come before the Council at this time, Councilman Godfrey declared the meeting adjourned. He announced that the Council would go into Conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstein*  
Deputy

*Charles E. Dail*  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, May 3, 1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---None  
Clerk----Fred W. Sick

John D. Butler, who had been Mayor for the preceding 4 years, called the meeting to order at 10:08 A.M.

He introduced the Reverend Stanley McKee, pastor of the First Methodist Church, of which Mayor Dail is a member.  
Rev McKee gave the invocation.

Resolutions and Ordinances are recorded on Microfilm Roll 94

Former Councilmen Wincote and Godfrey, who had represented Councilmanic Districts 2 and 6, respectively, occupied seats for their one-time Councilmanic Districts.

Also present were several other former members of the City Council.

Mr. Butler spoke of his experiences over the past 4 years, and of the many responsibilities resulting in the vast growth of this great city. He thanked Councilmen Wincote and Godfrey, who had served with him, for their past activities on the Council. Then he handed the gavel to Mayor Dail. He related the Mayor having appointed his opponent during the election to the important post of member of the Harbor Commission. He wished Mayor Dail, his successor, great success.

Mayor Dail expressed his appreciation for Mr. Butler's presence. Then he recognized students from Gompers Junior High School and from Pacific Beach Junior High School, who were visitors. At his request, they arose to be acknowledged.

Mayor Dail introduced a Resolution expressing regret on behalf of The City of San Diego, its officers and employees, and the people of The City of San Diego, at losing the services of John D. Butler, as Mayor of The City of San Diego, and expressing appreciation of each and every one of officers and employees and citizens for his services. It directs the City Clerk to deliver to Mr. Butler a certified copy of the Resolution.

RESOLUTION 126035, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Williams presented a Resolution expressing regret at losing the services of Charles B. Wincote as a member of the Council, and expressing appreciation of all those who have served with Mr. Wincote and those for whom such service was extended the sincere appreciation of the faithful and splendid work he performed while in the service of the City. It directs City Clerk to deliver to Mr. Wincote certified copy of the Resolution.

RESOLUTION 126036, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Councilman Evenson presented a Resolution expressing appreciation for services which Vincent T. Godfrey as member of the Council so ably performed while in service of the City, and expresses regret at losing services of Mr. Godfrey as member of the City Council. It directs the City Clerk to deliver to Mr. Godfrey a certified copy of the Resolution.

RESOLUTION 126037, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Mayor Dail introduced former Councilman Franklin Swan.

Convene  
Ceremonies turning over gavel to Mayor Dail  
Visitors  
Introductions  
126035 - 126037

The Mayor introduced former Councilman Gerald C. Crary

Several other former officials were present, but not introduced.

Frank Curran, newly-seated Councilman from District 5 introduced Mrs. Curran.

Justin C. Evenson, newly-seated Councilman from District 6 introduced Mrs. Evenson, members of his family, and his Mother-In-Law.

Dudley D. Williams, Jr., newly-seated Councilman from District 2 presented Mrs. Williams and members of his family.

Charles C. Dail, newly-seated Mayor presented his father, Charles D. Dail, his brother, his wife and 3 daughters. Then he introduced his own wife and friends from Encanto. Next, he introduced Robert F. Driver, a friend and adviser. He called upon Frank Gibson, chairman of the Board of Supervisors of San Diego County.

Supervisor Gibson, on behalf of the Board of Supervisors, greeted new members of the Council, as well as the Mayor, and spoke of the harmony which exists between the Council and Supervisors. He spoke of having had the privilege of working with the former Councilmen and Mayor. He wished all God speed and good luck.

Nicholas Haering went to the microphone and said that there are good remaining Councilmen.

Communication from San Diego Chamber of Commerce, signed by Robert M. Golden, president, presenting best wishes to the new City Council on occasion of its first session, was read.

Mayor Dail thanked Mr. Golden for the letter from the Chamber of Commerce, and then acknowledged his presence.

The Mayor then introduced each of the Councilmen from the 6 districts.

He read a statement regarding the election and of the importance of this level of government, which he declared to be the closest to the people. He said that he knows the incumbents are willing to offer sacrifices in their offices. The Mayor referred to San Diego being the 3rd city in California, decisions for today and for the future. He referred to problems consulting this city regarding there being no removing of the aircraft industry. Reference was made to the important tuna industry. He spoke of survey being made regarding public facilities in connection with convention hall, etc., by Stanford Institute. He said that people should be informed of the study. Mayor Dail stressed the importance of Mission Bay, Montgomery Field including liaison with several interested. He declared that the Council should undertake a study in connection with transportation and the harbor, as well as a burrough system. The Mayor stated that he will adhere to Roberts rules of order for meetings of the Council. He said that patience and tolerance should be an objective. Then he addressed remarks to the Councilmen and told of officials connected with the City government. He concluded by observing that this can be an able, hard working, and honest Council.

Councilman Williams moved that the Council take a recess. Motion was seconded by Councilman Schneider.

The Mayor declared a 10-minute recess so that any who wished to leave might do so, although he invited people in the Council Chambers to remain if they chose to do so. The recess was taken at 10:50 A.M.

Upon reconvening, at 11:03 A.M., the roll call showed:  
Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

The City Manager presented to the Council the Budget for 1955-1956, and referred to it is important as well as a difficult budget. He spoke of requiring considerable time for consideration on the part of the Council. He referred to budget adoption not later than July 1.

Introductions continued  
Greetings  
Recess  
Reconvene  
Budget presented by Manager

5/3/55

Councilman Schneider moved to direct the City Attorney to draw a Resolution appointing Councilman Burgener as Vice Mayor. Motion was seconded by Councilman Kerrigan.

RESOLUTION 126038, selecting Councilman Clair W. Burgener to act as Vice-Mayor of The City of San Diego for one year commencing this date, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Mayor introduced the next item, not listed on the agenda, under Unanimous consent.

RESOLUTION 126039, supplementing Resolution 125615 adopted April 5, 1955, for and on behalf of best interests of citizens of The City of San Diego by urging its Representatives in the State Legislature to recommend that Assembly Bill 3762, the so-called "Allen Bill" be referred to an interim committee for further study in view of implications and uncertainties of all tidelands legislation heretofore adopted and now pending in this State as a result of Supreme Court decision in case of Mallon vs. The City of Long Beach 44 AC 225; authorizing John Bate, Port Director of The City of San Diego, and Robert T. Sjogren, Deputy City Attorney, to present the Resolution in Sacramento to each of Representatives of The City of San Diego in the State Legislature, and to incur necessary expenses in connection therewith, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, minutes of the Regular Meetings of Tuesday, April 26, 1955, and of Thursday, April 28, 1955, were approved without reading, after which they were signed by the Mayor.

Communication from Purchasing Agent, reporting on bids opened April 29, 1955, for improving Alley Block 19 North Shore Highlands - 4 bidders - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, a finding was made that bids had been opened as reported. By the same motion they were referred to the City Manager and the City Attorney.

Communication from Purchasing Agent, reporting on bids opened April 29, 1955, for improving Linwood Street - 4 bidders - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, a finding was made that bids had been opened as reported. By the same motion they were referred to the City Manager and City Attorney.

Communication from Purchasing Agent, reporting on bids opened April 29, 1955, for improvement 70th Street - 5 bidders - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, a finding was made that bids had been opened as reported. By the same motion they were referred to the City Manager and the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on installation of sewer mains and appurtenances in Inez Street and Gage Drive - Resolution of Intention 123287 - J. H. Bush, who had been heard earlier on this item, spoke. He told the Council that he is not protesting the project, but said that he had received different estimates. As a result, "people fell" on him, Mr. Bush said. He asked how come the discrepancy between the original figure and that the Engineer has come up with.

The City Engineer told the Council that the sewer line can be cut back 45 feet.

It was at this point that the recess, mentioned previously, was taken after the Mayor had recognized several organizations and expressed his appreciation to them.

The City Engineer resumed, and said that in order to make any change, the

Res introduced re the "Allen  
Bill" on tidelands  
communications  
hearing

proceedings would have to be abandoned. He said that the cost, taking into account the costs under a new proceeding would be about the same as at present.

Mr. Bush said that the work is not proposed as petitioned.

Councilman Burgener asked if there are objectors to the delay.

Mr. Bush said no one, but that there is need for the service. He said that this puts him on a hot spot regarding increased cost. He spoke of need for saving money.

Councilman Schneider spoke to Mr. Bush regarding abandonment, and that the cost would be about the same, including the extra costs involved, and there would be a 4 month delay.

Councilman Kerrigan asked Mr. Bush where he got the figure on the estimate.

Mr. Bush replied that he called the Engineer.

Councilman Kerrigan said it would be just a guess.

Mr. Bush told the Council that he paid \$136. for 50 feet some 5 years ago.

He stated that this is not a protest; he came down for information.

The Mayor said that Mr. Bush had filed a protest, and that the Council would recognize it as a protest.

Councilman Burgener pointed out to Mr. Bush that some jobs are running under the estimate. He said that he hopes this happens here.

The City Engineer said that the figure is about right on level ground, but that there are several differences in construction for this project. He said that makes the cost run up, on account of the special circumstances.

RESOLUTION 126040, overruling and denying protest of J. H. Bush against proposed improvement of Inez Street and Gage Drive, Resolution of Intention 123287, overruling and denying all protests, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution of Intention 123288 for paving and otherwise improving Shafter Street and Upshur Street, the City Engineer told the Council that Mr. Goldfarb (who had protested verbally at last week's hearing) did not. As a result, the City Engineer said that he does not know what property is owned by Mr. Goldfarb.

Councilman Schneider moved to overrule the verbal protest.

Councilman Williams spoke about entrance to the Yacht Club. He said that nothing on it will be costly. He pointed out to Councilman Schneider about there being no improvements in the area.

The City Engineer stated that there is a 60.7% petition by frontage, for the work.

Councilman Burgener said that there would be no cost to the City, since the proceedings are under a 1911 Act improvement.

Councilman Wincote seconded the motion.

RESOLUTION 126041, overruling and denying verbal protest of Harry Goldfarb, against proposed improvement of Shafter Street, Upshur Street and Scott Street, Resolution of Intention 123288; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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, time set for hearing on Resolution of Intention 123407 for paving and otherwise improving 40th Street, the Clerk reported no written protests.

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 Curran, 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, time set for hearing on Resolution of Intention 123408 for paving and otherwise improving 29th Street and E Street, the



Clerk reported written protest from James Hervey Johnson.

The Mayor inquired if anyone was present to be heard.

Mr. Johnson, who identified his property as Lots 17 and 18 Block 85 E. W. Morse's Subdivision, spoke. He identified his property as being "at the bottom of a steep canyon". He said that petition for the improvement was not circulated to that section, and that there would be no direct benefit to the property. He said that ordinarily property in the block would be considered to receive an indirect benefit from the intersection. Mr. Johnson said that there is not a modified grade, and the improvement will not benefit the lots, but would make it more difficult to get to them. He said that pavement will be 40 or 50 feet higher. He spoke of dead-end on E and 29th Streets, and that there will probably be a barrier. He said that lots on the 30th and E end of the canyon are high. He told the Council that if anything is done there would be a bridge or a high fill. He protested being included in the assessment district. He declared that there would be no benefit whatever to lots in the bottom of the canyon. He told the Council that he had bought the property from Judge Houser, in a deal on other property, and that it had been delinquent 10 years. He said that he would not be getting any benefit regarding the cheap lots. He stated that those and similar lots that would be benefited, should be excluded from the assessment. He referred to sometimes getting caught in red tape, in connection with the intersection.

Councilman Burgener spoke to the City Attorney regarding what happens to the bonds, if they are not paid.

The City Attorney replied that if not paid, the contractor loses.

Mr. Johnson pointed out that the bidding contractor adds enough price regarding anticipating that there would be no collection on the bonds on the useless property.

Councilman Schneider asked if the area is on the edge of the projected freeway.

Mr. Johnson replied "a block".

Councilman Schneider spoke to the City Engineer.

The City Engineer estimated that the assessment would be only \$25. per lot. He said it would "be graded out".

The Mayor read a report from the City Engineer, regarding revision to leave out a portion.

Mr. Johnson said that it will happen again regarding the freeway, and that it will be assessed for the 29th Street improvement.

The Mayor said that he had a note (from Jack Kam) asking for a continuance) because the writer, who had attended this session earlier, had been ill and had to go to the doctor.

Councilman Curran moved to continue proceedings 1 week. Motion was seconded by Councilman Schneider.

C. M. Christensen asked for a clarification regarding the canyon lots. He declared that they are not canyon lots; they are on a corner. He said that they are the only 2 vacant lots. He favored the improvements.

RESOLUTION 126042, continuing hearing on proposed improvement of 29th Street, E Street and 28th Street, Resolution of Intention 123408, until 10:00 o'clock A.M., Tuesday, May 10, 1955, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 123409 for sewers in La Jolla Rancho Road, 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.

On motion of Councilman Schneider, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing for paving and otherwise improving Alley Block 4 Carmel Heights and portion of Nutmeg Street - Resolution 123413 of Preliminary Determination - the Clerk presented written protest and communication relative to protest signed the night before.

The Mayor inquired if anyone was present to be heard.

C. L. LeHew spoke about petition having been circulated about a year ago. He said that there was a 65% petition (for the improvement). He agreed that there has been opposition regarding the grade, but that he had called the City Engineer, who has said that it is safe. He stated that the opposition has also circulated a petition.

Willard Olson, from the City Engineer's office, told the Council that the protest came in just ahead of this meeting, and that it looks like it might be close to 50%. He said that hearing could be continued one week, to evaluate view of property owners. He said there had been handed in statements regarding removal of protests.

Natalie B. Estep spoke of having withdrawn protest.

Councilman Burgener told Mrs. Estep that reason for delay is for protection of all the property owners.

Councilman Kerrigan said that petition for paving was to protect low-lying land.

John McGrath, who spoke at the previous hearing, in protest, was heard again. He said that there was a possibility last week that portion of the improvement might be eliminated. He said that Gabrielson (from the City Engineer's office) was out, and then talked to him on the telephone about the City's policy of not dead-ending alleys. He told of having spent \$1400 on improvement. He stated that improving the alley, as proposed, would create an attractive nuisance for children to ride down the steep grade. He said that the City encroaches 15 feet, and that there is level area because he filled it in. He told the Council that he would be expected to pay assessment for something not wanted.

RESOLUTION 126043, continuing hearing on proposed improvement of Alley Block 4 Carmel Heights, and Nutmeg Street; Resolution of Preliminary Determination 123413 until 10:00 o'clock A.M., Tuesday, May 10, 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 124576 of Preliminary Determination for paving and otherwise improving Alley Block C Belmont, a large group of individual protests all written alike, were presented by the Clerk.

The Mayor inquired if anyone was present to be heard.

Nora Edwards said that it is proposed to pave the alley, which she said is a dry alley on quite a grade. She spoke of having filed a signed protest.

Willard Olson, representing the City Engineer, said that there is a 38.8% protest by frontage.

Mayor Dail stated that the Council proceeds on the basis of a majority protest.

Councilman Schneider spoke to Mrs. Edwards regarding starting and stopping

A. B. Fickett told the Council that he circulated the original petition for the improvement.

A man, who remained unidentified, stated that the alley in summer is dry and dusty.

RESOLUTION 126044, overruling and denying the protest of Nora Edwards et al against proposed improvement of Alley Block C Belmont, under Resolution of Preliminary Determination 124576; was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126045, determining that improvement of Alley Block C Belmont, Resolution 124576 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

After the Resolutions had been adopted, a woman who was identified later as Mathilda Beseler, said that she has no use for the alley, and that others do not. She declared it to be an injustice to those who cannot use it.

Mayor Dail said that the City Council is governed by the law.

Mrs. Beseler said that it would be a hardship on so many.

Councilman Burgener spoke to her, and said that the Council has to go along with wishes of a majority of the property owners.

Mrs. Edwards said that she belongs to the church, which is affected. She said that the alley is dry; "has no opening", and is not muddy.

There was no reconsideration of the actions taken, the persons who were heard after the Resolutions were adopted was as a courtesy on the part of the Council.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 124577 of Preliminary Determination for paving and otherwise improving Alley Block 39 Ocean Beach, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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(It was at this point that Mrs. Beseler and Mrs. Edwards spoke about the hearing which just preceded this one. They were permitted to speak here, and there was no reconsideration of action, as noted, re paving Alley Block C Belmont).

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RESOLUTION 126046, determining that improvement of Alley Block 39 Ocean Beach, under Resolution 124577 of Preliminary Determination for improvement of Alley Block 39 Ocean Beach, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 124578 of Preliminary Determination for improvement of Pynchon Street and Ocean View Boulevard, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126047, determining that improvement of Pynchon Street and Ocean View Boulevard, Resolution 124578 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, time set for hearing on Street Superintendent's Assessment 2346 for paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, the Clerk reported written appeals from John H. Lund, A. B. Reiman, Harvey O. Drumm, which were presented.

Arthur Reiman protested, and referred to Lot 21 Block 13 which he owns. He told the Council that the street was paved with no objection. He stated that there was supposed to have been a gradual grade, but that his attached garage was left so that he can't get into it. He told the Council about having spoken to the contractor about the situation. He declared that property had been ruined, and would cost \$2,000 to \$3,000 to rebuild the garage. He said he could not understand why he had not been told that it would be impossible to get in.

Councilman Schneider spoke to the Engineer about the grade.

Willard Olson stated that the work had been done to the established grade, which conforms to the existing grade. He stated that the sidewalk area takes up 46 feet. He said that contractor did not make a bank.

Councilman Schneider spoke to Mr. Reiman regarding building, in connection with the established grade.

Mr. Reiman said he had been told there was to be a gradual grade; not a sudden drop.

Councilman Schneider stated that the Engineer draws the specifications, and is charged with the responsibility.

Mr. Reiman stated that the Council should look at the lots across the street.

Councilman Burgener spoke of there having been another similar thing. He said that the contractor is obliged to build the street according to the plans.

Mr. Reiman said that he is not making accusations, but he understood there was to have been a regular grade.

Mr. Olson laid down a map on the Council table, at the request of the Mayor, and explained the grades.

There was a conference over the map by Councilmen, Mr. Olson, and Mr. Reiman.

RESOLUTION 126048, overruling and denying appeals of John H. Lund, A. B. Reiman and Harvey O. Drumm from Street Superintendent's Assessment 2346 made to cover costs and expenses of work of paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, Resolution of Intention 117359; overruling and denying all other appeals; confirming and approving the Assessment, directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

\* At this point a unanimous consent item was presented, but it is shown after the next hearing, instead, to keep the hearings together as listed on the agenda.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2351 for paving and otherwise improving Alley Block 3 Ocean Beach, Resolution of Intention 119786, the Clerk reported no appeals.

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

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

RESOLUTION 126049, confirming and approving Street Superintendent's Assessment 2351 made to cover cost and expenses of paving and otherwise improving Alley Block 3 Ocean Beach, Resolution of Intention 119786; 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 Williams, Seconded by Councilman Schneider, adopted.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that Final Map for subdivision of portion Lot 32 La Mesa Colony, presented by College Lutheran Church, as "College Vista" be approved subject to posting adequate bond, to insure installation of required improvements, was presented.

RESOLUTION 126050, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with The College Lutheran Church of San Diego, a corporation, subdivider, for installation and completion of unfinished improvements and setting of monuments required for College Vista Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126051, adopting Map of College Vista Subdivision, portion of Lot 32 La Mesa Colony; accepting portion of Mohawk Street and unnamed easement, declaring them to be portion of public street and unnamed easement and dedicated to public use; rejecting as dedication for public street land shown thereon as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that portion of public street and unnamed easement are accepted on behalf of the public as stated, and that Council rejects 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 Williams, seconded by Councilman Schneider, adopted.

Richard B. Crake, attorney, asked if the Council would continue for one week the items from the Planning Commission in connection with 2-lot subdivision of Lot 93 Normal Heights. He said that it was obvious that the Council would not complete the agenda this morning, and that he was making the request since he was committed to a court appearance this afternoon.

On motion of Councilman Burgener, seconded by Councilman Schneider, they were continued 1 week - to Tuesday, May 10, 1955.

Petition for annexation to the City of San Diego of Rancho Hills South, was presented.

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

Petition of Residents of Mission Beach, continued from meetings of April 21, 1955, and the accompanying notes made at the time of presentation, were presented. The petition and the verbal statements made to the Council for stop light at corner of Ventura Street and Mission Boulevard, was relative to cars turning right onto Mission Boulevard, and safety light on crosswalk at Island Court and Mission Boulevard.

Councilman Burgener made a brief explanation.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the item was filed.

At 12:04 Noon the Council took a recess until 1:30 P.M., on motion of Councilman Schneider, seconded by Councilman Wincote.

Upon reconvening, at 1:31 P.M., the roll call showed the following:

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilmen None  
Clerk---Fred W. Sick

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Los Angeles Chemical Company, San Diego Branch (after 5% preference for local bidders, provided by Section 95 of City Charter had been granted upon request of the Company) - 2 bids received - was presented.

RESOLUTION 126052, accepting bid of Los Angeles Chemical Company, Inc., for furnishing 10 tons of Copper Sulphate (large crystals) at \$13.35 per cwt., plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of National Lead Company for furnishing White Traffic Paint for 6 months; estimated 5,000 gallons - 8 bids received - was presented.

RESOLUTION 126053, accepting bid of National Lead Company for furnishing White Traffic Paint at \$1.90 per gallon, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of U. S. Porcelain Enamel Co. for furnishing 1,750 "No Parking" signs - 3 bids received - was presented.

RESOLUTION 126054, accepting bid of U. S. Porcelain Enamel Co. for furnishing 1,750 "No Parking" Signs at \$0.96 each, terms 10% - 10 days, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Standard Iron Works for furnishing 25 - 6" Fire Hydrants with 1 1/2" hose connection and 1 - 4" connection - 3 bids received - was presented.

RESOLUTION 126055, accepting bid of Standard Iron Works for furnishing 25 6" Fire Hydrants with 1 2 1/2" hose connection and 1 4" connection, at \$114.75 each, terms 2% 10th prox., plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on recommendation that City Purchasing Agent join with Purchasing Agents of County of San Diego, and San Diego Unified School District in obtaining combined bids for purchases of various supplies, materials and equipment, was presented.

RESOLUTION 126056, authorizing and directing Purchasing Agent to join with The County of San Diego and The San Diego Unified School District, to obtain from time combined bids for purchase of annual, or special requirements for various and sundry materials, supplies and equipment common in their use, for periods of time not exceeding 1 year in duration, was on motion of Councilman Schneider, 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 Clairemont Village Unit 2, was presented.

RESOLUTION 126057, suspending Sections 102.1208 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Village Unit 2, 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 Clairemont Village Unit 2, for 24-lot subdivision of portion Pueblo Lot 1209, located approximately in center of Clairemont project westerly of Clairemont Boulevard and northerly of Balboa Avenue extension, subject to 12 conditions, was presented.

RESOLUTION 126058, approving Tentative Map of Clairemont Village Unit 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 approval of Final Map of Clairemont Villas Unit 4, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126059, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with Marquette Construction Co., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Villas Unit 4 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 126060, adopting Map of Clairemont Villas Unit 4 Subdivision, a subdivision of portion of Pueblo Lot 1243; accepting on behalf of the public Lehrer Drive, Artesian Street, Arlene Street, Dawne Street, Aberdeen Street, unnamed easements shown for public purposes; declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that 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.



Various papers which had been before the Council previously, including communication from William F. Reed in connection with City assistance to subdivider of Hidden Valley Hills in acquisition of easements for 2 access roads, etc., were presented.

Included in the file was communication from City Manager, dated April 22, 1955, stating in part that it has been the policy of the city in cases of this kind to acquire easements across property that is not owned by the subdivider, and that it is recommended that the city agree to acquire the easements.

The City Manager told the Council that it has been worked out. He said that the City will acquire and pay for the easement. He reviewed the background of previous presentations.

RESOLUTION 126061, adopting recommendation of City Manager in connection with acquisition of easements for 2 access roads connecting Hillside Drive and Hidden Valley Road in Hidden Valley Hills Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Hidden Valley Hills (Revised); a 114-lot subdivision of portion Pueblo Lot 1287, was presented.

RESOLUTION 126062, suspending Sections 102.07-2, 102.09-1 & 2, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Hidden Valley Hills, 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 Hidden Valley Hills (Revised), located on the north slope of Mount Soledad between Hidden Valley Road and Hillside Drive, was presented. It says that design is predicated upon suggestions of the Planning Department and City Engineer to provide better access to the area and area adjacent to the south in that present Hillside Drive is inadequate for any volume of traffic because of steep grade and poor alignment; and that there is considerable fire hazard in the area and it is desirable to provide secondary road as second access to the east. In addition to additional reports and recommendations, it recommends approval, subject to 13 conditions.

RESOLUTION 126063, approving Tentative Map of Hidden Valley Hills, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next 2 items on the agenda - having to do with Tentative map of 2-lot subdivision of Lot 93 Normal Heights - had been continued until May 10, 1955, as shown earlier in minutes for this meeting.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Schuetz Soledad Gardens, was presented. It says that the Commission has recommended the reapproval of conditions set forth in Resolution 115603, with revisions and additions, outlined in the communication.

RESOLUTION 126064, approving Tentative Map of Schuetz Soledad Gardens, 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 San Diego Municipal Code in connection with Tentative Map of Sunny Slope Addition, Lots 14, 15 Block 3, was presented.

RESOLUTION 126065, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Sunny Slope Addition, Lots 14 and 15 Block 3, 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 division of Lots 14 and 15 Block 3 of Sunny Slope Addition into 6 parcels fronting on Klauber Avenue and Plover Street, in the Encanto area, was presented. It recommends that approval be subject to 5 conditions.

RESOLUTION 126066, approving Tentative Map of Sunny Slope Addition, Lots 14 and 15 Block 3, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petitions of Palmer Conner, stating that petitioner has requested that no action be taken because a new subdivision map will be filed on the entire area and the dedications and vacation of easement will be accomplished by a subdivision map, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the papers were filed, by

RESOLUTION 126067, which was adopted.

Communication from Civil Service Commission, signed by Raymond Krah, secretary, dated May 3, 1955, stating that the Commission believes that the Council will appreciate a reminder of impending deadlines for action on Salary Ordinance for 1955-56, was presented. It mentions time for adoption of salary ordinance, collaboration between the Commission and the City Attorney in preparing and editing salary recommendations in ordinance form, salary hearing recommendation dates for evening hearing.

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

Communication from Abraham Lincoln Jr.-Sr High School, 150 South 49th Street, signed by Jane Koike, A.S.B. President, requesting that possibility of new crosswalk be considered on Imperial Avenue between 47th and 49th Streets - request is in behalf of the student body - was presented. It says, among other things, that traffic officers have issued citations to several Lincoln students who have crossed the street between the intersections, because they find it convenient to cross thereon account of being adjacent to official school parking lot, and entrance to the athletic field and sports activities area is adjacent to the place. It speaks of safety to students as an important factor.

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

Communication from R. W. Town, Buel-Town Co., 255-275 Fifth Avenue, San Diego 1, dated April 28, 1955, opposing the prohibition of operation of canteen trucks and lunch wagons, was presented.

RESOLUTION 126068, referring to Council Conference communication from Buel-Town Co., by R. W. Town, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

(Although it was referred to Conference the original was placed in the hearing file for May 19, 1955, which the Council had set - and a copy sent to Conference).

Communication from Wm. H. Wilson, attorney at law, 408 Andreson Building, San Bernardino, California, dated April 28, 1955, opposing the condemnation of property owned by his mother and her brother, of Los Angeles, at 2nd and B Streets, to obtain additional parking facilities, was presented.

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

Communication from Hall V. Cartmell, 4811 Mansfield Avenue, San Diego 16, requesting refund of \$82.50 for water main replacement and extension near 4811 Mansfield,

and explaining the reasons therefor, was presented. It says that if adjustment, a summarization of which appears in the letter, is denied, request is made for furnishing of a resume of the basis for adverse action.

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

RESOLUTION 126069, directing notice of filing assessment and of time and place of hearing thereof, No. 2356, made to cover costs and expenses of paving and otherwise improving F Street, Resolution of Intention 120269, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126070, directing notice of filing assessment and of time and place of hearing thereof - No. 2325 - made to cover costs and expenses of work upon installation of sewers in Gregory Street, Resolution of Intention 120405, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126071, directing notice of filing assessment and of time and place of hearing thereof - No. 2354 - made to cover costs and expenses of paving and otherwise improving Jamacha Road and Flicker Street, Resolution of Intention 117358, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126072, directing notice of filing assessment and of time and place of hearing thereof - No. 2357 - made to cover costs and expenses of work upon paving and otherwise improving Kendall Street, Resolution of Intention 119896, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126073, directing notice of filing assessment and of time and place of hearing thereof - No. 2358 - made to cover costs and expenses of installation of sidewalks in 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, Resolution of Intention 119652, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD 126074, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving Wawona Drive, Resolution of Intention 122704, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 18.5% below estimate.

RESOLUTION 126075, approving plans, drawings, typical cross-sections, profile and specifications for installation of sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. It also approves assessment plat 2430.

RESOLUTION 126076, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Macaulay Street and Willow Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. It also approves Plat 2732.

RESOLUTION 126077, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Ozark Street, Imperial Avenue, Public Right of Way in Lot 42 Ex-Mission Lands of San Diego (Horton's Purchase), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. It also approves Plat 2695.

RESOLUTION 126078, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Warrington Street, Document 510949, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 126079, for paving and otherwise improving Alley Block 113 Pacific Beach, Resolution of Intention 123286, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126080, closing portions of Newton Avenue and Alley Block 7 San Diego Land and Town Company's South Chollas Addition, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126081, for closing Alleys Blocks 22, 23 and portion between Blocks 22 and 8 La Jolla Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126082, for paving and otherwise improving 53rd Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126083, for sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126084, for paving and otherwise improving Macaulay Street and Willow Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126085, for paving and otherwise improving Ozark Street, Imperial Avenue, Public Right of Way in Lot 42 Ex-Mission Lands of San Diego (Horton's Purchase), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126086, for paving and otherwise improving Warrington Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126087, ascertaining and declaring wage schedule for paving and otherwise improving Alley lying easterly of and contiguous to Lots 1 to 12 and Lot 15 Block D Sterlingworth; Alley Block C Sterlingworth; Alley Block B Teralta; Alley Block 37 Resub-

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division of Blocks H and I Teralta, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126088, ascertaining and declaring wage schedule for paving and otherwise improving Frost Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126089, ascertaining and declaring wage schedule for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126090, ascertaining and declaring wage schedule for paving and otherwise improving Roosevelt Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126091, approving diagram of property affected or benefited by work and improvement to be done on paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, Resolution of Intention 118276, 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126092, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on 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, Block 4 West Teralta, Resolution of Intention 121774, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126093, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving and otherwise improving Dudley Street, Resolution of Intention 120267 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126094, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on installing sewer main in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, Resolution of Intention 121533, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, signed by John Bate, Port Director, dated 28 April 1955, enclosing for approval form of lease to be entered into with General Dynamics Corporation - approximately 28.7 acres on Harbor Drive, west of Wake Boulevard, was presented. It says premises to be used for essentially same purposes set forth in master lease of Consolidated Vultee Aircraft Corporation. It says additional land is needed by General Dynamics Corporation to provide for increase in manufacturing activities.

It lists expiration date at 27 years and 11 months which will bring its date identical to that of Convair master lease - 3.6¢ per sq. ft. per yr for first 5 years and 4¢ per sq ft per yr for second 5 years; with standard rental review provisions applying for each of the subsequent 5 year periods. The report states that various provisions of lease conform to established Harbor Commission policy with 1 exception: permission is given to sublease whole or any part to United States Government or any department or agency thereof.

RESOLUTION 126095, ratifying, confirming and approving lease of lands located on tidelands with General Dynamics Corporation, form on file as Document 511284, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, enclosing for approval form of agreement for amendment of Tideland Lease held by Kona Kai Corporation on Shelter Island, was presented. It deletes portion of water area adjacent to yacht harbor channel, modification initiated at request of Harbor Commission, rental reduced in direct proportion to square footage reduction; term increased from 25 years to 25 years with 2 5-year options. Offsetting the provision a new 1-year cancellation clause has added and provision pertaining to rights of parties under eminent domain proceedings has been included.

RESOLUTION 126096, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, form on file in Office of City Clerk as Document 511287, with Kona Kai Corporation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, signed by John Bate, Port Director, enclosing for approval form of tidelands lease to Kona Kai Corporation on Shelter Island, was presented. It covers 400 front feet of tidelands on Shelter Island adjoining existing Kona Kai lease, for 25 years with 2 5-year options to renew. It reports lessee agrees to expend approximately \$100,000 in constructing buildings, piers, fences, landscaping and other improvements on the premises, to be used for construction and maintenance of buildings containing locker space, showers, restrooms, restaurant, bar facilities and living quarters, together with swimming pools, bathing beach, tennis courts and piers for mooring of pleasure craft. It says it is contemplated that operation will simulate that of a "bo-tel", and to insure use by watercraft, lessee agrees to maintain not less than double number of mooring facilities as there shall be living quarters available for rent.

RESOLUTION 126097, ratifying, confirming and approving lease, copy on file in office of City Clerk as Document 511290, with Kona Kai Corporation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126098, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public sewer across portion Lot 11 of portion of Ex-Mission Lands of San Diego (commonly called Horton's Purchase); and that public interest, convenience and necessity demand acquisition of easement to be used by City for construction of public sewer; and declaring that intention of The City of San Diego to acquire property under Eminent Domain proceedings; directing City Attorney to commence action in Superior Court of State of California, in and for County of San Diego, for purpose of acquiring easement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126099, accepting plat and approving allocation of costs of Sungold Point Sewage Pump Station, Document 511578 filed in office of City Clerk - setting out details - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution authorizing City Manager to do all work in connection with modification of 448 fire hydrant ports so as to standardize them to conform to State specifications, by appropriate City forces, was presented.



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On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued until Thursday, May 5, 1955.

RESOLUTION 126100, authorizing City Manager to employ Taylor and Sloan to furnish 133.35 tons of crushed rock, including re-ditching, hand placing and backfilling to stabilize area in old dump area, for installing sanitary sewers, cost not to exceed \$908.78, payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states City has entered into contract with Taylor and Sloan for installation of sanitary sewers to serve Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights, Thorn Street, Redwood Street, Quince Street, et al., under 1911 Street Improvement Act proceeding, that due to unstable fill in old dump area it will be necessary to furnish the crushed rock and do the work, and that contractor has agreed to do the work and furnish the material for said sum.

RESOLUTION 126101, approving Change Order 1 dated April 21, 1955, filed with City Clerk as Document 511296, issued in connection with contract between The City of San Diego and W. V. Hutchison Co. for installation of Muirlands Easterly Outfall Sewer, contract Document 505621; changes amounting to increase in contract price of approximately \$180.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126102, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against northeasterly 5.0 feet of portion Lot 2 Block 491 Old 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; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126103, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Block 2 Amalfi, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126104, granting Theodore Mills and Elsie Mills permission to install house sewer line from 871 Missouri Street to 867 Missouri Street, to connect with house sewer presently serving 867 Missouri: Lots 16-18 Block 4 Ocean Beach, subject to the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 6494 (New Series), repealing Section 63.25.70, Art. 3, Chap. VII of The San Diego Municipal Code (which closed the Mission Bay Channel), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Butler. Nays-None. Absent-Councilmen None.

Ordinance appropriating \$13,400.00 from Capital Outlay Fund for providing funds for construction of extension of College Avenue, from Del Cerro Subdivision to Alvarado Canyon Road, was presented. It refers to agreement to be entered into with The Vinley Corporation pursuant to Resolution 125988.

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

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

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

ORDINANCE 6495 (New Series), appropriating \$12,000 from Harbor Operating and Maintenance Fund for providing funds for payment of Materials and Supplies during fiscal year 1954-1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Ordinance says that money appropriated shall be considered as supplementary to money appropriated by Ordinance 6180 (New Series) as amended by Ordinance 6243 (New Series).

The vote was: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

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

ORDINANCE 6496 (New Series), establishing grade of College Avenue between northerly line of University Avenue and northeasterly prolongation of northwesterly line Lot 1182, Redwood Village Unit 9, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

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

ORDINANCE 6497 (New Series), establishing grade of La Jolla Shores Drive, between line parallel to and distant 537.85 feet northerly from westerly prolongation of northerly line of Camino Del Collado and southerly line of Pueblo Lot 1298, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

Continued ordinance amending Article 2 of Chapter IX of The San Diego Municipal Code - Electrical Code - was presented.

~~The City Manager told the Council he had been asked to hold this item over.~~

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance incorporating Fire and Police Pension System with the City Employees' Retirement System, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

RESOLUTION 126105, sustaining appeal of Clairemont Business Properties Company from decision of Board of Zoning Adjustment in denying by its Resolution 8815 Application 13947 for variance to provisions of Ordinance 5251 (New Series) to operate a prescription pharmacy in a medical and dental center with entrance to a public street and a sign, on portion Lot 1203 Clairemont Unit 7, Clairemont Drive, approximately 350 feet south of Ute Drive in Zone R-4; denying the Board of Zoning Adjustment decision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None. Councilman Burgener announced that he was not voting (inasmuch as he is affected).

The sustaining of the variance and granting of the permit is made subject to 5 conditions, set out in detail in the Resolution. The Resolution also rescinds Council Resolution 125618 adopted April 7, 1955.

The Resolution was presented under unanimous consent granted to the Mayor.

Unanimous consent was granted to the City Manager to present the next item, not listed on the agenda:

RESOLUTION 126106, rescinding Resolution 123181 authorizing The City of San Diego to file application with State Board as defined by Section 22001 of Government Code, for inclusion of eligible employees of the City in agreement between the State and the Federal Security Administrator, the Secretary of the U.S. Department of Health, Education and Welfare, or either of them, for coverage of such eligible employees under insurance system established by Title II of the Federal Social Security Act as amended, and as implemented by Statutes of the State of California, as amended, adopted on 15th day of March, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Unanimous consent was granted to the City Manager to present the next item, not listed on the agenda:

RESOLUTION 126107, requesting Public Agency to execute application and agreement and submit same to State for acceptance and that State be, and it is requested to include all eligible employees of the Public Agency in an agreement between the State and the Federal Security Administrator, the Secretary of the U.S. Department of Health, Education and Welfare, or either of them, for for the coverage of said employees under the insurance system established by Title II of the Federal Social Security Act, as amended or as may hereafter be amended; designating O. W. Campbell, City Manager, Civic Center, San Diego 1, as authorized agent of the Public for the purpose of application and agreement and authorizing and directing him to execute application and agreement as submitted, and forward it to State for acceptance and further action; directing him as Authorized Agent as representative of Public Agency to conduct all negotiations, conclude all arrangements and sign all agreements and instruments which may be necessary to carry out letter and intent of application and agreement and in conformity with all applicable Federal and State laws, rules and regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution states that a majority of the eligible employees for whom coverage is requested by The City of San Diego, designated as "Public Agency", at an election or elections voted in favor of Public Agency making a formal application to the State Board, as defined by Section 22001 of the Government Code, designated as the State, for inclusion of eligible employees of Public Agency in agreement between the State and Federal Security Administrator, the Secretary of the U.S. Department of Health, Education and Welfare, or either of them, or their successor in function, for coverage of such eligible employees under insurance system established by Title II of Federal Social Security Act as amended, and as implemented by Statutes of the State of California, as amended; and that Pub+

Ord. introduced  
126106 under U.C.  
126107 under U.C. - both Res. re  
Social Security for Unclassified  
Employees

lic Agency desires to file such application with State and to enter into agreement with State containing terms and conditions whereby the State will take necessary steps to extend to such eligible employees coverage under said insurance system on behalf of the Public Agency - a form of application and agreement between the State and the Public Agency containing terms and conditions for inclusion by the State of the eligible employees under the coverage of the insurance system on behalf of the Public Agency has been submitted to the Council for consideration and action.

(While the Resolution does not so state, it is for the coverage of unclassified employees).

Mayor Dail told the Council that many of the items covered in his opening statement, made at the first meeting of the new Council on this date, should go to conference.

The Mayor said that he had a check made of the amount of time spent by the Council in official meetings, and in conference. He said that it amounted to less than 10 hours per week. He spoke of the administration having been embarrassed. He declared that the Council should spend more time in relation to the many problems before the City.

Councilmen Schneider and Wincote both said that the Council needs to spend all the time that is necessary.

Mayor Dail said that the budget is going to take a lot of deliberation.

The City Manager told the Council that the first decision is regarding salaries, then plan should be made for a schedule on Tuesdays and Thursday, and go right into the budget. He stated that his letter of transmittal on the budget gives high lights. He said that in the preface it ties into each department, showing significant changes, or proposal with basic problems. He said that with notations, the Council will have a good idea of the proposal.

Councilman Kerrigan stressed importance of the budget, and spoke of having the full month of June for work on it. He said that questions would be resolved if the Council spends time between now and June 1 on it. He spoke of the salaries and of the Council conference agenda, also. He said that some of the conference items cannot be overlooked. He stated that he wants to take a good look at the budget. Mr. Kerrigan said that questions could be answered in conference. He said that he wants discussion deferred to June 1, with concentration on other items, first. He said that the Council ought to be able to catch up if it meets all day. Mr. Kerrigan said that Councilmen Wincote and Godfrey (who just retired from the Council) had appointments, and objected to breaking in on them in order to meet in conferences. He said that the Council had the policy of arranging in advance conferences to be held. He declared that to be a good idea to follow. He said that sometimes members of the Council have to re-hash in conference for those who did not attend, and that conferences "should be made to conform to all".

The Mayor said that it should not occur that items be reopened and re-hashed. He said that is out of order.

Councilman Williams said that sometimes it is impossible for all members to attend. As a result, he said, they should inquire what had been decided in conference. He spoke about value of collective discussions, and wanted to see improvement of the procedure. He said that would save time for the City Manager and the City Attorney, as well.

Councilman Curran said that he was sure that the Councilmen know that he has previous commitments on Tuesday nights, and they are binding commitments.

The Mayor said that all had expressed ideas during their campaigns, etc., and that they should be put on the conference agenda. He suggested that Mrs. Sears (Council secretary, who also acts as secretary for the conferences) would put them on the agenda at request of Councilmen. He said that there is no intention for the Council to meet at night, referring to comment of Councilman Curran.

There was general discussion between members of the Council, not through the chair.

Councilman Burgener wondered if the Councilmen have someone who wishes to appear in conference, there should be previous permission.

Councilman Kerrigan said yes; anyone has the right to file a letter to the entire Council, and come before it. He said that it is sometimes unfair to set aside the

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regularly listed items, to hear separate items.

Councilman Schneider said that new Councilmen should be advised regarding the closing times for the regular docket.

The City Clerk explained the closing days and hours for the filing of items to be listed.

Mayor Dail pointed out that members of the Council may bring up matters under unanimous consent, where necessary.

Councilman Williams was granted unanimous consent to bring up the next item, not listed on the agenda:

He spoke of the previously-scheduled meeting with City employees on the salary question conflicts with another meeting.

On motion of Councilman Williams, the date previously set on meeting in connection with City employees' salaries on May 10, was changed to Wednesday, May 11, 1955, at 7:00 P.M., in the Council Chambers. Motion was seconded by Councilman Burgener. It carried. (The City Manager's office, Civil Service Department, San Diego Municipal Employees' Association, and the Building and Grounds Department were advised of the change). Council Secretary was notified, also, of the new date.

Councilman Schneider spoke to the City Manager regarding the University Heights storage reservoir, including tennis courts on the south one. He said that it was more or less of a promise that would be done. He wondered if there was a possibility of using water bond funds for that purpose.

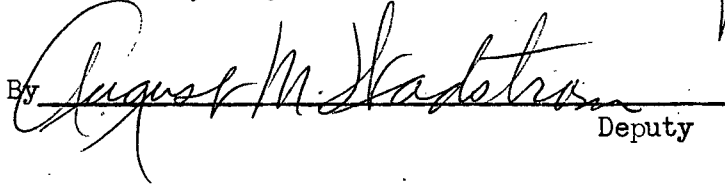
On motion of Councilman Schneider, seconded by Councilman Williams, the matter of using water bond funds for construction of tennis courts on the south University Heights storage reservoir, was referred to the City Manager.

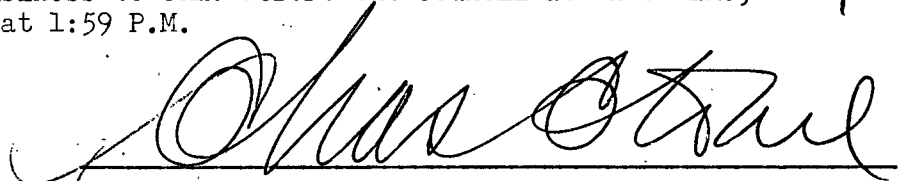
There being no further business to come before the Council at this time, Mayor Dail declared the meeting adjourned at 1:59 P.M.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Vice Mayor of The City of San Diego, California

#### REGULAR MEETING

Chamber of the Council of the City of San Diego, Thursday,  
May 5, 1955

Present--Councilmen Schneider, Curran, Evenson, Mayor Dail  
Absent--Councilmen Burgener, Williams, Kerrigan  
Clerk---Fred W. Sick

Resolutions and Ordinances for this meeting are recorded on Microfilm  
Roll 95.

Meeting date changed re  
salary consideration  
Verbal presentation re U.H.  
tennis courts on reservoir area south  
Meeting adjourned  
Meeting convened

The Mayor welcomed a group of visitors from the business English and Public Speaking Classes from San Diego High School.

At the Mayor's invitation, they stood to be acknowledged. He explained the Council procedure.

After the visitors had been recognized, Councilmen Burgener, Kerrigan and Williams entered.

Councilman Schneider was excused during the Mayor's welcoming of the visitors, and returned to the meeting before the brief greeting had been concluded.

Unanimous consent was granted to Carl Reupsch, from the Harbor Department, which he explained.

RESOLUTION 126108, authorizing and directing Harbor Commission to execute for and on behalf of The City of San Diego an agreement for and on behalf of The City of San Diego an agreement for a soil survey to be made by the San Diego Testing Laboratory, a corporation; under terms and conditions set forth in form of Agreement on file in office of City Clerk, Document 511582, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Mr. Reupsch explained that the tests were in connection with construction of the 10th Street Pier (for which a bond issue was adopted at the election in April of this year).

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

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reading was dispensed with, by not less than 4 members of the Council. There was available for each member of the Council prior to date of passage a written or printed copy.

ORDINANCE 6498 (New Series), appropriating \$10,000 from Harbor Development Trust Fund of The City of San Diego Unappropriated Surplus Account, for soil survey preparatory to construction of the 10th Avenue Pier, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing continued appeal of Mrs. Leona B. Davis from decision of Board of Zoning Adjustment granting permission to Bernard J. and Francis Sue Smith to add a 2-foot 6 inch by 10-foot addition to an attached garage, and convert portion of structure to bedroom and remainder of garage to be used as service room, portion Lot 1 Block 162 Middletown, at southeast corner of Columbia and Chalmers Streets, Zone R-4, Mrs. Davis appeared.

Asked for a verbal report, D. E. South, Zoning Administrator, told the Council it would be a 2'6" addition, which the Building Department said would be permitted, if stucco was used. He read to the Council from the minutes of the Zoning Adjustment Board:

Mrs. Davis told the Council that she has plans for 5 apartments on Lot 2, to the south. She stated that she feels that it would be nothing but a hazard to the 5 tenants of the Council grants the request. She spoke of having no way out, in connection with retaining wall and a bank. She stated that if a fire takes the place, firemen cannot get through. She told of having been asked for a 10-foot easement, and declared that the others should give the same.

The Clerk read the finding of fact.

Mrs. Davis said that with the improvement of her property, the 3 below will have retaining wall. She said that it would not be possible to get in and put up the forms.

There was a conference by councilmen over a map laid on the Council table by Mrs. Davis. Mrs. Davis explained it.

Mrs. Davis said that if the young fellow tears down the shack there will be 9½ feet, referring to property against which she filed the appeal.

Visitors  
126108 under U.C.  
6498 N.S. under U.C.  
Hearing



Mayor Dail stated that Mr. Smith knows of the appeal, and of this hearing.

Councilman Schneider spoke to Mrs. Davis.

Mrs. Davis said that she wants fire zoning, not creation of a hazardous condition. She repeated that if there is a fire, the persons cannot get out. Answering question, she said that it is an R-4 zone, and that plans have been O.K.'d. She said there is a cement wall along the south wall.

Councilman Curran pointed out that if the neighbor, against whom the appeal was filed, puts on addition he has to apply stucco.

Councilman Burgener said that it is hard to visualize the premises, without seeing them.

Councilman Schneider spoke to Councilman Burgener.

Mrs. Davis stated that she wants safe conditions for her tenants, and that she has "given 10 feet". She said that the little shack next door is of no use, and should be torn down.

Another conference was held over the map.

Councilman Curran moved to deny the appeal. Motion was seconded by Councilman Williams.

The Mayor said that there is no relationship between the appeal, and existing conditions.

Mrs. Davis said that she is a taxpayer, and needs City help.

The Mayor said that the City has to face all situations.

Mrs. Davis spoke of statements made to her by the former of the adjoining property, which is in question. She said that if the City can't grant help now, the City can't force her to help.

RESOLUTION 126109, overruling and denying appeal of Leona B. Davis, 2445-1/2 Front Street, from decision of the Board of Zoning Adjustment in granting variance to provisions of Municipal Code 101.0601 to permit Bernard J. and Francis Sue Smith to add a 2-foot 6-inch by 10-foot addition to an attached garage and convert portion to a bedroom, and remainder of garage to be used as service room, new bedroom to observe a 9-foot rear yard; being 2 feet from existing accessory building, on westerly 30.95 feet Lot 1 Block 162 Middletown, located at southeast corner of Columbia and Chalmers Streets, in Zone R-4, on condition that all requirements of the Building Department be complied with, and sustaining action of the Board of Zoning Adjustment, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Don L. Polley, dba Kelco Sales and Engineering Company for furnishing Sandblaster and Dust Arrester @ \$1,565.00 plus State Sales Tax, f.o.b. Norwalk, California - 5 bids - was presented.

RESOLUTION 126110, accepting bid of Don L. Polley, an individual dba Kelco Sales and Engineer Company for furnishing Sandblaster and Dust Arrester; 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.

Report of Purchasing Agent, with City Manager's stamp of approval, on low "alternate" bid of Lectromech Laboratories, a partnership, for furnishing 1 Police Radio Transmitter @ \$5,250.00 plus State Sales Tax - 3 bids - was presented.

RESOLUTION 126111, accepting alternative bid of Lectromech Laboratories, a partnership, for furnishing 1 Police Radio Transmitter; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by councilman Curran, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on sole bid of Stauffer Chemical Company for furnishing ferric sulphate requirements for 6 months from May 1, 1955 - approx. 150 tons - @ \$56.00 per ton, plus State Sales Tax, was

presented. It says that the manufacturer has for a number of years bid its product direct instead of through a middleman or jobber, and that price has been in effect for past several years without charge. It says, further that the Company, of Los Angeles, is sole manufacturer of the product in the southwestern United States, and that it is used for water purification purposes at Alvarado Filtration Plant.

RESOLUTION 126112, accepting bid of Stauffer Chemical Company for furnishing Ferric Sulphate; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126113, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of 4 houses and garages for Water Department - Production Division, located at Lower Otay Reservoir, El Capitan Dam, Sutherland Dam and Barnett Dam, Document 511439; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Hotel Block of Morena, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126114, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Kasimir J. Tarnowski and Anne T. Tarnowski for installation and completion of unfinished improvements and setting of monuments required for Hotel Block Morena; 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 126115, adopting Map of Hotel Block Morena Subdivision, a subdivision of block delineated and designated as "Hotel" on Map 809 of Morena; accepting on behalf of the public portions of Frankfort Street, Galveston Street, Jellett Street, Kane Street and Alley shown for public purposes; declaring them to be public streets and alley dedicated to public use; authorizing and directing Clerk to endorse upon the map, as and for act of the Council, that portions of public streets and alley are accepted on behalf of 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 Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Johnson's Ranch, a 4-lot subdivision of Pueblo 1774, was presented.

RESOLUTION 126116, suspending Sections 102.12 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Johnson's Ranch, 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 Johnson's Ranch, located on westerly side of La Jolla Mesa Drive, southerly of Muirlands and northerly of Muirlands Addition, was presented.

RESOLUTION 126117, approving Tentative Map of Johnson's Ranch, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Mesa Park Unit 1, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126118, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Cameron Bros. Land and Real Estate, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Mesa Park Unit 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of

5/5/55

Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 126119, adopting Map of Mesa Park Unit 1, being portion of west one-half Lot 1215 of Pueblo Lands, accepting on behalf of the public Atlas Street, Budd Street, Beagle Street, Belden Street and unnamed easements shown for public purposes and declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that 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 Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of division of portion of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 104 Rancho De La Nacion, was presented.

RESOLUTION 126120, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for division of portion of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 104 Rancho de la Nacion, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Rancho de la Nacion, portion Sw $\frac{1}{4}$  of NW $\frac{1}{4}$  Sec 104, subject to 2 conditions, was presented.

RESOLUTION 126121, approving Tentative Map of division of portion of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 104 Rancho de la Nacion, subject to the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from City Engineer recommending that proceedings for paving and otherwise improving Alley Block 7 Roseville Heights, to include additional work, was presented.

RESOLUTION 126122, adopting recommendation of City Engineer under Document 511339; authorizing City Engineer to amend proceedings for improvement of Alley Block 7 Roseville Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, signed by Anderson Borthwick, president, Harbor Commission, dated 2 May 1955, was presented. It says that the Civil Service Commission and Harbor Commission were unable to meet to discuss proposed salary recommendations of Civil Service Commission made to the Council. It says that Harbor Commission feels strongly that there are certain inequities in proposed salary schedule which they believe should be subject of discussion between Harbor Commission and City Council. It requests that the Commission meet with the Council at earliest convenience prior to establishment of salary ordinance in order that they may make recommendations to the Council.

Raymond H. Krah, Personnel Director, said that this comes up every year. He said that the Harbor Commission wants to meet with the Council, but that it becomes a problem if there is such a meeting. He told the Council that the Civil Service Commission was careful regarding approaches.

On motion of Councilman Schneider, seconded by Councilman Evenson, the Harbor Commission was invited to appear at the hearing before the Council on Wednesday evening, May 11, 1955, at 7:00 P.M. - and that the Mayor write to the Commission.

(Phil Acker, assistant to the Mayor was advised 5/5/55 by A.M.W. that Council requested the Mayor to invite the Harbor Commission to the hearing on May 11).

Unsigned letter, addressed to "Dear Fellow Citizen", on stationery of San Diego Harbor Legislative Committee, listing D. C. Hayhurst as chairman, and other names, enclosing a pamphlet entitled "The Allen Bill Today...A Federal Grab Tomorrow?", was presented.

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

Copy of petition, continued from meeting of April 28, 1955, being protest of Property Owners re proposed assessment for Water Mains, etc., in West Street south of Imperial Avenue (a report was to have been made to this meeting by City Manager), was presented.

W. E. Starke, attorney, appeared in behalf of protestants. He mentioned the item having been before the Council last week, and referred to City Manager for report. He told the Council that he was here in protest regarding the \$2.75 per running foot charge by the City. He declared that the charge is arbitrary and illegal. He said that the property owners had not been heard. He said, further, that the City can't file a lien on property on account of no hearing having been held. Mr. Starke spoke of having examined bids in the past, and related to the Council various figures. He said that the Water Department representative came out to get property owners to sign, but there had been refusal. Property owners were then told, according to Mr. Starke, that they would be assessed and would have to pay in cash, if they refused to sign. He recommended that the Ordinance be referred back to the City Attorney "for correction". He said that he thinks people do not have to pay, and that he has advised his clients not to pay.

Mayor Dail asked City Attorney J. F. DuPaul if he agrees.

Mr. DuPaul replied that with the Ordinance where the City goes in he has advised the Water Department that they can't force property owners to pay. He said that this is a good example of why there is a 1911 Act. Mr. DuPaul told the Council that provision in the ordinance "got by his office". He told the Council that he has advised the Water Department procedure should be revised.

Paul Beerman, director of the Water Department, speaking in lieu of Manager's report, said that it was discussed with the City Attorney, the City Manager, and the Council, before the Ordinance was put in. He stated that it used to be hard to get permission from every property owner. He said there was no pipe in this street, but there was a line in the subdivision at a distance to which the City has contributed. He said that in a number of cases a number of property owners had to pay for property owners who refused to pay. Mr. Beerman spoke of there being no fire protection. He said that it was authorized after discussion, to contact property owners and bill them for the improvement. He told the Council that the Water Department picks up the difference in cost. He spoke of costs having ranged from \$4. to \$8. per foot. He said that property owners throughout the City have been contacted. He said it was discussed. He said that if there is no provision to bill, the City would have no service to the property.

Mayor Dail said that some get away with a free ride, and can't be made to pay. He said that the method has been a convenience to the people, and is standardized. The Mayor stated that people over the City have been paying.

Mr. Beerman said that owners of vacant property have to pay when they apply for service.

The Mayor asked the City Attorney about that.

Mr. DuPaul said that he thinks this can't be made to stick.

Mr. Beerman said it is a question regarding temporary service.

Mr. DuPaul said he would be glad to give an opinion in writing.

Councilman Schneider, spoke to Mr. Beerman about having to provide the water.

Mr. Beerman told of past service, and of sale of property. He told of having contacted the people and having presented the problem. He said that they can pay over 3 years, with no interest. He told the Council that in the area there is large frontage, and that charge would be \$300. to \$600. or more. He referred to this as a financial problem. He told of having discussed the matter of extending payments for 3 years.

The Mayor said that the City would have to pick up the tab here, which would amount to thousands dollars throughout the City. He said that if the City falls back on the 1911 Act, property owners would have to wait about 2 years. He spoke about getting into trouble regarding forcing them to wait.

Councilman Williams moved to refer the item to Conference, and the City Attorney furnish an opinion. Motion was seconded by Councilman Evenson.

Edwin I. Fisher, who is the first signer on petition of protest, and who spoke to the Council on April 28, said this is a new pipeline.

The Mayor said this could upset the applecart, and he was not criticising.

The roll was called, resulting in

RESOLUTION 126123, referring to Council Conference protest of property owners on proposed assessment for installation of water main connection charges in connection with installation of new pipe line on West Street from Imperial Avenue South, to Martin Terrace Subdivision; requesting City Attorney to furnish an opinion on proposed assessment for the Conference, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Councilman Evenson spoke to the Mayor about the situation.  
 The Mayor explained what has been done in the past about installation of pipelines, and went into the situation, generally.  
 Councilman Kerrigan said that there is "a lot involved".  
 There was no action beyond that shown on the preceding page.

Communication from San Diego Ice & Cold Storage Co., signed by J. B. Dunbar, president, dated April 29, 1955, stating that he has been advised there is a move to bar lunch wagons from operating in San Diego, was presented. He said that would work a hardship on employees of many outlying businesses and manufacturers, most of whom have only one half hour lunch period. It speaks favorably of Moody Service which has been calling at the plant since 1926.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to the file which has been set up for the May 19, 1955 hearing.

Communication from Munger's Laundry, signed by E. C. Winters, dated April 29, 1955, stating that it has been brought to the writer's attention that there are plans underway to outlaw the lunch wagon, was presented. It says that it is inconceivable that such a step should be taken. It says there are 1,000 people in the organization, and most of them use the lunch wagon for their ten-minute break and lunch period.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to the file which has been set up for the May 19, 1955 hearing.

RESOLUTION 126124, authorizing and empowering City Manager to do all work in connection with modification of 448 fire hydrant ports so as to standard ports to conform to state specifications, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

After it was adopted, action was reconsidered, and the item held for the next meeting.

Councilman Evenson spoke of having a problem, and having asked the City if the work has to be done.

The City Manager replied that it should be done, and of need of people in to assist with the work. He said that similar change is going on all over the State. He told the Council that some of the equipment could not be used under the present equipment.

There was discussion between members of the Council, the Mayor and the City Attorney.

City Attorney J. F. DuPaul stated that there are mutual aid agreements throughout the State (of which this would be a part). He stated that this is in furtherance of agreements.

Councilman Evenson spoke to the City Manager.

The City Manager said that "all are planning to come in" (to the mutual aid agreements). He stated that some cities will have to convert, and that some are standard. He stated that the Fire Department pays the Water Department a standby charge.

Councilman Schneider said that the City of San Diego may need mutual aid.

The City Manager said that 1/3 can be charged to capital cost to fire. He said that if a private company does the work, it would be changing the City equipment; if the City does it, it would be changing the City's own.

Councilman Kerrigan pointed out that the change would be reflected in the insurance rates.

The City Manager made the same statement.

Mayor Dail said that other cities must conform.

The City Manager said that all cities are in the process, and that as a result of the mutual agreement, the City "can be ordered to do this". He said that if disaster is declared to be of enough interest, the City could be ordered by the Governor to send equipment to Los Angeles; the same is true from Los Angeles to San Diego.

Motion was made by Councilman Schneider to adopt the Resolution. It was permitted under these minutes to stand as adopted under the first motion, rather than show the motion which followed the discussion.

RESOLUTION 126125, authorizing City Manager to accept work on behalf of The City of San Diego in Dass Manor Subdivision, and execute Notice of Completion and have it recorded - Plans, etc. Clerk's Document 493580, reported by City Engineer to be approved - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126126, authorizing City Manager to accept work on behalf of The City of San Diego in Minos Mar Vista Subdivision, and execute Notice of Completion and have it recorded - Plans, etc. Clerk's Document 486800, reported by City Engineer to be approved - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126127, authorizing City Manager to employ M. H. Golden Construction Company to do the necessary work, including construction of 21-foot curb or wall, to connect Quimby Street with existing improvement in Willow Lane; cost not to exceed \$168.60 payable from Ordinance 5341 (New Series) - in connection with contract under 1911 Street Improvement Act proceedings for improving Quimby Street - was on Councilman Burgener, seconded by Councilman Kerrigan, adopted.

In connection with the next item, the City Manager reported that the same charge is to be made by lessee for night parking.

RESOLUTION 126128, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with H. A. Oliver of south parking lot of Civic Center, right 7 months beginning March 1, 1955, at flat rental or percentage whichever is greater; more particular description of property and terms and conditions set forth in form of lease filed in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next item, the City Manager made a verbal report of charges proposed to be made.

RESOLUTION 126129, adopting fees for use of Mission Beach Plunge, setting them out in detail, repealing Resolution 104951 adopted January 2, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126130, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego, an agreement with The San Diego & Arizona Eastern Railway Company, a corporation of the State of Nevada, conveying to City right to construct ramps, etc. over portion of Railway Company's right of way in Lot 1 Block 90 San Diego Homestead Union, set forth in Document 511592, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126131, authorizing Park and Recreation Director to permit Armed Services of United States to hold service football games during 1955 Season in Balboa Stadium whenever service football games do not conflict with previously arranged programs, on terms and conditions set out in the Resolution; waiving minimum guarantee upon condition that no admission charge shall be made to the general public for attendance, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

(According to communication from Park and Recreation Director, addressed to the City Manager - Lt. Col. Jack R. Munday, USMC requested Stadium rental for conducting toy appeal for underprivileged children in conjunction with Salvation Army and San Diego Racing Association - similar to Resolution #120820 which granted request, December 10, 1954).



5/5/55

RESOLUTION 126132, granting application, pursuant to recommendation of City Manager, permission to San Diego Racing Association, sponsored by U. S. Marine Corps and Salvation Army, permission to use Balboa Stadium on Sunday afternoon, December 10, 1955, for jalopy race on rent-free basis, to be held for purpose of collecting toys for underprivileged children; waiving rental for use of Balboa Stadium, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The communication listed at the end of Resolution 126131 applies, particularly, to this permit).

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

Helen M. Lee told the Council there is no water service to her property. She said she has tried every way to get it; but that other people are not interested. She spoke of there being quite a cost involved, and of having to run a line 1700 feet of water line. She said that the water would cost around \$1,000. Mrs. Lee told the Council that it would be necessary to run 450 feet of sewer line, also. She told of there being no more cesspools allowed.

Councilman Burgener stated that cesspools are permitted in some cases. He spoke to Mrs. Lee about cesspools, and said to her that the sewer is a bigger problem than the water line.

Councilman Kerrigan said that while he is not opposed to granting the request, this is an example of the granting of a 1" line to serve property. He said that the Lees may not own this property in a year, and that a person who would buy would say that the property is served.

Mrs. Lee said that an agreement had been signed, notarized.

The City Manager spoke to the new Councilmen about not being able to serve the property in question. He said that permit under the agreement is revocable. He stated that the installation would be done at the risk and expense of the person requesting it.

Mrs. Lee said that it is almost necessary to sign one's life away in order to get such a permit.

RESOLUTION 126133, granting revocable permit to Helen M. Lee and Homer F. Lee, 7452 Hyatt Street, San Diego 11, to install and maintain a 1" galvanized water line over, under and across Orange Street, from 395 Highway Sewer Road to private easement in Lot 48 of The Highlands (Kearny Mesa), subject to the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126134, granting revocable permit to Oril S. Harbaugh and Leila M. Harbaugh, care Percy H. Goodwin Co., 300 First National Bldg., San Diego, attention R. L. Paine, to install and maintain electric meter and switchboard over public property between property line and sidewalk: Lots 36, 37, 38, 39 Gilcher's Tract 1829, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 126135, approving claim of Leonard D. Ellsworth, Document 510530, \$16.30; directing City Auditor & Comptroller to draw warrant in favor of Leonard D. Ellsworth, Rt. 1 Box 582 Santee, California, in amount of \$16.30 in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126136, denying claim of Robert D. Blanton, Jr., Document 510769, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution denying claim of Thomas D. Drake, Document 511235, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Williams, the claim denial resolution was continued until next Thursday - May 12, 1955, and the Mayor requested to notify Colonel Drake that he may appear at that meeting.

(Mayor's office was notified - 5/13/55 - by A.M.W. that he is to write to Col. Drake).

Discussion re permit for 1" water line

126132 - 126136

Col. Drake claim denial cont to 5/12/55;

Mayor's office he is to advise of cont.

Resolution authorizing City Manager to attend meeting in Chicago, was presented.

The City Manager explained that it has to do with National Committee on Urban Transportation, and told of the many groups which are cooperating. He told the Council that the best and most experienced people in the country are being brought together, included in the meeting is to be the President's plan.

Councilman Evenson asked if the City Manager would make a report following the trip.

The City Manager replied that he would be glad to report, and that he always reports progress.

The Mayor spoke of the Council's standing policy relative to travel.

Councilman Kerrigan said it should be noted that San Diego has been chosen as a city for a pilot study re transportation.

RESOLUTION 126137, authorizing O. W. Campbell, City Manager, to attend a meeting of National Committee on Urban Transportation, to be held in Chicago, Illinois, June 13 and 14, 1955, called to review work of subcommittees to day, and commence selection of cities for pilot studies; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126138, vacating unnamed easement lying contiguous westerly to easterly line of Lot 19 Block 8 Kensington Manor Unit 1; directing that from and date of the Resolution title to land previously subject to unnamed easement shall revert to owners of land free from rights of the public; authorizing and directing City Clerk to cause certified copy of Resolution, attested under seal, to be recorded in office of County Recorder of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution says that subdivision was filed in office of Recorder of County of San Diego, which subdivision established unnamed easement, that it has not been used for purpose for which acquired since date of acquisition to present time, or for 5 consecutive years next preceding date of the Resolution, and is unnecessary for present or prospective use by the City.

RESOLUTION 126139, 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 County of San Diego all its right, title and interest in Lots 7, 8, 9 and 10 Block 92 E. W. Morse Subdivision of Pueblo Lot 1150; authorizing and empowering Property Supervisor to take necessary steps to deliver deed and collect consideration therefor, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution says The City purchased the property at tax sale at total price of \$49.00, that the County of San Diego has an interest in and to property and has requested the City to convey its interest to the County. Also, Resolution states that San Diego Municipal Code authorizes sale of City property to public agencies without complying with provisions relating to advertising and auction sales, that the City Manager has recommended it be sold to the County for said sum.

The agenda listed acceptances of 10 subordination agreements by Resolutions. Councilman Curran asked about subordination agreements.

City Attorney DuPaul read one of the Resolutions of acceptance, and explained the procedure, and reason for the City acquiring the subordination agreements.

RESOLUTION 126140, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Corporation of America, trustee, April 19, 1955, subordinating all their right, title and interest in and to portion of Block 4 Larchmont, 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126141, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, April 22, 1955, subordinating all their right, title and interest in and to portion Lot 10 Block 98 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 Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126142, accepting subordination agreement, executed by First Federal and Loan Association of San Diego, beneficiary, and Fidelity & Guarantee Company, trustee, March 2, 1955, subordinating all their right, title and interest in and to portion of Lot 1 Block 3 Larchmont, 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126143, accepting subordination agreement, executed by Frank F. Lynes and Lottie L. Lynes, beneficiaries, and Allison-McClosky Escrow Company, trustee, April 14, 1955, subordinating all their right, title and interest in and to portion Lot 9 Block 7 Berkeley Heights, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126144, accepting subordination agreement, executed by Metropolitan Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, March 28, 1955, subordinating all their right, title and interest in and to portion Lot 152 Talmadge Park, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126145, accepting subordination agreement, executed by San Diego Trust and Savings Bank, beneficiary, and Union Title Insurance and Trust Company, trustee, April 25, 1955, subordinating all their right, title and interest in and to portion of Lot 17 Block "H" Burlingame, to right of way and easement for earth fill and drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126146, accepting subordination agreement, executed by Security Trust and Savings Bank of San Diego, beneficiary, and Security Trust and Savings Bank of San Diego, trustee, March 23, 1955, subordinating all their right, title and interest in and to portion of Block 4 Larchmont, 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126147, accepting subordination agreement, executed by Silver Gate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company,

trustee, April 4, 1955, subordinating all their right, title and interest in and to portion Lot 9 Block 7 Berkeley Heights, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126148, accepting subordination agreement, executed by Joseph E. Thurston and Jane L. Thurston, beneficiaries, and Land Title Insurance Company, trustee, March 31, 1955, subordinating all their right, title and interest in and to portion Lot 1 Block 6 Larchmont, 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126149, accepting subordination agreement, executed by United States National Bank of San Diego, beneficiary, and United States Holding Company, trustee, April 22, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 12 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 Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126150, accepting deed of William C. Baker, March 4, 1955, conveying easement and right of way for street purposes in portion Block 4 Larchmont, setting aside and dedicating it to public use as and for public street and naming it Brooklyn Avenue; 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 126151, accepting deed of Kenneth O. Boyd and Jeanette M. Boyd, February 18, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 3 Larchmont, setting aside and dedicating it to public use as and for public street and naming it Brooklyn Avenue; 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 126152, accepting deed of Venus L. Mitchell and Laura K. Mitchell, March 19, 1955, conveying easement and right of way for street purposes in portion Block 4 Larchmont, setting aside and dedicating it to public use as and for public street and naming it Brooklyn Avenue; 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 126153, accepting deed of George Wixon and Goldie B. Wixon, March 29, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 2 Berkeley Heights, setting it aside and dedicating to public use as and for portion of public street and naming it 52nd 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 Schneider, seconded by Councilman Burgener, adopted.

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RESOLUTION 126154, accepting deed of Etienne DeFalco, April 15, 1955, conveying easement and right of way for street purposes in portion Lot 10 Block 98 Roseville, setting aside and dedicating it to public use as and for public street and naming it Lowell Street; 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 126155, accepting deed of John H. Gorby and Azalea P. Gorby, March 25, 1955, conveying easement and right of way for earth fill and drain purposes in portion Lot 17 Block "H" Burlingame; 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 126156, accepting deed of Harold Charles Jones and Stella Ruth Jones, March 29, 1955, conveying easement and right of way for street purposes in portion Lot 9 Block 7 Berkeley Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126157, accepting deed of Coast Security Corporation, Inc., April 20, 1955, conveying easement and right of way for storm drain purposes in portion Lot 21 Block 38 Western Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next ordinance, Nicholas J. Haering spoke to the Council regarding taxes and the upkeep of property. He said that 100% is for Plaza upkeep. He wondered if it is too late to "protest the method of doing this type of thing", and asked if it should not be part of the routine of the regular department. He spoke about being for eternal public attraction.

The Mayor said that operation of the Plaza is a municipal function, and that the City has granted permits for occupancy by various groups and organizations. Mayor Dail spoke of having tried to catch up with maintenance, and of not allowing extra curricular activities. He said that the appropriation is to be for beautification of the city.

Mr. Haering said that there are many similar items, every week. He said that \$4300 of itself may be an extravagance.

Councilman Burgener handed to Mr. Haering a report of how the money is to be spent.

The Mayor spoke to Mr. Haering about the Council working hard here.

Mr. Haering said that he is continuing to help get public-minded people to come to the meetings.

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 written or printed copy available for consideration of the Council prior to day of passage.

ORDINANCE 6499 (New Series), appropriating \$4,300.00 out of Unappropriated Balance Fund of The City of San Diego, for purpose of providing funds for improving Horton Plaza, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Absent--None. Nays--None.

On motion of Councilman Schneider, seconded by Councilman Burgener, ordinance leasing Pueblo Lot 1311 to Tide Water Associated Oil Company, a Delaware Corporation,

126154 - 126157

6499 N.S. - preceded by discussion

Ord introduced

was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portion of Clairemont Unit 16 into R-2, R-4 and C-A Zones, as defined by Sections 101.0406, 101.0408 and 101.0411.1 respectively of San Diego Municipal Code, and repealing Ordinance 13456 approved February 15, 1932, insofar as it conflicts, was introduced by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance incorporating portion of Pueblo Lot 1100 of The City of San Diego into C-1A Zone as defined by Section 101.0411.1 of the San Diego Municipal Code, and repealing Ordinance 85 (New Series) adopted November 21, 1932 insofar as it conflicts, was introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Williams, seconded by Councilman Schneider, Ordinance incorporating portions of Parcels "O" and "OO" Lot 19 Rancho Mission of San Diego into C-1A Zone, as defined by Section 101.0411.1 of The San Diego Municipal Code, and repealing Ordinance 6242 (New Series) insofar as it conflicts, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Councilman Schneider requested, and was granted, unanimous consent for presentation of the next item, not listed on the agenda. He said that there were 2 ladies here in connection with water main which had broken.

Mary Schlatman told the Council that the water main broke between Van Dyke and 48th. She said that damage was estimated at \$587.00. He said that a City estimator brought out a claim.

The Mayor said that a claim should be filed.

Mrs. Schlatman said that she had; that claim had been granted, but only \$150. allowed.

Councilman Kerrigan spoke of claims on the damage having been referred to the City Attorney. He pointed out that the Council is dealing with public money, which has to be spent in a legal way.

The Mayor stated that the Council cannot negotiate claims, and has no right to advise claimants.

City Attorney J. F. DuPaul said that he will take the matter up with the claims adjuster (who is in the Attorney's office). He spoke of the City being in disagreement with the claims many times. He spoke of trying to be fair. He said that when there is not agreement, claimant has recourse in the courts. He said that in this case, if there is disagreement, the lady should take the case to court. He told the Council that he would not overrule the men in his office.

The Mayor said that complaint could be made in court.

The City Attorney said that he would be glad to review the claim, as soon as he concluded the Council Conference, which will follow this meeting.

There was no action.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:26 A.M., and announced that a conference would be held.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstone* Deputy

*Charles D. Dail*  
Vice Mayor of The City of San Diego, California

Ordinances introduced  
Discussion re claim  
of Mary Schlatman,  
under U.C.



## REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, May 10, 1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--None  
Clerk---Fred W. Sick

The Mayor called the meeting to order at 10:08 A.M.

The Reverend George A. Nelson, Calvary Lutheran Church, was presented by the Mayor. At the request of the Mayor, all stood for the invocation which was given by Reverend Nelson.

Resolutions and Ordinances are recorded on Microfilm Roll 95.

Councilman Curran was excused during the presentation of the first award, which follows:

Awards for long-time service with the City of San Diego were presented by the Mayor to:

James E. Reading, Traffic Engineer - 30 years, and a scroll;

Edward V. Roper, Fire Prevention Engineer, Fire Department - 20 years;

The Mayor then called up Police Department Members - Officer Donald Hansen, court officer in Municipal Court 5; Sgt. Melvin Harshman, member of Burglary Detail in Detective Division; Officer Thomas Hays in Patrol Division; Sgt. Anthony Maguire, Detective Division. He presented 20-year pins to each.

Sergeant Raymond, in charge of one of the shifts in the City Jail, was to have been here for present to receive a 20-year pin. The Chief of Police reported that he was unable to be here, so presentation was made to the Chief, instead, in his behalf.

The City Civil Service pointed out, in a note having to do with the awards, that the 5 men represent the first major personnel increase in the Police Department, at the time of the 1935 Exposition.

Councilman Curran returned during the awards.

Minutes of the Regular Council Meetings of Tuesday, May 3, 1955, and of Thursday, May 5, 1955, were approved without reading. They were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been received May 6, 1955, for improvement of Alley Block 9 Ocean Beach Park, from 3 bidders.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, finding was made that bids had been 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 received May 6, 1955, for improvement of Alcott Street, from 5 bidders.

Convening of meeting  
Invocation  
Service awards  
Minutes approved & signed  
Purchasing reports on 1911 Street Improvement bids

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

The City Manager requested, and was granted, unanimous consent to present the next item, not on the agenda. It was introduced at the end of the meeting, but numbered at this point, at the request of the City Attorney.

RESOLUTION 126158, authorizing City Attorney to settle claims of Mary M. Schlattman, Document 508089, \$40.00; Document 505241, \$587.00 - for sum of \$311.35; directing City Auditor and Comptroller to draw warrant in favor of Mary M. Schlattman, 3842 43rd Street, in amount of \$311.35 in full settlement, 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 continued hearing on Resolution of Intention 123408 for paving and otherwise improving 29th Street and 28th Street, the City Engineer made a verbal report. He stated that there was an 18.5%, that somebody wanted to be here and couldn't (it was Jack Karn, who left before the hearing was reached last week).

C. M. Christensen told the Council that he had referred, incorrectly, last week to a lot. He said he discovered it is in a hole, and was bought for taxes. He said that lots are being filled in for nothing, and that it is not possible to get in without these streets. He said "they" are responsible for the condition.

James Hervey Johnson stated that there is no access to the 3 canyon lots, and that applies to other canyon lots. He told of filling from the north side, and of there being no way to fill from E Street. He said that the lots do not face on the paving. Mr. Johnson said that assessment would be for intersection. He said that lots are east of the corner - 300 feet from the corner; his are 225 feet from the paving. He stated that if street is filled, lots will be 30 or 40 feet below grade. He said he is willing to pay for street in front of the lots. He declared this to be an arbitrary, unjust assessment. He said that possibly they could be left out of the assessment district. He spoke of their having been tied up for delinquent assessments and taxes for many years. He said that property will come in for assessment on another district, and that assessments will pipe up. He asked to be relieved from charge, where he will receive no benefit; or receive a nominal assessment. Mr. Johnson said that the same thing will come up on many canyon lots.

Councilman Kerrigan said that Mr. Johnson wants consideration regarding benefits received.

Mr. Johnson thought that could be done.

The Mayor said that there is an 18% protest, and that the Council, as a result, would feel a duty to go ahead with the district. He said that the problem is regarding the assessment.

J. F. DuPaul, City Attorney, said that it should be only when assessment roll is before the Council. He said that the Council can't order the engineer in advance of the assessment what he shall do. He said that the Council should not order something regarding the future.

RESOLUTION 126159, overruling and denying protest of George C. Gregory, James Hervey Johnson and J. Karn, against Resolution of Intention 123408 against paving and otherwise improving 29th Street, E Street and 28th Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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 124570 for paving and otherwise improving Alley Block 80 Pacific Beach, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

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On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 124571 for paving and otherwise improving the Northerly and Southerly Alley Block 262 Pacific Beach, and Easterly and Westerly Alley Block 262 Pacific Beach, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Curran, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 124572 for paving and otherwise improving Electric Avenue and Public Rights of Way in Lot 2 Pueblo Lot 1783, the Clerk reported that no written 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 filed.

On motion of Councilman Williams, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 124573 for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street, Balboa Avenue, the Clerk reported written protests from John L. Davis, Jr. and from Mrs. Bessie T. Davis.

Asked for a report, the City Engineer said that there is 7.1% protest; 1 regarding cost, 1 "just a protest".

RESOLUTION 126160, overruling and denying protests of John L. Davis Jr. and Mrs. Bessie T. Davis against Resolution of Intention 124573 for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street, Balboa Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 124574 for storm drains in Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262, the Clerk reported written protests from San Diego Unified School District, by William J. Lyons, secretary, and from Rosco Adams and other property owners.

Asked for a report, the City Engineer reported a majority protest: 90.8%.

RESOLUTION 126161, sustaining protests of San Diego Unified School District and Property Owners against Resolution of Intention 124574 for installation of storm drains and appurtenances in Girard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262; abandoning proceedings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

\* (Discussion was undertaken on these proceedings, later, and will be shown at that point on agenda for this meeting).

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 124575 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, the Clerk reported no written protests.

The Mayor inquired if any interested persons 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 Williams, proceedings were referred to City Attorney for Resolution Ordering Work.

#### Councilman Kerrigan returned

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination 123413 for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, C. G. LeHew told the Council that the Alley should be paved. He said that it is a fire trap, and there is a big school near. He spoke of there being valuable property, and of not knowing how the Fire Department would get down (unless paved). He said there was a 65% petition; some got away at the last hearing, and did not understand about the protest.

Councilman Schneider spoke to Mr. LeHew, saying that he had looked at the property. He said he was impressed regarding the south end, the difficulty of getting down, and the property on the west. He declared that the paving would not eliminate the fire danger. He said that many people on the east side are not interested, but that people on the north are interested. He asked if property owners would be willing to have a partial paving, on the north end.

Mr. LeHew answered that he would; that Mrs. Stewart lives "down".

Van D. Stewart told the Council that he lives in the block, and signed the original petition. He said that people are not against the alley, but the easement on the south. He carried on a discussion with Councilman Schneider.

Councilman Schneider spoke of wanting to find a useful compromise.

Mrs. Clyde H. Behnke spoke in favor of the improvement, and identified property as the 3rd house from the corner. She said she would be left out (if only partially paved); the neighbor next to her is in favor, she stated.

Councilman Schneider said that there is a 43.5% protest.

Councilman Curran asked if Mrs. Behnke is across.

Councilman Schneider spoke directly to Mrs. Behnke.

Mrs. Behnke spoke of there having been bad fire.

Guide Prantil told the Council that he is in favor of the paving. He said that people who are living there are in favor of it; protest comes from people whose property is empty.

Councilman Burgener said that it is unfortunate when a community becomes divided, but there is a majority in favor of the improvement.

John McGrath said that he had been accused of misrepresentation. The petition, he stated, is above-board. He protested the grade, and of there being no benefit. He said that assessed valuation is \$450. per lot, and that owners are going to be obligated for further cost. He said it would be necessary to put a stop sign at the top. He spoke of the steep grades, and wanted the City Engineer to produce cross-section of grade.

The City Engineer said that they are in the office.

Mr. McGrath said that the City has an easement for drain. He opposed paving the alley into an ~~unimproved street~~, unpaved street. He said that the street paving is more of an asset than the alley. He told the Council that the grade line encroaches on private property, and there would be a legal case. He said that people who would be benefited would not be caught. Mr. McGrath said that it would not be for the benefit of the southerly part of the alley.

Councilman Schneider, addressing people in the audience, said that if there is fire grading would act as a fire break. He said he is interested in hurting the least, and helping the most. He told of trying to reach a solution. He said that work can be both a help and a destruction. He pointed out that he lives in the district. Mr. Schneider said it should be considered before being forced onto the people on the south.

An unidentified woman asked "how far"?

Councilman Schneider replied as far as it is wanted.

The Mayor stated that the only alternate would be to abandon the proceedings. He said that if the City proceeds now, it would be on the basis of the Engineer's design.

A conference was held over a map spread on the Council table by the City Engineer.

The Mayor spoke of not producing a new district.

Councilman Schneider spoke from a plat.

Councilman Burgener stated that there is no legal basis for abandoning the proceedings. He said that it is at a point where it has reached an impasse. He said that it had already been continued 1 week.

Mr. McGrath said it would better to make the decision now.

Councilman Burgener moved to overrule the protest.

Councilman Schneider said that proceedings could be abandoned, and the Council re-institute new proceedings.

The Mayor spoke to Councilman Schneider regarding re-design.

City Attorney J. F. DuPaul pointed that hearing is on the Resolution of Preliminary Determination - regarding feasibility. He said that it needs 6 votes to pass the Resolution of Feasibility; if there are not 6 votes, it would go to 1911 Debt Limitation. He told the Council that every step costs money. He stated that if there are not 6 votes on the resolution, the City Engineer goes through the costly Debt Limitation Act. He advocated an informal poll of the Council, and said that if it shows up 4 or 5 votes, instead of 6, it would be better to abandon proceedings and have a new petition. He declared that the Council should "not engineer the job at this table".

Mr. McGrath said that if it goes through on a partial basis, it would be on engineering.

The City Attorney said that the plans are completed - for project as petitioned.

Mr. McGrath spoke of another adverse condition: the City Engineer does not have the details (profiles, to which reference had been made earlier).

The Mayor pointed out that he does not have them here.

Councilman Evenson said that they would not make any sense to a layman.

The hearing was held, temporarily, while the City Engineer sent to his office for the profiles.

\*\* (Hearing will be shown again in these minutes).

Councilman Burgener referred back to the proceedings which had been abandoned for installation of storm drains and appurtenances in Gerard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262 - on which hearing had been held near the beginning of this meeting, on Resolution of Intention 124574.

Mrs. Donald Blessing, president of the La Jolla PTA, spoke about the existing ditch as a hazard to children. She pointed out that the School District covers 42% of the property which would be assessed for the improvement (and the School District had voted against the improvement, and protested it). She asked if there is any way to raise money for the project.

The City Manager spoke about the bond project which would have contributed 50% of the cost.

The City Engineer said that there is the problem of somebody paying for the improvement.

RESOLUTION 126162, referring to Council Conference the matter of financing installation of storm drains in Gerard Avenue, Pearl Street, Herschel Avenue and Public Rights of Way in Pueblo Lot 1262, under Resolution of Intention 124574 on which a hearing was held this date, and abandoned, 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 125719 of Preliminary Determination for paving and otherwise improving Alley Block 72 City Heights, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126163, determining that paving and otherwise improving of Alley Block 72 City Heights under Resolution 125719 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 125720 of Preliminary Determination for paving and otherwise improving Alley Block 34 Ocean Beach, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126164, determining that improvement of Alley Block 34 Ocean Beach under Resolution 125720 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 Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment 2352 made to cover cost and expenses of paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, Resolution of Intention 120005, the Clerk reported no written appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126165, confirming and approving the Street Superintendent's Assessment 2352, made to cover cost and expenses of paving and otherwise improving Alleys in Block 20 Ocean Beach Park and Block 99 Ocean Bay Beach, Resolution of Intention 120005; 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, warrant to bear date of this order, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on bids for furnishing Centrifugally Spun Reinforced Concrete for 6 months starting May 1, 1955, was presented. It states that American Pipe and Construction Co. is sole manufacturer of the pipe in this area (and the sole bidder), that it is not feasible for manufacturers elsewhere to bid due to hauling problem involved.

RESOLUTION 126166, accepting bid of American Pipe and Construction Co., a corporation, for furnishing City of San Diego with requirements of Reinforced Concrete Pipe for period of 6 months in accordance with schedule attached; 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 Schneider, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of E. P. Watson - 8 bids received - for construction of storm drain in Rosecrans Street and Evergreen Street, in sum of \$7,864.00, was presented; bid price \$6,803.90.

RESOLUTION 126167, accepting bid of E. P. Watson for construction of storm drain in Rosecrans Street and Evergreen 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 for purchase of required repair parts in accordance with list attached, for Public Works D-7 Caterpillar Tractor being overhauled at Public Works Shop (a single source for obtaining parts, and impossible to obtain competitive bids), was presented.

RESOLUTION 126168, authorizing and directing Purchasing Agent to purchase from San Diego Tractor & Equipment Company, a corporation, repair parts for D-7 Caterpillar Tractor, at total price of \$3,628.49 plus State Sales Tax, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



5/10/55

RESOLUTION 126169, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of chain-link fences around 9 Water Department facilities: Catalina Standpipe; Scimitar Pump House; South Encanto Tank; Camp Callan Elevated Tank; North Encanto Tank; 6th & Herrick Pumping Plant; 69th & Mohawk Pumping Plant; Muirlands Extension Pumping Plant; and Catalina Street Pumping Station, Document 511619; 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 126170, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Ingraham Street between Pacific Beach Drive and Fortuna Avenue, (including grading and construction of concrete gutter and 6" Portland cement concrete pavement), Document 511617; 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 126171, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sanitary sewer main, water main, and electrical and telephone ducts for a Comfort Station at De Anza Point in Mission Bay Park, Document 511618; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 126172, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Small Water Main Replacements Group 20, Document 511616; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next 2 items had been continued to this meeting from May 3, 1955, at the request of Richard B. Crake, since they had not been reached during the morning session at the meeting of May 3, 1955, and he was obliged to go to Court.

Report of the Planning Commission, signed by Harry C. Haelsig, in connection with 2-lot subdivision of Block 93 Normal Heights, located on easterly side of Hawley Boulevard, approximately 600 feet north of Mountain View Drive, was presented. It says there is an existing residence on southerly portion and 2 small sheds which encroach upon northerly undeveloped parcel, and reviews the current public improvements. It recommends that the parcel be divided into 2 50-foot lots (rather than as requested) and that improvements be installed and certain work done.

Mr. Crake, attorney, said that this is his 2nd time here. He reviewed the "history" of the property, and said that it is in one of the older residential sections of the city. He said that he has been designated as R-1 on the master plan. He said that ordinance was held up regarding this property, and held up regarding the Carmelite monastery which is across the street. He told the Council that the lot has been owned since 1921, and that the owner was the only one who owned property in the area when it was zoned. He disagreed with the report. He spoke of Lot 93 which has street frontage, and is 470 feet deep, extending into Mission Valley canyon which cuts across the lot at an angle. Mr. Crake said that the owner wants to divide Lot 93. He spoke of a structure on the southerly portion of the lot. He spoke of report of the Commission which stated there is no other lot in the area which has less than 50 feet. He said that Lot 95 has been subdivided.

The Mayor left the meeting, and Vice Mayor Burgener assumed the duties of Chairman.

Mr. Crake spoke about other nearby lots.

Councilman Schneider spoke to Mr. Crake regarding nearby development.

Mr. Crake told the Council that it is proposed to use the front portion of the property as a drive, with house to be on the rear, which is the view side. He said that the Planning Commission had recommended a variance for division of Lot 94.

The Mayor returned to the meeting

Mr. Crake continued, saying that substantially both lots have the same topography. He said that the lot about which he was speaking has more usable land than Lot 94. He said, again, that the owner has been there since 1921. He told of trees which are more than 30 years old, located on a line just outside the 50 x 150 ft. lot. He said that if property is developed as recommended, they would have to be removed. He said that it would be most advantageous if the rear portion of the lot is developed as a view building site. He stated that no matter what the street frontage is, it will be the rear of the lot which will be used. He repeated that the front portion would be used only for a drive. He spoke of a letter from the City Engineer regarding there being several building sites, if property is developed correctly. He spoke of need for building at the rear of the property. He said that proposed map is approved regarding sanitary facilities.

Councilman Burgener asked if there are any protestants.

Mr. Crake said that the man to the south - Lot 94 - supports the request, and that he favors the division.

Councilman Schneider spoke to Glenn A. Rick, City Planning Director. He asked about an agreement as a stipulation for the front 35 feet to be used only for a driveway and for horticulture.

Mr. Rick replied that is not necessary; it is R-1 property. He said that the Planning Commission did not originate the provision; it is in the City regulation that there be a 50-foot frontage. He said that the adjacent lot was provided in 1951, under another ordinance.

Councilman Schneider spoke to Mr. Rick again.

Mr. Rick said that it would not be overcrowding the property, but it is regarding the provisions. He declared it to be an uneconomical use of the property. He said that property owners could get together regarding installation of cul de sac streets. He said that he does not know if the owner has asked for a waiver regarding 50-foot frontage.

Councilman Schneider spoke to Mr. Crake regarding the Cliff Place development.

Mr. Crake spoke about there being more of a point (of land) there. He said that cul de sacs could not be made. He said there is a dead end street. Next, he read from the San Diego Municipal Code, and said that the property is going to have 75000 square feet in front, and more than the minimum size in the rear.

The Planning Director stated that it is necessary to apply to the Planning Commission for a waiver of the 50-foot requirement.

Councilman Kerrigan said that there is a technical detail, and that the matter should be referred to the Planning Commission.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the entire file of 2 subjects was referred back to the Planning Commission.

\*\* The hearing on Resolution 123413 of Preliminary Determination for paving Alley Block 4 Carmel Heights, which had been held awaiting profiles, was resumed.

The City Engineer produced profiles, over which a conference was held. He explained them to members of the City Council, as well as to a group of property owners who joined in looking at them. Mr. Gabrielson, from the Engineer's Office, joined the discussion in explanation.

RESOLUTION 126173, overruling and denying protest of Property Owners, John J. McGrath, Raymond G. Dreyer against proposed improvement of Alley Block 4 Carmel Heights and Nutmeg Street, Resolution of Preliminary Determination 123413, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 126174, determining that improvement of Alley Block 4 Carmel Heights, and Nutmeg Street, Resolution of Preliminary Determination 123413, for improvement of Alley Block 4 Carmel Heights, and Nutmeg Street, 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 Williams, adopted.

5/10/55

Communication from Planning Commission, by Harry C. Haelsig (typewritten signature), recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of La Jolla Lomas, a 2-lot subdivision of Lot 12, was presented.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending Tentative Map for 12-lot subdivision of Lot 12 La Jolla Lomas, subject to 4 conditions, was presented.

Albert Hubbard (W. A. Hubbard on communication addressed to the Planning Commission), objected to condition 3 of the recommendation, and the proposed resolution, which reads "That street alignment, lot and street design, setbacks and easements shall be provided as shown on the tentative map". In that connection, his objection was specifically to an 8-foot dedication. He spoke of there already being ample dedication which would allow 36 feet of pavement. He said imposition of the condition would be a detriment, in that the street would be within 2 feet of the house. He said that any dedication should be a community problem. He told the Council that they would be the only people on Muirlands Drive asked to make a dedication. Muirlands Drive would not be widened, according to Mr. Hubbard.

Councilman Burgener identified the property as being right on a point of land, at the end of Muirlands.

Glenn A. Rick, City Planning Director, told the Council that it is in the City's interest to make the dedication a requirement. He said that Mr. Tavares had been required to do so. He predicted that there will be a widening requested by the people. He agreed that some may be damaged. He said that there had been even a protest for division of the Hubbard property.

Mr. Hubbard said it would be damaging; it would be damaging to every piece of property on the 16 houses.

Mr. Rick said that it is for making 2 lots out of 1. He said he felt it proper to call the situation to the Council's attention.

Councilman Burgener said that there is no alternative but to divide the property. He asked if there is a 10-foot strip provided, already.

Mr. Hubbard said that it is in the original Muirlands deed.

Councilman Burgener said that he wants to check.

Mr. Hubbard said there is a 20-foot pavement on a 40-foot right of way.

Councilman Kerrigan spoke of there usually being reservation above sidewalk, curb and parking space.

Councilman Burgener said that there can't be put in a widened drive without thousands of yards of fill.

Mr. Rick said that many departments pass on recommendations for 2-lot subdivisions. He said that it is better to call the needs to the Council (by subdivision than by zone variance) attention.

Councilman Burgener spoke to the City Engineer about widening.

The Engineer said that it is a steep grade, with hair-pin turns. He said that there is a right of way of only 40 feet, with a 20-foot pavement. He said that provision is for 36-feet, curb to curb. He spoke of needing amount beyond 36 feet, and there could be a 50-foot right of way. He said that the City could get by with less than 56 feet. He said it is a tough place, narrow and bad. The Engineer said that the City is asking only for the right of way, and of request to be made to other property owners for the same thing.

Councilman Kerrigan asked if it is an access to another subdivision.

Capt. Fogg, the Engineer, replied "yes; 2 beautiful subdivisions".

Councilman Burgener wanted to know why property owners should be asked for something that will never be used.

Mr. Hubbard said that it would be a blight, a deed restriction. He asked why the City should pick on 1 piece of property. He said that it is impossible to comply. He spoke of not liking it as a deed restriction.

Mr. Rick said that he is not opposed to the division, but that nearby property owners do object. He inquired from Mr. Hubbard if he had asked for a setback variance.

Mr. Hubbard replied that he does not know what the measurements are. He said, again, that the right of way would come 2 feet from the corner of the house.

Mr. Rick wondered if there could be a compromise.

Councilman Kerrigan moved to refer the item back to the Planning Commission, for it to attempt to make a compromise.

Mr. Hubbard said that if compromise is made, it would mean the taking of the only 2 trees.

Councilman Burgener said that it is not realistic.

RESOLUTION 126175, suspending Section 102.17-c of San Diego Municipal Code,

in connection with Tentative Map of La Jolla Lomas, Lot 12, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Councilman Burgener moved to delete the 8-foot widening requirement - a portion of condition 3 - and adopt the proposed Resolution. Motion was seconded by Councilman Curran.

RESOLUTION 126176, approving Tentative Map of La Jolla Lomas, Lot 12, subject to 4 conditions, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Curran, Evenson, Mayor Dail. Nays--Councilmen Williams and Kerrigan. Absent--None.

There was continued discussion between Councilman Schneider and the Planning Director on traffic on Muirlands Drive.

Glenn A. Rick, Planning Director, said that people are beginning to realize the dangers.

There was no action.

Mayor Dail left the meeting during the reading of the next item. Councilman Burgener assumed the duties of presiding officer, as Vice Mayor.

The next item was taken up out of order.

Communication from North Park Business Club, 4094 Thirtieth Street, San Diego 4, dated May 4, 1955, signed by V. R. Linn, president, was presented. It was read to the Council by the Clerk. It says that for many years North Park area citizens, property owners and merchants have waited patiently for fulfillment of promise by the City to complete North Park connection of the Wabash Freeway. It says that connection would provide traffic to flow both ways from the freeway over the most feasible route of Nile Street or Wabash Street to University Avenue, and that when the freeway was built, bridges or overpasses were provided for the connection on the freeway. In addition to other statements, it says that time has come and gone when the project should have been completed. Accompanying the letter was a copy of resolution passed by the North Park Business Club, dated May 4.

Councilman Schneider added to the file a communication from Uptown Center Business Association, 30th and El Cajon District, signed by D. Grove, president; also communication from Miracle Center Businessmen's Association, University at the Bend, 3294 University Avenue, signed by E. Earl Allen, president.

Earl Allen told the Council that the North Park area is a substantial area, but there have been no substantial improvements. He said that it is important enough to provide lateral tie-up to Wabash Freeway. He told the Council that he represents 90% of the merchants in the area. Mr. Allen said that they should have immediate relief, and not be put off. He told of having tried for 30 years to get a street through.

Councilman Schneider said that there is a provision in the freeway to get off, into Maple Street. He told of having had many calls regarding a North Park street. He pointed out that in the area each numbered street has an intervening named street. As a result there are not 12 blocks, but 24. He said that installation of such a street would make the freeway more used. He recommended giving the item to the City Manager for immediate study and report.

RESOLUTION 126177, referring to the City Manager communication from North Park Business Club requesting a current survey on construction and financing of a 2-lane connection with the Wabash Freeway to University Avenue via either Nile Street or Wabash Street, for report on methods of financing same, was on motion of Councilman Kerrigan, seconded by Councilman Evenson.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Neptune Estates, an 8-lot subdivision of portion of Pueblo Lot 1260, was presented.

RESOLUTION 126178, suspending Sections 102.07-2 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Neptune Estates, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

5/10/55

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Neptune Estates, a portion of Pueblo Lot 1260, located on Fern Glen Street and Neptune Place, was presented.

RESOLUTION 126179, approving Tentative Map of Neptune Estates, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Muirlands Village Unit 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126180, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Wilfred W. Mast & Associates, a limited partnership, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Village Unit 2 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126181, adopting Map of Muirlands Village Unit 2, a subdivision of portion Pueblo Lot 1257; accepting on behalf of the public Avenida de las Pescas, Via Barranca, Avenida Manana, Avenida Bandera and unnamed easements shown for public purposes, declaring them to be public streets and unnamed easements and dedicated to public use; authorizing and directing Clerk of the City to endorse upon 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 the Map to the Clerk of the 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, recommending that final Record of Survey on Riveriera Villas, Lot 16 Block "O" be accepted in lieu of a final subdivision map inasmuch as finding has been made that all conditions contained in Section 102.02-1 of Municipal Code prevail, was presented.

RESOLUTION 126182, approving filing of Record of Survey Map of Riviera Villas, Lot 16 Block "O" in lieu of Final Subdivision Map, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Transit System, 235 Broadway, San Diego 1, dated May 3, 1955, signed by J. L. Haugh, president, submitting copy of application to California Public Utilities Commission for an increase of fares from 17 to 20 cents, was presented. It says that it is regretted that there is necessity for the move, but that recent labor arbitration award announced in March added additional costs to operating expenses. It refers to the operation in some detail, and says that problem calls for intelligent understanding and support of every citizen who has a stake in the future of our city. It asks for the Council's support.

Nicholaus J. Haering, who addresses the Council frequently, said that the continuous asking for raise is damaging to the system. He asked the Council to study 2 competitive systems and leave out the Railroad Commission as much as possible.

Councilman Schneider pointed out that the Transit System has an exclusive franchise.

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

Communication from Washington Street Merchants and Property Owners Association, 419 W. Washington St., dated 29 Apr 1955, signed by Joe Wurzell, Chairman, H. L. Hanggi, Co-chairman, Wm. Van V. Stewart, secretary, was presented. It thanks the Council for revising the "No Parking" signs on portion of Washington Street.

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



Communication from the Civil Service Commission, signed by William P. Elser, president, dated May 4, 1955, was presented. It requests approval in sending a member of the San Diego City Civil Service staff to the Western Regional meeting of the Civil Service Assembly of the United States and Canada, to be held in Lake County, California, May 22 to 25, inclusive. It says that it is believed that the director, Raymond Krah will not be able to attend, but it is felt that the Commission should be represented at the important conference. It says it is understood that travel and subsistence funds have been requested and approved for the 1954-55 Civil Service division budget.

RESOLUTION 126183, authorizing a member of the San Diego City Civil Service staff to attend the Western Regional meeting of the Civil Service Assembly, and incur all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item was numbered out of order by request.

RESOLUTION 126184, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a quitclaim deed under terms and conditions, to The Security Trust and Savings Bank of San Diego, a corporation, or portions of Pueblo Lots 1280, 1296, 1297, 1298 and 1299, described in form of Quitclaim Deed filed in office of City Clerk as Document 511894; authorizing and directing City Clerk to deliver it to the Property Supervisor with instructions to complete the transaction, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Resolution refers to auction sale held April 26, 1955, and of sale of property to William H. Black, Harry L. Summers, Maria Helen Alvarez, and Andrew J. Crevolin, that Property Supervisor, pursuant to instructions contained in Resolution 125895 has opened an escrow for the purpose of conveying the property to the purchasers, that they have authorized and directed in writing that property be conveyed to The Security Trust and Savings Bank of San Diego, and City Manager has recommended that deed be executed conveying the property.

The next item was presented, under unanimous consent granted to the City Manager, at the end of the meeting. By request of the City Attorney, it was numbered out of order.

RESOLUTION 126185, authorizing the City Attorney, on behalf of The City of San Diego, to file a disclaimer in action entitled "Marie H. Oertel, Plaintiff, vs. James S. Copley, and John Does One to Ten, Inclusive, Defendants., James S. Copley, Cross-Complainant, vs. Marie H. Aertel, and City of San Diego, a municipal corporation, cross-defendants" No. 174220, now pending in the Superior Court of the State of California, in and for the County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution says that James S. Copley is seeking to quiet title to portion of Lot A Block 12 of the Muirlands, and alleges that The City of San Diego is a necessary party to the action, and names The City of San Diego as cross-defendant pursuant to an Order of the Judge of the Superior Court, that the Council is advised by the City Manager that the City has no interest in the property, and 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 exercises its statutory right and files a disclaimer in the proceedings.

RESOLUTION 126186, directing notice of filing of assessment and of the time and place of hearing thereon - Assessment No. 2359 made to cover costs and expenses of work done upon installing sewer mains in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights, Thorn Street, Redwood Street, unnamed street, and public rights of way, Resolution of Intention 118980, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126187, directing notice of filing of assessment and of the time and place of hearing thereon - Assessment No. 2362 made to cover costs and expenses of work and improvement on paving, etc. Alley Block 18 La Mesa Colony, Resolution of Intention 121324, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



RESOLUTION 126188, directing notice of filing Assessment 2360 and of time and place of hearing thereof, made to cover costs and expenses of paving and otherwise improving Alley Block 30 Park Villas, Resolution of Intention 120578, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126189, directing notice of filing Assessment 2363 and of time and place of hearing thereof, made to cover costs and expenses of paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, Resolution of Intention 118395, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126190, directing notice of filing Assessment 2361 and of time and place of hearing thereof, made to cover costs and expenses of paving and otherwise improving Olvera Avenue and Bonita Drive, Resolution of Intention 119502, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD 126191, accepting bid of A. W. Thorpe, and awarding contract for paving and otherwise improving Alley Block 19 North Shore Highlands, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.  
City Engineer reported low bid as 12.1% below the estimate.

RESOLUTION OF AWARD 126192, accepting bid of A. W. Thorpe, and awarding contract, for paving and otherwise improving Linwood Street, Resolution of Intention 122841, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.  
City Engineer reported low bid as 17.0% below the estimate.

RESOLUTION OF AWARD 126193, accepting bid of V. R. Dennis Construction Co., and awarding contract for paving and otherwise improving 70th Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.  
City Engineer reported low bid as 6.8% below the estimate.

RESOLUTION 126194, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, approving Plat 2709 showing exterior boundaries of district to be included in assessment and 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 126195, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Boundary Street, approving Plat 2712 showing exterior boundaries of district to be included in assessment and 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 126196, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Brooklyn Avenue, Iona Drive and Kenwood Street, approving Plat 2703 showing exterior boundaries of district to be included in assessment and 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 126197, for construction of sewer main in La Jolla Rancho Road, Resolution of Intention 123409, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 126198, for paving and otherwise improving 40th Street, Resolution of Intention 123407, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 126199, for construction of sewer main in Inez Street and Gage Drive, Resolution of Intention 123287, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 126200, for paving and otherwise improving Shafter Street, Upshur Street and Scott Street, Resolution of Intention 123288, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126201, for paving and otherwise improving Alley lying easterly of and contiguous to Lots 1 to 12 and Lot 15 Block D Sterlingworth, Alley Block C Sterlingworth, Alley Block B Teralta, Alley Block 37 Resubdivision of Blocks H and I Teralta, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126202, for paving and otherwise improving Frost Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126203, for paving and otherwise improving Roosevelt Avenue, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126204, for furnishing of electric current, together with maintenance, in Mission Beach Lighting District Number 2, for 11 months and 15 days from and including August 17, 1955, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126205, for furnishing electric current for lighting ornamental street lights located in Ocean Beach Lighting District Number One, for 11 months and 18 days from and including August 14, 1955, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126206, for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District Number Three, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126207, for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

5/10/55

RESOLUTION OF PRELIMINARY DETERMINATION 126208, for paving and otherwise improving Boundary Street, was on Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126209, for paving and otherwise improving Brooklyn Avenue, Iona Drive and Kenwood Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126210, ascertaining and declaring wage scale for paving and otherwise improving Alley Block C Belmont, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126211, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 39 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126212, ascertaining and declaring wage scale for paving and otherwise improving Pyncheon Street and Ocean View Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126213, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Grant Avenue, Resolution of Intention 118555, and to be assessed to pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126214, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 51st Street, Polk Avenue, 52nd Street and Otilie Place, Resolution of Intention and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted. \*122088

RESOLUTION 126215, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Franklin Avenue, Resolution of Intention 121775, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126216, directing City Engineer to furnish diagram of property affected and benefited by work of paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, Resolution of Intention 121777, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126217, granting permission to John M. Bates and Anne M. Bates permission to install sewers to serve Lot 9 Soledad Terrace by private contract, under Document 511579, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 126218, establishing fees for use of the Municipal Course, as recommended by the City Manager and the Park and Recreation Director, rescinding Resolution 122360 adopted January 27, 1955, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 126219, approving Change Order 2 dated April 21, 1955, Document 511849, issued in connection with contract between City of San Diego and Griffith Company for improvement of Soto Street and Castelar Street under Document 504191, changes amounting to increase in contract price of approximately \$1,098.50, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 126220, authorizing Councilman George Kerrigan to go to Sacramento May 12, 1955, for attending meetings to be held for purpose of promoting and assisting in securing passage before Legislature of State of California as may be necessary to authorize State of California to develop and transport surplus waters of Feather River to Southern California, with understanding that if such project is undertaken and developed portion of waters will be committed for use of The City of San Diego and its inhabitants; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 126221, vacating easement and right of way for private sewer lateral in portion of south 640.0 feet of Lots 19 and 20 Block 234 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution says that on June 16, 1947, The City of San Diego acquired easement and right of way, that sewer lateral when installed covered only west 4 feet of east 6 feet of Lot 19, that remaining portion has not been used by The City of San Diego since date of acquisition, that City has no present or prospective use for that portion, that City Manager has recommended the City abandon its interests in the remaining portion, and that abandonment and vacating is pursuant to Section 50443 of Government Code of the State of California.

RESOLUTION 126222, accepting deed of George C. O'Brien and Velva H. O'Brien, April 27, 1955, conveying easement and right of way for public utilities in portion Lot 16 Block "O" Riviera Villas; 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126223, accepting deed of Arthur W. Bunte and Marguerite Bunte, April 29, 1955, conveying easement and right of way for public utilities in portion Lot 16 Block "O" Riviera Villas; 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 Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance was dispensed with, by not less than 4 members of the Council.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, ORDINANCE 6500 amending Section 2 of Chapter IX of The San Diego Municipal Code - Electrical Code - was adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

5/10/55

On motion of Councilman Kerrigan, seconded by Councilman Williams, reading of the next ordinance was dispensed with, by not less than 4 members of the Council.

On motion of Councilman Kerrigan, seconded by Councilman Williams, ORDINANCE 6501 (New Series), amending Ordinance 6168 (New Series), entitled "An Ordinance Establishing a City Employees' Retirement System for Employees of The City of San Diego, and superseding in part Ordinance 10792 adopted November 29, 1926" adopted June 22, 1954, by adding 5 new sections, to be numbered 4.5, 14.5, 32.5, 64.5 and 66.5, which provide for transfer into The City Employees' Retirement System as established by Ordinance 6168 (New Series) of all members of the Police and Fire Retirement System of The City under certain conditions and limitations, was adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Curran. Nays--None. Absent--Mayor Dail.

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.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, ORDINANCE 6502 (New Series), appropriating \$455.00 out of Capital Outlay Fund for providing additional funds for improvement of Soto Street and Castelar Street, was adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

The Unanimous item granted to City Manager for settling claim of Mary M. Schlattman, at this point was numbered out of order, at the beginning of these minutes.

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

RESOLUTION 126224, approving and confirming appointment by the Mayor of Mrs. Gene McFall as member of Social Work Commission, under Sec 33.2112 of San Diego Municipal Code, for full term of 5 years, to succeed herself, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from City Manager stating that Tentative Map of Kolgra Manor, 19-lot subdivision of Lots 4 and 5 Wadsworth's Olive Grove, lying on west side of 52d Street in vicinity of Maple Street, was approved April 5, 1955, under Resolution 124559 by the Council, was presented. It says that resolution required dedication of west half of 52d Street, and that it be approved by subdivider. Communication states that on east side of 52d Street opposite Kolgra Manor there is a city-owned playground adjacent to Oak Park School but the east half of 52d Street has not been dedicated by the City. It says that subdivider has been unable to obtain easement for 112 feet of 52d Street outside land owned by him and has asked City assistance. It recommends that City agree to acquire easement at City expense and that City agree to dedicate east half of 52d from Maple Street south to north line of Clearview Manor. It reports that in return, the subdivider will rough grade the east half as part of his subdivision work. Communication recommends that Council approve the arrangement with the subdivider and refer matter to Planning Commission for inclusion in proposed revision of tentative map of Kolgra Manor which is now being prepared.

At the request of the City Manager, and on motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to Planning Commission.

The City Manager told the Council of joint request of the Community Welfare of the County and City, and of request for \$5,000. assistance appropriation. He said he thinks it was \$5,000, which had been held until the seating of the new Council. He said that the Supervisors want to meet with the Council next Tuesday at 8:30. (Asked following the meeting, the Manager told A.M.W. that he will arrange the meeting).

126224  
6501 N.S. - 126224  
Communication  
Verbal presentation by Mgr.  
re meeting on Community Welfare

5/10/55

5/12/55

There being no further business to come before the Council, the Mayor declared the meeting adjourned, at 12:03 Noon.

ATTEST:

FRED W. SICK, City Clerk

By

*August H. Hadstrom*  
Deputy

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

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, May 12, 1955

Present—Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent—Councilman Burgener  
Clerk—Fred W. Sick

Resolutions and Ordinances are recorded on Microfilm Roll 95

The Mayor called the meeting to order at 10:06 A.M.

The Mayor recognized Carl Reupsch, from the Harbor Department. Under unanimous consent granted by the Council, Mr. Reupsch presented the next item, which he explained.

Communication from Pacific Towboat & Salvage Co., signed by Ernest A. Judd, Pier "C" Berth 20, Long Beach, addressed to the Purchasing Agent under date of May 10, 1955, offering \$16,000 cash for Industrial Brown Hoist locomotive crane operated by Harbor Department, rated as 75 ton capacity, "as is" and "where is", plus State Sales Tax, was presented.

Mr. Reupsch told the Council that the Harbor Department has been trying to sell it for years.

RESOLUTION 126225, accepting offer of Pacific Towboat & Salvage Company of Long Beach, California, authorizing Purchasing Agent to consummate the sale and sell it, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Councilman Burgener entered

The Council granted Carl Reupsch, from the Harbor Department, unanimous consent to present Resolution in connection with SB 736 (amended).

Mr. Reupsch read the bill as well as a statement attached to it. He said that Arthur Eddy, County Assessor, will take no action.

Councilman Schneider stated that he was not ready to act.

Mayor Dail said that there is no point in waiting.

Councilman Schneider asked Mr. Reupsch when he was aware of the bill.

Mr. Reupsch's reply was "yesterday".

The Mayor spoke of San Diego being in competition with other ports on cotton shipment.

Meeting adjourned  
Meeting convened  
126225 U.C.  
Cotton taxing bill U.C.



Mr. Reupsch told the Council that other ports are in favor of the bill. He stated that over a million bales of cotton are shipped through California ports. He said that cotton can be sold on future - except in California. He said that it would prevent sending to Southern states. He spoke of there being no taxation in the South. He said that there is no California cotton in the street and the warehouses, but that this port can handle California and Mexico cotton.

Mayor Dail said that the Council did not reach this item in this morning's conference.

Councilman Burgener said that the Council would have all day today.

Councilman Williams said that the Council can confer on the item, if desired.

RESOLUTION 126226, endorsing Senate Bill SB 736 (amended) and urges support in the Senate of the State Legislature, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

It says that cotton grown in California is being shipped to southern states prior to March lien date to escape taxation, that the flight of cotton is costing millions of dollars in taxation, wages and investments. The Resolution says that if the cotton crop were encouraged to remain in California, the ports would enjoy added business created by movement of cotton through the ports with resulting benefits to the economy of port cities, and that the Bill (amended) established an in lieu tax on cotton in an attempt to correct the foregoing and other disadvantages created by the present taxation legislation.

(The Harbor Department secured from the City Clerk's office 20 certified copies of the Resolution for proper distribution).

Councilman Justin C. Evenson requested unanimous consent for presentation of an item, not listed on the agenda. It had to do with the prohibition against parking on Broadway on a portion during the peak traffic period in the late afternoon.

Ely Librard told the Council that the people in the area feel that the restriction is not necessary, and is not in the interest of the businesses. He stated that a freeway has been made out of Broadway, from 7th to 11th.

Arthur F. Steiner stated that he has a small business at 921 Broadway. He said that sales from people stopping autos were around \$900. per month, but that no one stops now. He stated that a barber in the area has had to let one man go. He contended that the regulation has not expedited traffic.

The Mayor said that when the regulation was put on was at Christmas time.

Mr. Steiner said that there was no objection at that time. Now, he said, it works a hardship on merchants. He said that when people pick up papers, they pick up other things, but now they have stopped.

Joseph Petrone stated that he has a tavern and a restaurant. He said that the restriction does not alleviate traffic. As a result of the situation, according to Mr. Petrone, he had to let a girl go, and a bartender go. He said that it has cut the business \$500. per month. He agreed that it was all right at Christmas, but the City has not made the right approach.

Henry Bowman said that he was in the 900 block on Broadway, but had moved to the 900 block on 5th Avenue. He stated that he had moved out of the frying pan into the fire. He said that there is no foot traffic, and no business after 4:00 P.M., and that there is no 3rd lane, as intended. He said that he was speaking for 3/4 of the merchants. He told of people who stop their cars getting tickets, and of business being decreased by 25%.

Councilman Schneider told Mr. Bowman that the Traffic Engineer had asked that the parking restriction be put on, to keep the traffic moving.

Mr. Bowman described the restriction as being not effective. He said that he has never seen a congestion in 2 months there.

A. Nicholas said that he has a small cafe at 901 Broadway, and of people getting tickets for parking, and of the 30-minute limit.

Mayor Dail said that the item should be referred to the Traffic Engineer.

Councilman Burgener made the statement that the Council should take action quickly.

Councilman Evenson said that the item should be referred to Conference and the Traffic Engineer.

The Mayor stated that reference might be made to the City Manager and to Conference.

RESOLUTION 126227, referring to Council Conference and to the City Manager the matter of No Parking on Broadway between 4:00 o'clock P.M. and 6:00 o'clock P.M., in the 700, 800, 900 and 1000 blocks, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of William M. Skirball, Jack H. Skirball and Cliff Work (by Louis M. Karp, attorney) from decision of Board of Zoning Adjustment denying permission for operation of a recreational center, consisting of 50 bowling alleys, dining rooms, snack bars, and offices, on portion of Lots 3 and 4 Pueblo Lot 1111 - legal description on file in Planning Office - south side of Camino del Rio approximately 1/2 mile west of Texas Street in Zone R-1A as a variance to provisions of Ordinance 1947 N.S., the finding of facts was read to the Council by the Clerk.

The Clerk reported 2 new letters: 1 from Central Labor Council of San Diego County signed by John W. Quimby, secretary, favoring the project; the other from Mission Valley Improvement Association, signed by Will Hippen, Jr., opposing it. Then, a petition addressed to Councilman Justin Evenson, all signed by residents on Panorama Drive a residential area on the canyon rim immediately above and joining on the south the property in question, was handed in and then read by the Clerk.

Councilman Burgener about a definite vote.

City Attorney J. F. DuPaul replied that the Resolution of denial without prejudice means that the Commission would be glad to reconsider the petition later. (The Finding of fact says, in part "The office recommendation was presented for a continuance of this petition in order that the Board may have an opportunity to study a proposed overall Master Plan of the entire Valley, but the counsel requested that definite action be taken at this time. The Deputy City Attorney felt the Board should take action if requested by the petitioner, therefor, the Board voted unanimously to deny this petition, without prejudice".

Glenn A. Rick, City Planning Director, agreed with the City Attorney's interpretation.

Mr. Karp, attorney for petitioners, pointed to a picture which he had posted on the wall, and referred as 72,000 square feet - with 288,000 square feet of parking. He said that the cost of the proposed development is approximately \$1,300,000. He told the Council that there is one such project in Clifton, New Jersey, and one under construction in Los Angeles, and one is wanted here. One has been considered for San Francisco, however. He showed a plat, and identified the area, for the Council. He stated that the property is on a service road - not on Mission Valley Road. Mr. Karp said that the objections come from the people on the hill, above. He pointed out that there are ordinances in San Diego controlling noises, and that the operators of the proposed project could not create noise. He said that he has a letter from Earl F. Giberson, A.I.A. member, who says that the building can be built practically sound proof. Mr. Karp told the Council that can be made a condition of a grant. He stated that it could not be heard 50 feet away. Next, he exhibited a photograph of the area, and identified location of the protestants, the nearest over 700 feet away, others 1,000 feet away. He said that somebody, who is a leader, circulated the petition of protest. He said that they are either misinformed...(did not complete the statement). He said that they did not contact the proposed developed, and that they may have had the gall to lie. He stated that the petition (of protest) is not correct. He showed another photograph, taken from the hill. He said that people have signed petition, saying operation is next to Mission Valley Swimming School, and that it is going to hurt the area. Mr. Karp stated that the traffic problem is greater than the noise. He said that developers are willing to risk \$1,300,000 to satisfy the condition. He stated that the problem of traffic exists now. He told of having been a witness to 2 accidents within the last week. He declared that the Mission Valley freeway is a death trap, and said that a freeway is planned for 8 lanes, not 6. He told the Council that there are to be 2 clover leaves: at Texas and East of 6th. He stated that both accidents happened on the north side of the highway (proposed development is on the south side). Mr. Karp contended that the development would not create a problem, in that setback is being provided. He said that traffic will be between the heavy peaks on the Mission Valley traffic. He said that the project would not be adding to the problem, to the extent of justifying a denial. He contended that denial is not a solution to the traffic problem. Mr. Karp said that of the protests, only 1 protestant has a home within 300 feet. He told the Council that people within 300 feet are in favor of the project. He said that property on 3 sides of the property are in question - the road is on the other side. He agreed that 1 individual on the hill does object. He spoke of an opportunity

126227

Hearing on appeal  
re recreational  
center in M.V.

to bring capital to San Diego and a multi-million dollar recreation facility. He stated that this is an opportunity for the newly-seated (Mayor and Councilmen) to fulfill campaign promises of smokeless, smog-free industry. He said that the Mission Valley Improvement Society maintains that it wants to maintain the south side of the Valley for residences. He contended that it will not remain a fine R-1 residential area, with 12 lanes of traffic. He stated that they refuse to see San Diego as a growing city. He said that they should aid San Diego. He declared that Mission Country Club and Mission Valley Town & Country have helped. He spoke of there being many proponents here.

Councilman Evenson spoke to Mr. Karp about "recreational center".

Mr. Karp replied that there would be 54 bowling areas, cocktail room. He said that it is defined as a recreational center, as provided in the Code.

Howard B. Chernoff told the Council that it is called a recreational center because it is to be a fancy project. He said that there would be no other activities, such as billiards and ping pong. Mr. Chernoff said it would be bowling and restaurant.

Mr. Karp filed the letter from Mr. Giberson, to which he had made earlier reference.

Mr. Chernoff identified himself as a property owner in San Diego, semi-retired. He said that he is interested, as part owner. He said that he has known Mr. Skirball and the others for 30 years. He referred to them as Hollywood independent producers. He said that the invention re the automatic pin ball setting has come into fruition. Mr. Chernoff said that Mr. Skirball has been given the rights to the first 50 lanes. He told of having looked at the one in Clifton. He referred to the 3 to be built: in Los Angeles, San Francisco, and a try for 1 here. He said that the 54 lanes would be put in at once, and it would be the biggest west of the Rockies. He said that there would be no stock sale, and that the premises will be sound proof.

Beryl Phelps, engineer, told the Council that he had taken elevations, and that the elevation of the nearest home is 350 - 300 feet above the bowling alley. He said that the nearest home is 700 feet. He made comparison between the project and the residences, and between the California Theatre and El Cortez Hotel. He said it would be 500 feet from the back of the parking lot. He declared this to be an ideal location, on account of the distance, and of the height of the project below the residences.

O. W. Todd, Jr., told the Council that he is not financially interested in the proposed development. He stated that the population has outstripped the recreational facilities. He said that there is a need to catch up, and referred to youth in the golf field and the bowling field. If San Diego is to attract men in the field, there is need for facility for the thousands who would come to tournaments, Mr. Todd stated. He said that for private capital to come in is important. He told of there being no facilities for tournaments, now. He said that one - the Kiwanis - had to give up. He said this is needed, and is an important problem.

Councilman Curran spoke to Mr. Karp about sound.

Mr. Karp replied that decibel readings were taken in the Clifton project, showing less than 50 inside, and between 50-and-70 outside. He said that Mr. Giberson has said that it can be made silent; there will be no windows.

Mr. Chernoff showed a picture of the one in New Jersey (Clifton).

Councilman Schneider spoke to Mr. Karp about development.

Mr. Karp said that it would be put in condition with 54 alleys, landscaping, and signs which would be put up with Planning approval.

Next, Mr. Crutchett, who stated that he has lived in San Diego 30 years, and lives in Mission Cliff Gardens, spoke. He said that he doesn't want a bowling alley in his back yard. He showed pictures taken from the patio under construction, of a house which he said will be \$40,000. He stated that some will look down on the area. He said that they are nice homes, and that such a project would not be permitted in Point Loma or La Jolla. Mr. Crutchett said that he bought on the assumption that the sand and the dairies operations in the Valley would be eliminated. He said that now they want to add more. He objected to the noise, which he said comes up the hill. He told of having to move the furniture out of the bedroom, to get away from the noise on the Valley site. He said that the noise would come back up from the highway. He said that the bowling alleys would not close up at 5:30, but would go on to midnight. He said that there would be several hundred cars at midnight, and there would be people moving in and out, and that it would be noisy. He declared that it would be no asset to the property; it would be a great detriment. Mr. Crutchett said that if the City lets this in, somebody would want something else. He said that the nice homes are in danger, and said that it is R-1A district. He spoke, again, of hearing the noise from the floor of the Valley. He told of being fortunate that he can lay his hearing on the dresser, but that his wife hears the crashes at the foot of Texas Street. He stated that folks in the parking lot can't be quieted.

Mr. Patella said that he has a lot above. He pointed to a drawing, and

said that he will be above, although he won't see it. He contended that noise will come through vents in the ceiling, rising up the hill. He said that they are liable to get a mess through the vents. Mr. Patella said that leagues are at 6 or 6:30 and 9. He said would result in congested situation in parking lot. He said that there will be stragglers until 12 or 2 (leaving). He said that the Tower and the Comanche have handled all tournaments that have come. Mr. Patella said that Los Angeles has handled only 1 tournament. He said that they had to construct additional alleys for the tournament, which were then torn down. He spoke of there being no advantage from the tournament trade. He asked to see the photo. He, when it was shown to him, identified as having been taken in his back yard. He said there is no way that all the sounds originating outside the alley can be controlled.

Walter Turner, who lives in Mission Valley, stated that he is a past president of the Mission Valley Improvement Association. He read from conditional use for application. He said that it is not recommended, as required, but applicants had insisted upon having a hearing. He spoke of there having been work on plans since last September "to eliminate this type of thing". He read regarding proposed use being desirable or necessary. He contended that the use would not contribute to the well being of the neighborhood. He said that the property can be used for residential purposes. He said that Grant (Russell Grant), attorney for sand and gravel people, on another hearing, had admitted that the south side of the Valley is for residential use. He continued to read. Mr. Turner said that health would not be improved, on account of the noise, since noise travels, and the Valley is a sounding board. He told of hearing brakes screeching, and dogs barking. He said that he works in his office at 1st and Broadway, and can hear traffic officer parked at nights, since the sound travels up to the 3rd floor. He read figures on traffic on Texas Street: 7,800 cars - 1 car per second. He said that applicant is asking for 400 or 500 more cars. He stated that there have been 13 accidents and 8 injuries in a few months. He declared it to be a detriment, and not a safety situation. He told the Council that when he turns left he crosses his fingers, hoping not to get hit. He said that it will be 1956 before it is put to bids for overpass, and 1959 before the building is done. He spoke of 8 lanes, and 2 service roads, possibly. Mr. Turner said that he is interested in Mission Valley, since he lives there. He said that this would still be a zone variance, but it would allow a commercial area. He said that if the City allows a bowling area, it would have to allow somebody on the otherside (of the highway). He told of there being no residences, and said that there is building in Mission Valley. Mr. Turner said that if the conditional use is allowed, it would be upsetting the whole plan for Mission Valley. He told of wanting a beautiful area. He said that the project need not be in Mission Valley. He said that the City is trying to develop the area in Mission Bay, which he declared to be an ideal situation. He said that the City is willing to lease land. He said that they could also go on Friars Road, where there would be no one to bother, and it would be a safe place. He said that there are plenty of locations in San Diego (other than the Valley). He spoke of Mission Valley Improvement Association having been existence several years, and a custom of coming to it, but having heard nothing until this notice. He told of a meeting to consider the proposal, but that Mr. Karp and the associates' plan was turned down. He said that there will be liquor, and another Neon row. He said that he bought regarding the R-1A zone, and of wanting to keep it that way.

Lloyd S. Neill told of having property above, and of having bought land contiguous to the site. He said that he has an expensive home at top of the ridge. He said that the request should be denied.

Herbert F. Duensing spoke to the Council about having served as a Mayor of another city. He said that he would not hinder progress and improvement. He said that he was sorry that proponents had misrepresented the proposal. He objected to Mission Valley becoming commercial. He spoke of Mission Cliff Gardens area (above the Valley) being kept beautiful. He said that if the Valley becomes commercial, there would be no end to the outcome. He said that one's home is his castle, and he trusted that the Council would not grant the variance appeal.

Charles G. Anders said that he had listened to applicants expounding, but that they were mute on the fact of not building in San Diego.

The Mayor recognized Mr. Tait, personnel director, for the City Schools. Mr. Tait told the Council that the decision to deny was right. He said that he lives right on the edge of the Valley, and that even voices come up from below. He said he had been told that the only thing that would cut out the noise would be the building of a baffle. He said that if there were an amphitheatre, he might not object. He told the Councilman that he does not object to the steady noise. He said that he is "a slow sleeper".

The hearing was closed.

Councilman Wincote asked Mr. Karp if the proposed developers own the property.

5/12/55

Mr. Karp replied that the property is in the process of being purchased.

Councilman Williams asked "why this site?"

Mr. Karp said that it is the spot that is wanted, as a result of a survey.

Mr. Chernoff told the Council that they could undoubtedly have made a better deal in Mission Bay, but that the machine maker had made a study, and selected this site. He said he had asked if it could not be inclined toward Mission Bay, on a lease basis, and the reply had been "absolutely not". He said that the makers of the survey, and owners of the process to be used, said that the developers would have to draw patrons from the aircraft plants - and that Mission Bay is too far away.

Mayor Dail asked about Planning study in the Valley.

Mr. Rick said that he has a first copy of the study from the printer, but that there will be copies. He said that it does not recommend answers. He said that what it does is analyze what is in the Valley. He said that it may take another 4 to 6 weeks for Commission study, and that the Council may want 3 to 5 weeks. He said that there is basic information.

Councilman Schneider spoke to Mr. Karp and said that it would be at least 2 months.

Mr. Karp replied that it would probably be 6 months.

Councilman Schneider asked how that would affect the interests.

Mr. Karp said that it would destroy it.

Mr. Chernoff said that there are going to be 3 installations built, on 4 sites. He said that there is a site in Pasadena, but this one in San Diego would be preferred.

Councilman Burgener spoke to Mr. Turner.

Mr. Turner said that there are 40,000 cars a day in Mission Valley.

Councilman Burgener said that with that information, Mission Valley would not be desirable for homes.

Mr. Turner said that it is desirable, and that he can think of no place else to go. He said that the signal is a death trap, with no arrow. He spoke of Town and Country and the Mission Valley Golf Club having been approved, as had been said earlier. He said that he would object to the south side for the proposed use, on account of being home property.

Councilman Williams spoke to Mr. Turner about noise from the Town and Country and from the Mission Valley Country Club.

Mr. Turner said that he is east of Texas Street, on what is known as Sandrock Grade.

Councilman Williams asked the opinion of the people who live on the <sup>rim</sup> regarding Town and Country and the Mission Valley Country Club in connection with traffic.

Mr. Hippen answered that he lives opposite the 14th tee, and that he can hear people yelling "fore"! He said that the parking lot to the east does not affect him, although it might bother others.

Councilman Williams said both installations are used for hours.

Mr. Hippen replied that the golf course closes at night.

Councilman Williams asked if cars cause distraction.

Mr. Hippen said that traffic does, and he is 1/4 mile west from the parking area.

Mr. Karp repeated that the City had ordinance which controls loud noise, and that the subject is already controlled.

Nicholas J. Haering tried to speak.

The Mayor told him that the hearing was closed, and it is the intention that Council may ask questions, and discuss the subject.

Mr. Haering said that he would take only 2 minutes. He said that they have proven that objections are taken care of; noises are there. He said that the City should profit by the operation. He said that it should have over-all good. He stated that there are noises, and he asked "why stop a good project?". He said that over-all picture should be considered.

Councilman Kerrigan said that there is going to be a policy regarding planning (in Mission Valley), and that it should be referred to Planning.

RESOLUTION 126228, referring appeal of William M. Skirball, Jack H. Skirball and Cliff Work from decision of Board of Zoning Adjustment denying applicants permission to operate recreational center, consisting of 50 bowling alleys, dining rooms, snack bars and offices, on portion Lots 3 and 4 Block llll, south side of Camino del Rio approximately 1/2 mile west of Texas Street, in Zone R-1A to Council Conference, and continuing hearing until 10:00 o'clock A.M., Thursday, May 19, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.



Councilman Burgener asked about time.

Councilman Kerrigan said that it should be resolved in a week, that study is available now. He said that the Council has the right to take a look at it.

The roll was called at this point on Resolution 126228, which was numbered where the motion was made.

Petition of 16 Loan and Jewelry Companies, for amendment to the Municipal Code - Section 33.1106 - and suggesting new wording, was presented.

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

Petition of Todd's Men's Quality Clothes, 868 Fifth Street, dated May 9, 1955, stating that the San Diego Store is being closed out, and it requests an additional 30 day extension to run sale, was presented.

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

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Daley Corporation - 2 bids - for furnishing 300 Tons Soil Cement @ \$4.60 per ton, or total of \$1,380. plus State Sales Tax, f.o.b. bidder's plant, was presented.

RESOLUTION 126229, accepting bid of Daley Corporation for furnishing 300 Tons of Soil Cement; 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 Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Hawkins-Hawkins Co., Inc. for furnishing 505 Steel Galvanized Highway Sign Posts, 10 ft. long, at \$3.20 each, plus State Sales Tax, f.o.b. San Diego - 4 bids - was presented.

RESOLUTION 126230, accepting bid of Hawkins-Hawkins Co., Inc. for furnishing 505 Galvanized Steel Highway Sign Posts; 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 Kerrigan, seconded by Councilman Wincote, adopted.

Report of Purchasing Agent on low bid of Shaw Sales & Service Company - 3 bids - for furnishing 1 3/4 Cu. Yd. capacity wheel-type tractor loader, \$5,893.50 terms 2% - 30 days, plus sales tax, was presented. It has City Manager's stamp of approval.

RESOLUTION 126231, accepting bid of Shaw Sales & Service Company for furnishing 1 3/4 cu. yd. capacity wheel-type tractor loader; awarding contract, authorizing and instructing City Manager to enter into and execute same on behalf of City of San Diego pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of U. S.-Phillips Battery Mfg. Co., for furnishing Storage Batteries for 6 months beginning May 15, 1955 according to bid schedule - estimated total \$2,639.50 - 8 bids - was presented.

RESOLUTION 126232, accepting bid of U S Phillips Battery Mfg Co. for furnishing storage batteries for period of 6 months beginning May 15, 1955; awarding contract, authorizing and instructing City Manager to enter into and execute same on behalf of City of San Diego pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



Report of Purchasing Agent on low bid of Western Metal Supply Company - 4 bids - for furnishing 200 Trash Cans @ \$5.40 each, and 200 Garbage Cans @ \$1.65 each, all plus State Sales Tax, terms 2% - days - was presented.

RESOLUTION 126233, accepting bid of Western Metal Supply Company for furnishing Trash Cans and Garbage Cans; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126234, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing, Fittings and Valves, Document 511988, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126235, approving plans and specifications for furnishing all labor, plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of College Avenue southerly of University Avenue (including grading, preparing subgrade, paving portion of College Avenue, construction of curb, berm, reconstruction curb inlet, existing pressure detectors and placing of concrete plug), Document 511897; 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 126236, approving plans and specifications for furnishing all labor, plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Mission Bay, southwesterly from Ventura Boulevard and Midway Drive, Document 511896; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Rolando Shopping Center subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126237, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Gilman Grading Company, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Rolando Shopping Center 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 126238, adopting Map of Rolando Shopping Center, a subdivision of portion Parcel "O" and "OO" in Lot 19 Rancho Mission of San Diego; accepting on behalf of the public portion of Aragon Drive and named easements shown for public purposes, declaring them to be portion of public street and named easements dedicated to public use; authorizing and directing Clerk of the City 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, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with tentative map of division of south 115 feet of north 470 feet Lot 37 La Mesa Colony, was presented.

RESOLUTION 126239, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of division of south 115 feet of north 470 feet Lot 37 La Mesa Colony, 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 La Mesa Colony, por. Lot 37 (Brown), subject to 5 conditions, was presented.

RESOLUTION 126240, approving Tentative Map for division of south 115 feet of north 470 feet of portion Lot 37 La Mesa Colony, subject to the Resolution, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with tentative map for division of south 115 feet of north 240 feet of east 162 feet Lot 37 La Mesa Colony into 2 parcels, was presented.

RESOLUTION 126241, suspending Section 102.17-c San Diego Municipal Code in connection with tentative map for division of south 115 feet of north 240 feet of east 162 feet Lot 37 La Mesa Colony, 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 division of south 115 feet of north 240 feet of east 162 feet Lot 37 La Mesa Colony (Flick), located on westerly side of 69th Street between Saranac and the Dennstedt Point, subject to 9 conditions, was presented.

RESOLUTION 126242, approving Tentative Map of La Mesa Colony for division of south 115 feet of north 240 feet of east 162 feet Lot 37, subject to the Resolution, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with tentative map for division of north 125 feet of east 162 feet Lot 37 La Mesa Colony (Helm), was presented.

RESOLUTION 126243, suspending Section 102.17-c of San Diego Municipal Code in connection with tentative map for division of north 125 feet of east 162 feet Lot 37 La Mesa Colony, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of north 125 feet of east 162 feet Lot 37 La Mesa Colony (Helm), subject to 9 conditions, was presented.

RESOLUTION 126244, approving Tentative Map for division of north 125 feet of east 162 of Lot 37 La Mesa Colony, subject to the Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map for resubdivision Lots 47 and 48 Block 4 Ocean Beach, was presented.

RESOLUTION 126245, suspending Sections 102.08-3, 102.06-1, 102.12-4, 102.1805, 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision Lots 47 and 48 Block 4 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for Resubdivision of Lots 47 & 48 Block 4 Ocean Beach, subject to 6 conditions, was presented.

RESOLUTION 126246, approving Tentative Map for resubdivision of Lots 47 and 48 Block 4 Ocean Beach, subject to the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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Communication from Planning Commission, signed by P. Q. Burton, reporting on hearing held April 6 on question of whether or not name of Lambeth Drive should be changed to Lorca Drive, in Rolando area, was presented. It says that prior to hearing the Commission caused 17 notices to be posted, that at hearing majority of people were in favor of changing name back to Lorca Drive, but Commission was not satisfied that they truly represented feelings of property owners, and caused postal cards to be mailed to each property owner on the street. It says that 49 were mailed and 33 replies received. 21 indicated they wanted Lambeth Drive changed to Lorca Drive; 11 wanted it to remain Lambeth Drive, and 1 was neutral. It reports that the Commission voted 4-1 to recommend name of Lambeth Drive be changed to Lorca Drive.

RESOLUTION 126247, requesting City Attorney to prepare and present ordinance changing name of Lambeth Drive to Lorca Drive, in accordance with Planning Commission recommendation in Document 511651, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on hearing held April 6 on question of whether or not name of Logrono Drive should be changed to Lorca Drive in Rolando area, was presented. It says that prior to hearing the Commission caused 7 notices to be posted, and that at hearing a majority of people were in favor of changing name back to Lorca. It says that the Commission was not satisfied that they truly represented feelings of property owners, and caused postal cards to be mailed to each property owner along the street: 11 were mailed and replies were received from all who indicated that they wanted Logrono changed back to Lorca. It reports that Commission voted 4-1 to recommend that name of Logrono Drive between Rodrigo Drive and Lambeth Drive be changed to Lorca Drive.

RESOLUTION 126248, requesting City Attorney to prepare and present ordinance changing name of Logrono Drive to Lorca Drive, in accordance with Planning Commission recommendation in Document 511691, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of 8 property owners on portion of Archer Street westerly of La Jolla Boulevard, be changed to Surfside Drive, was presented. It says no reasons are given for the change. It reports that several City departments find no particular objection to the change, but most see no reason for it. It reports that it was opinion of the Commission that expense and confusion resulting from indiscriminate name changing are not justified, and ruled that no hearing was necessary. It recommended by vote of 5-0 to deny petition.

RESOLUTION 126249, denying request to change name of Archer Street lying westerly of La Jolla Boulevard, to Surfside Drive, as recommended by City Planning Commission in Document 511891, was on motion of Councilman Burgenier, seconded by Councilman Kerrigan, adopted.

Communication from Robert W. Conyers, attorney at law, 530 Broadway, San Diego 1, California, dated May 5, 1955, representing Moody's Lunch Service, 1455 Union Street, was presented. It refers to proposal made to amend the Municipal Code to prohibit operation of lunch trucks, and to hearing May 19. It asks that if there is to be other or earlier consideration, he be advised in time for an appearance.

On motion of Councilman Schneider, seconded by Councilman Williams, it was referred to the hearing file.

Communication from San Diego Taxpayers' Association relative to "substantial City tax rate increase" which may be in the offing for 1955-56. It requests review, and consideration with the City Manager and independent heads with attention to: New programs and services; expanded programs and services; requests for additional personnel; estimates of revenues. It recognizes that San Diego has many growing needs and that they must be met economically. It says that recommendations will be presented in very near future.

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

Nicholaus J. Hearing came to the microphone, following presentation of the San Diego Taxpayers' Association letter.

Mayor Dail asked if Mr. Haering expected to be heard "on everything". He said that Mr. Haering should respect the Council's position. He asked how many times a day the Council would have to recognize him.

Mr. Haering replied that he intended to interrupt only for items of interest, and that this is only 1 of hundreds. He said that he was not trying to take time. He asked if his letter (on the same subject) had been side tracked.

Councilman Williams spoke to Mr. Haering.

Mr. Haering, asked about the way in which the letter was addressed, told of the several to whom he had addressed it.

(The letter had not been received by the Clerk, and could therefore not be listed on the agenda).

The Mayor declared a recess at 11:57 until 2:00 P.M.

Upon reconvening, at 2:26 P.M., the roll call showed:

Present---Councilmen Williams, Schneider, Curran, Mayor Dail

Absent---Councilmen Burgener, Kerrigan, Evenson

Clerk---Fred W. Sick

RESOLUTION 126250, declaring through highways:

A Street between east line of India Street and west line of 9th Avenue, excepting intersections with State Street, 1st, 4th, 5th and 6th Avenues;

Grand Avenue between west line of Pacific Highway and east line of Mission Boulevard excepting intersection with Ingraham Street; also declaring intersection stops:

Paseo Del Ocaso and Vallecitos, affecting traffic on Vallecitos;

Adams Avenue and Park Boulevard, affecting east-bound, south-bound and all north-bound through and left turning traffic;

authorizing and directing installation of necessary signs and markings to be made, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126251, establishing parking time limit of 36 minutes between 8:00 a.m. and 6:00 p.m., Sundays excepted:

West side of 9th Avenue between Island Avenue and J Street; establishing Parking Meter Zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated on the street; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126252, authorizing and directing San Diego Gas & Electric Company to install 29 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126253, authorizing and directing San Diego Gas & Electric Company to install 3 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126254, authorizing City Manager to accept work on behalf of The City of San Diego in Huntington Park Unit No. 3 Subdivision (Plans & specifications Document 476238) and execute Notice of Completion and have it recorded, was on motion of Councilman

Haering verbal presentation  
Recessed  
Reconvened  
126250 - 126254

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Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126255, authorizing City Manager to accept work on behalf of The City of San Diego in Terry Heights Subdivision (Plans and specifications Document 497700) and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126256, authorizing and empowering City Manager for and on behalf of the City of San Diego to execute a lease with La Jolla-San Diego County Theater & Arts Foundation of portion Pueblo Lot 1299, for parking lot or such other uses appurtenant to a theater to be constructed on an adjacent parcel of land, for term of 49 years at annual rental of \$1.00, as set forth in Document 511941 - real property has value of \$15,750.00, as disclosed by report of last appraisal made by Auditor and Comptroller - was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126257, authorizing and empowering City Manager for and on behalf of the City to execute lease with U. S. Civil Aeronautics Administration for location of temporary VOR Radio Range Facility in Mission Bay in undeveloped southeast section near northwest corner of Pike's Airport, for 10 years at annual rental of \$1.00, as set forth in Document 512078, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126258, approving Change and Extra Work Order 3, 27 April 1955, Document 511944, issued in connection with contract between The City of San Diego and A. F. Andersen for remodeling men's restroom, Administration Building, Lindbergh Field, contract Document 507952; changes amounting to increase in contract price of \$135.00, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126259, approving Change Order 1, April 26, 1955, Document 511946, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. for improvement of Waring Road connection to Alvarado Freeway, contract Document 508941; changes amounting to increase in contract price of \$750.00; granting request dated April 26, 1955, Document 511946, for extension of 7 days to and including May 14, 1955, in which to complete contract; extending completion time to May 14, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126260, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 12 and 13 Block 1 Berkeley Heights, exc north 10 feet, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126261, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 6 Block 42 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.



RESOLUTION 126262, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 33 Block 39 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126263, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 41 Block 33 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126264, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 11 Block 35 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126265, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 21 Block 33 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126266, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 16 Block 40 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126267, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 1 Block 35 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126268, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 24 Block 34 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of Calif-



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ornia 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126269, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 1 Block 44 Paradise Hills Unit 3, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126270, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 13 Block 34 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126271, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 1 Block 40 Paradise Hills Unit 1, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126272, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 38 Block 39 Paradise Hills Unit 2, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126273, notifying J. Harold Peterson, owner of Lots 1 and 2 Block 228 Middletown, and General Petroleum Corporation, Lessee in possession of property, to remove structures erected between front property line and building set back line at their own expense and at no cost or obligation on part of The City of San Diego; authorizing and directing City Attorney to mail to J. Harold Peterson and General Petroleum Corporation certified copies of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Resolution says that Ordinance 401 (New Series) established building set back line 22-1/2 feet from property line abutting on Pacific Highway, that by agreement executed December 24, 1935 La Mesa Realty Company, Inc., recorded in Book 450 Page 484 of Official Records the owner at the time of execution of agreement, in consideration of permission from City Council to erect service station building to within 12-1/2 feet of front property line, agreed that at any later date when requested by the City to remove to building set back line mentioned; agreement executed June 8, 1948 by General Petroleum Corporation, and April 13, 1948 by Union Title Insurance and Trust Company, Lessee and Owner at time of execution, in consideration of permission to construct S.V. sign pole to within 2 feet of front property line, agreed that if and when Pacific Highway is widened the sign pole will be moved at expense of Lessee and Owner and entirely without cost to the City; that City Council now finds that structures should not be removed in accordance

with agreements for reason that plans are now being made to widen Pacific Highway.

RESOLUTION 126274, granting permission to The American Legion Auxiliary, for San Diego Auxiliaries of American Legion, San Diego Unit 6, to conduct annual poppy sale on streets in the Downtown District, North Park, Hillcrest, East San Diego, La Jolla, Ocean Beach, Pacific Beach, Linda Vista Shopping Districts, and on Harbor Drive at entrance to ferry, May 27, 28, 1955, for raising funds to replenish welfare fund of American Legion for continuance of rehabilitation work among needy veterans and their families, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126275, granting revocable permit to Mrs. Alpha G. Baer, 1151 Barcelona Drive, San Diego 7, to install and maintain 1" copper water line under Alcott Street from Lot 9 Block 215 Roseville Subdivision, to City water main in Locust Street at Alcott Street, to serve 3121 Alcott Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126276, granting revocable permit to Lewis Chappell, 2105 Irving Avenue, San Diego, to install and maintain private 1" galvanized iron water main from Lots 20, 21 Block 1 Leebreck Addition to City water main in Boston Street at 39th Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION 126277, granting revocable permit to George C. O'Brien and Velva H. O'Brien, 4166 - 48th Street, to install and maintain private 1" copper water line on westerly side of Alexandria Drive for 140 feet northerly from Piedmont Drive; North half Lot 16 Block "O" Riviera Villas, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126278, granting revocable permit to Benny Yee, 1045 Morena Boulevard, San Diego 10, to install and maintain black top from Lot line to street paving on both Lisbon Street and 69th Street; Lots 1, 2, 3 Block 5 and 1/2 Lot 4 Block 5 Lisbon Townside, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next item, the Mayor had been requested on May 5, to notify Colonel Drake that he might appear this date in connection with proposed denial of his claim. He did not appear at this meeting.

Mayor Dail suggested that claim be filed.

RESOLUTION 126279, denying claim of Thomas D. Drake, Document 511235, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126280, denying claim of Barbara Reimsch, Document 509072, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 126281, denying claim of William Spear, Joanna Spear and Linda Spear, Document 506325, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 126282, denying claim of F. W. Wagner, Document 511337, was on

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motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 126283, authorizing Edward M. Hall, Transportation Research Director, in the office of the City Manager, to attend meeting of Subcommittee II National Committee on Urban Transportation, to be held in Chicago, Illinois, May 23, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 126284, authorizing Harry Haelsig, Planning Department (Assistant-Planning Director) to go to Sacramento, California, May 12, 1955, to attend hearings in connection with 3 Senate bills affecting planning matters now pending before State Legislature; authorizing incurring all expenses in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 126285, accepting quitclaim deed executed 30th day of March, 1955, by Wilfred W. Mast & Associates, a limited partnership, and Harold J. Muir and Charlotte J. Muir, 1150 Silverado St., La Jolla, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Muirlands Unit 1, a subdivision of portion Pueblo Lot 1257; 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 Curran, adopted.

RESOLUTION 126286, accepting subordination agreement, executed by Earl W. Gray and Florence E. Gray, beneficiaries, and La Mesa El Cajon Corporation, trustee, March 29, 1955, subordinating all their right, title and interest in and to portion Lot 1 Block 6 Larchmont, 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126287, accepting subordination agreement, executed by Carlton G. Herrick & Gertrude Herrick, beneficiaries, and La Mesa El Cajon Corporation, trustee, March 25, 1955, subordinating all their right, title and interest in and to portion Lot 1 Block 6 Larchmont, 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126288, accepting deed of Frank E. Fields and Natalie V. Fields, February 1, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 6 Larchmont; setting aside and dedicating land to public use as and for public street and naming it Brooklyn Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126289, accepting deed of Louis H. Picard and Alice G. Picard, March 23, 1955, conveying easement and right of way for street purposes in portion Block 8 Larchmont; setting aside and dedicating land to public use as and for public street and naming it Brooklyn Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on

motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126290, accepting deed of Charles William Mantz and Ida May Lillian Mantz, April 20, 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 Schneider, seconded by Councilman Curran, adopted.

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

ORDINANCE 6503 (New Series), authorizing leasing of Pueblo Lot 1311 to Tide Water Associated Oil Company, a Delaware Corporation - 5 years commencing on effective date of ordinance, at monthly rental of \$225.00, Document 512082, value of \$10.00 on land as disclosed by report of last appraisal made by Auditor and Comptroller - leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Curran, Mayor Dail. Absent--Councilmen Burgener, Kerrigan, Evenson. Nays--None.

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

ORDINANCE 6504 (New Series), incorporating portion Clairemont Unit 16 into R-2, R-4 and C-1A Zones, as defined by Sections 101.0406, 101.0408 and 101.0411.1 respectively of San Diego Municipal Code, repealing Ordinance 13456 approved February 15, 1932, insofar as it conflicts, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas--Yeas--Councilmen Williams, Schneider, Curran, Mayor Dail. Absent--Councilmen Burgener, Kerrigan, Evenson. Nays--None.

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

ORDINANCE 6505 (New Series), incorporating portion Pueblo Lot 1100 into C-1A Zone as defined by Section 101.0411.1 of San Diego Municipal Code, and repealing Ordinance 85 (New Series) adopted November 21, 1932 insofar as it conflicts, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Curran, Mayor Dail. Absent--Councilmen Burgener, Kerrigan, Evenson. Nays--None.

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

ORDINANCE 6506 (New Series), incorporating portions Parcels "O" and "OO" of Lot 19 Rancho Mission of San Diego into C-1A Zone as defined by Section 101.0411.1 of San Diego Municipal Code, and repealing Ordinance 6242 (New Series) insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Curran, Mayor Dail. Absent--Councilmen Burgener, Kerrigan, Evenson. Nays--None.

5/12/55

On motion of Councilman Curran, seconded by Councilman Williams, ordinance incorporating portion of Lot 9 La Mesa Colony into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 13558 adopted July 5, 1932, insofar as it conflicts, was introduced, by following vote: Yeas--Councilman Williams, Schneider, Curran, Mayor Dail. Absent--Councilmen Burgener, Kerrigan, Evenson. Nays--None.

Councilman Kerrigan entered

On motion of Councilman Schneider, seconded by Councilman Williams, Ordinance incorporating Lot 24 Block 180 University Heights into R-4 Zone, as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance 12988 approved October 29, 1930, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Curran, Mayor Dail. Absent--Councilmen Burgener, Kerrigan, Evenson. Nays--None. Kerrigan

On motion of Councilman Schneider, seconded by Councilman Williams, Ordinance incorporating Lot 24 Block 180 University Heights into R-4 Zone as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance 12988 approved October 20, 1930, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Absent--Councilmen Burgener, Evenson. Nays--None.

On motion of Councilman Schneider, seconded by Councilman Williams, Ordinance changing name of portion of Rolando Boulevard to Aragon Way, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Absent--Councilmen Burgener, Evenson. Nays--None.

Councilman Burgener entered

Councilman Schneider spoke about Mrs. Hazel Domen having served at luncheon attended by members of the Council today. (It was a Kiwanis Club "gridiron" function). He said that Mrs. Domen had mentioned the confusion which results from Wabash Street being mistaken for Wabash Avenue. He said that she asks for renaming.

The Mayor and the City Manager said that it is necessary to make application for renaming.

There was no action.

The next item was presented under unanimous consent granted to the City Manager.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was introduced.

On motion of Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE 6507 (New Series), appropriating \$630.00 from Unappropriated Balance Fund, for providing funds for purchase of 400 souvenir keys to the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Absent--Councilman Evenson. Nays--None.

The matter of tax on cotton, as presented at the beginning of the meeting, and continued until this afternoon session, was brought up again.

Councilman Burgener said that the Harbor Commission had reviewed the proposal as presented under unanimous consent by Carl Reupsch at the beginning of the first session.

Mayor Dail said he thinks it will assist.

Councilman Burgener said that the Harbor Commission had given it full consideration.

Councilman Curran asked if the cotton harvest is in the Fall.

The City Manager replied that it is in the Winter. He said that the in lieu tax would be in the county where the cotton is ginned. He spoke of the same problem regarding wineries and warehouse wine.

Councilman Evenson entered

The Mayor reviewed a copy of the bill, and the problem involved.

Councilman Kerrigan said that it is similar to aeroplane manufacture.

Councilman Curran asked if cotton never takes on an inventory status.

The City Manager replied that seems to be the case.

Again, the Mayor referred to SB 736, as revised, and reviewed from the document, from which he read.

Councilman Schneider said if the Harbor Commission...if it is not ad valorem tax, and wondered if there is agreement that it would indicate more business in shipping.

Councilman Burgener and Councilman Curran said that's what they (the Harbor Commission) say.

Councilman Schneider said he would like to see how that works; San Diego might get some of that shipping business.

Councilman Williams said that Mr. Reupsch had said the shipping rate is the same as to Los Angeles.

Councilman Curran spoke of embarrassing position regarding importation of cotton.

City Attorney J. F. DuPaul told the Council that if there is foreign cotton in transit, to be shipped, it can't be taxed. He spoke of harassment, and a mess. He said that "this" eliminates assessment problem. He referred to rules which the Assessor has to apply. He said that it is a question of which bales are in transit, which are not.

It was at this point that Resolution 126226 was adopted, on motion of Councilman Schneider, seconded by Councilman Burgener - but numbered out of order at beginning of the meeting.

There being no further business to come before the Council at this time, the meeting was declared adjourned by the Mayor at 2:43 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*

*Thomas O. Dail*  
Mayor of The City of San Diego, California



5/17/55

## REGULAR MEETING

Chamber of the Council of The City of San Diego, Tuesday, May  
17, 1955

Present—Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent—Councilman Williams  
Clerk—Fred W. Sick

The Mayor presented Rabbi Monroe Levens, of the Congregation Tifereth Israel, who gave the invocation.

It was stated by the Mayor that Rabbi Levens is handicapped in that he is just recovering from a throat operation.

Resolutions and Ordinances for this meeting are recorded on Microfilm 95.

On motion of Councilman Schneider, seconded by Councilman Burgener, Minutes for the regular Council Meetings of Tuesday, May 10, 1955, and of Thursday, May 12, 1955, were approved without reading.

They were signed by the Mayor.

The Mayor recognized Colonel Thomas Drake, whose claim had been denied by the Council last week.

City Attorney J. F. DuPaul said that he regretted that his office had to advise the Council that the claim had to be denied, and that it had been denied.

Councilman Burgener asked that the alternatives are.

(The claim had to do with Col. Drake being assessed on a City 1911 Improvement Act project, although he had been told by a City representative that he would not be assessed in that he gave an easement).

Mr. DuPaul replied that there are no alternatives.

Councilman Burgener spoke to Col. Drake about the embarrassing situation which has resulted.

Mayor Dail said that there would not be that situation, except for the fact that the Council would be held jointly and severally liable if claim were paid.

Colonel Drake told the Council that he was impressed by Rabbi Levens' invocation, regarding just and righteous situations. He stated that a similar situation had been granted. He said that the man in the like situation had a letter as well as verbal promises. He stated that as a real estate broker he is held liable for verbal statements.

The City Manager said that the error was individual, and that it was corrected (by Mr. Clearbrook, who had made the statement that there would be no assessment).

Col. Drake said that Mr. Wagner, who was not charged, is a real estate man. He had told the purchaser that would be no charge, and now he has to live up to the statement.

Mr. DuPaul said to Col. Drake that he can go to court; the Council has no authority to pay the claim. He stated that if the claim were granted, the City Auditor would not issue a warrant.

Col. Drake said that Mr. Wagner had not been told that. He stated that Mr. Wagner is here.

Mayor Dail said that testimony would be a repetition, in that the Council has already heard it, that the Council would like to pay the claim, but it cannot.

Col. Drake asked if City employees are bonded.

The City Manager replied that they are bonded regarding misappropriation of funds.

Col. Drake asked if the City is going to take action to recover payment on the other one.

Meeting convened  
Invocation  
Col. Thomas Drake claim

The City Attorney said that there was no error in connection with the assessment not being levied on the other property. Speaking to Col. Drake, the City Attorney said that he as a real estate man knows of the situation. He pointed out that if the statement is in writing it is legal; if not, no. He stated that he was not defending what was done. Mr. DuPaul said that if a legal way could be found to pay the claim, it would be done. He spoke of differences of opinion between attorneys, and that if Col. Drake thinks he is wrong, it should be put up to a judge.

Col. Drake said that differences in opinion will not affect friendship.

Mr. DuPaul said that if the Council pays, it might have to put the money back.

The Mayor said that this is not the first case where the Council has been embarrassed. He referred to a church parking lot which was wiped out by a flood, and the City Attorney gave an opinion that it could not grant the claim. He said that individual members of the Council had made personal contribution to the church.

Col. Drake said that he understands.

There was no action.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 125827 of Preliminary Determination, Clerk reported no protests filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126291, determining that improvement of Alley Block 332 Choate's Addition and 32nd Street, under Resolution 125827 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 125828 of Preliminary Determination for paving and otherwise improving Alley Block 128 Subdivision of P/L 1157 Mannasse and Schiller and Block 128 San Diego Land and Town Co. Add., the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126292, determining that paving and otherwise improving Alley Block 128 Subdivision of Pueblo Lot 1157 for Mannasse and Schiller and Block 128 San Diego Land and Town Company's Addition to be 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 Curran, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 125829 of Preliminary Determination for paving and otherwise improving Delta Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

~~RESOLUTION 126293, determining that paving and otherwise improving Delta Street, the Clerk reported no protests.~~

~~The Mayor inquired if anyone was present to be heard.~~

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

RESOLUTION 126293, determining that paving and otherwise improving Delta Street to be 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 Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 125830 of Preliminary Determination for paving and otherwise improving Morrell Street, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126294, determining that improvement of Morrell Street under Resolution 125830 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of California Electric Works for installation of traffic signals and safety lighting systems on "A" Street between 12th Avenue and India Street - \$62,541.50 - was presented. (2 bids).

RESOLUTION 126295, accepting bid of California Electric Works for installation of traffic signal and safety lighting systems on "A" Street between 12th Avenue and India Street; awarding contract, authorizing and instructing City Manager to enter into and execute it 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 Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Ets Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems at intersection of Grand Avenue and Pacific Highway - \$11,781.00 - was presented. (2 bids)

RESOLUTION 126296, accepting bid of Ets, Hokin & Galvan for installation of traffic signal and safety lighting systems at intersection of Grand Avenue and Pacific Highway; awarding contract, authorizing and instructing City Manager to enter into and execute it 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 Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bids of Western Metal Supply Company, low bidder for furnishing Section I (154 Items) and Wilson F. Clark Co., under low bid for furnishing Section II (56 Items) - on hardware for 1 year commencing June 1, 1955 - 4 bids, was presented. It also lists Sections III (36 Items), Section V (56 Items), Section VI (88 Items), etc. for Western Metal Supply Co., as well as Nails for Wilson F. Clark. The items are at the estimated prices shown in the report.

RESOLUTION 126297, accepting bid of Wilson F. Clark Co. for furnishing Hardware listed 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 specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 126298, accepting bid of Western Metal Supply Company for furnishing Hardware listed 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 specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Purchasing Agent reporting on sole bid of Motorola Communications & Electronics, Inc., for furnishing 15 Mobile Amplitude Modulated Radio Receivers for installation in new police patrol cars @ \$288.44 each, plus State Sales Tax, was presented.

RESOLUTION 126299, accepting bid of Motorola Communications & Electronics, Inc., for furnishing 15 Mobile Amplitude Modulated Radio Receivers; 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 of Purchasing Agent, with City Manager's approval, on low bid (meeting specifications) of Hudson Equipment Co. for furnishing 3 Pumps and Motors for Chollas Pumping Plant@ \$5,055.00 each, plus State Sales Tax - 6 bids - was presented.

RESOLUTION 126300, accepting bid of Hudson Equipment Co. for furnishing 3 Vertical Turbine Type Pumps and Motors; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126301, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Binding of Books, Magazines, Music and Newspapers for the Library, 1 year commencing July 1, 1955, in accordance with Document 512208, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map for division of Acre Lot 122 Morena into 2 parcels, was presented.

RESOLUTION 126302, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for division of Acre Lot 122 Morena, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of portion Acre Lot 122 Morena into 2 parcels, fronting on Galveston Street and on Hartford Street in Bay Park Village area, subject to 5 conditions, was presented.

RESOLUTION 126303, approving Tentative Map for division of portion Acre Lot 122 Morena, subject to the Resolution conditions, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Arnold Knolls, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126304, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with O. D. Arnold & Sons, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Arnold Knolls subdivision; directing City Engineer to present ordinance establishing official grades of streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126305, adopting Map of Arnold Knolls subdivision, a subdivision of portions of Pueblo Lots 1139 and 1140, accepting on behalf of the public Grape Street, Petra Place, Petra Drive, Commonwealth Avenue, Pentuckett Avenue, Westland Avenue, portion of Ivy Street and unnamed easements shown for purposes; declaring them to be public streets, portion of public street and unnamed easements 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 they are accepted on behalf of the public, and that Council rejects 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 Burgener, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 126306, suspending Section 102.17-c of San Diego Municipal Code in connection with tentative map of Arnold Knolls Annex, for resubdivision of portions Blocks 4, 5, 6, 7 Lots "A", "C" and "D" of Ravenna Park and portion Pueblo Lot 1140, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

5/17/55

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for redesign of Lots in Blocks 4, et al, Ravenna Park - Arnold Knolls Annex, located in south park area westerly of Pentuckett Street and southerly of Arnolds Knolls Subdivision, subject to 13 conditions, was presented.

RESOLUTION 126307, approving Tentative Map for Arnold Knolls Annex, subject to Resolution conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map for Grace Manor, a 3-lot subdivision of portion Pueblo Lot 1214, located in Kearney Mesa, northerly of recent development on Magnolia Downs and easterly of Vista Park Unit 1, was presented. It recommends denial because of zoning problem, blocking off of certain streets and non-conformity with community plan, based upon detailed report.

The recommendation was adopted, but Resolution was not numbered inasmuch as the item was reconsidered later. It is shown in its entirety, rather than showing it in 2 places.

The pastor of the First Brethren Church, who did not give his name, said there are 2 main objections: church is in R-1 Zone, but it is in the process of obtaining a zone variance, getting signatures. He said that only 1 out of 37 had declined to sign it. He told the Council that property owners have said that they would prefer a school there than more homes. He said that it conforms, except that they don't want Atlas Street through the property, which would be detrimental. He said that many through whose property the street would go oppose it. He told of having tried to buy City property, but not successfully.

Councilman Schneider asked the speaker if the street exists anywhere. The reverend replied "yes; it would dead-end".

At the request of the Mayor, the Clerk read the Planning Commission's report.

Councilman Burgener asked if they were present at a Planning hearing.

The answer was "no".

Councilman Schneider said that it is not difficult to get a church, but it is regarding the church.

The reverend showed a map. He contended that building a church would be an asset, and showed architect's sketch.

Asked about the item, Glenn A. Rick, City Planning Director, said that he had not talked to the people interested, but that Haelsig has. He said that it is surrounded by unsubdivided property, and that there has been a community plan. He said that there is no plan for streets, and there would be a bottleneck. Mr. Rick said that he could not approve it, on account of the chaotic condition. He said that it should be worked out ahead of time.

Councilman Burgener spoke to Mr. Rick regarding Atlas Street.

Mr. Rick said that it is "dedicated, each side".

The reverend said that map has been shown to the people, and they know there would be no street; they do not need a street.

Mr. Rick said that Mr. Haelsig reports that the street is needed.

The reverend told the Council that he knew there was a planned street, but that would make the plot small and divide it.

An unidentified man told the Council that growth to the west is limited.

The reverend stated that the deal is closed, to be recorded tomorrow.

There was discussion between several.

Councilman Burgener said that the situation is basically regarding the street.

The reverend said that there are 97% in favor.

Councilman Curran thought it could be re-designed, with the parking area across the street.

The man (he has to be referred to so, inasmuch as his name was not given; and he will called that), said that the parking would necessitate crossing the street.

Councilman Burgener said that it would be necessary to look at a larger map.

The man said that there was no notice of this hearing.

The Mayor pointed out that this was not set as a hearing.

Councilman Burgener asked if this might be referred back to Planning.

Councilman Kerrigan asked what would be done if this is denied by the Council.

The reverend said that they would appeal.



Councilman Kerrigan said that they have right to use property for church purposes, but that they need to conform to the street plan. He said that there is no objection to the church, but there is a community plan. He spoke of similar condition which exists at the College Avenue Baptist Church, which has barricaded the street, and that the apparatus has to go around to protect property from fire. He said that if it has to be opened (later) it would not best serve the use. Mr. Kerrigan said that they might be able to have the church elsewhere.

The man spoke of survey having been made, and of there being no other area, except what the City owns.

Councilman Kerrigan said that many things can contribute to protest, later.

Councilman Burgener said that proponents should appear before the Planning Commission. He said he does not know if the street is essential.

\* Councilman Burgener moved to refer the item back to the Planning Commission for hearing. Motion was seconded by Councilman Kerrigan.

Mr. Rick said that it was the choice of the applicants not to appear.

\* The roll was called, and motion carried.

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 Lots 25 through 28 Block 93 E. W. Morse's Subdivision, was presented.

RESOLUTION 126308, suspending Sections 102.07-5, 102.12-7, 102.17-c of San Diego Municipal Code in connection with Tentative Map for division of Lots 25, 26, 27, 28 Block 93 E. W. Morse's Subdivision, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for redivision of Lots 25 through 28 Block 93 E. W. Morse's Subdivision, fronting on 30th Street just northerly of Broadway, in RC Zone - a residence on rear portion of property - was presented.

RESOLUTION 126309, approving Tentative Map for division of Lots 25, 26, 27, 28 Block 93 E. W. Morse's Subdivision, subject to Resolution conditions, 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 Muirlands Vista Unit 2, originally approved by Resolution 110523 February 5, 1953, subject to 12 conditions, was presented.

RESOLUTION 126310, approving Tentative Map of Muirlands Vista Unit 2, subject to the Resolution conditions, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Fairmount Plaza, was presented.

RESOLUTION 126311, reapproving Tentative Map of Fairmount Plaza subject to conditions contained in Resolutions 118137 and 118138, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig reporting on Tentative Map of Valley Granado Units 1, 2, 3, 4, previously approved May 4, 1954, by Resolution 117899, and recommending reapproval excepting for amendment and additions - Conditions 6 and 7.

RESOLUTION 126312, approving Tentative Map of Valle Granado Units 1, 2, 3, 4, with revision and additions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



5/17/55

Communication from Planning Commission, signed by Harry C. Haelsig, reporting on Tentative Map for division of Lot 1 Block E of Russel Heights Tract 3 into 2 parcels, located in recently-annexed Rolando area at intersection of Adelaide Avenue and Tarragano Drive, was presented. In addition to a detailed report, it says that no public hearing was held in that requested division is far below minimum standards and contrary to good subdivision develop. Also, it says that owner was not present at meeting of the Commission when it was considered, although his engineer knew map was to be considered. It reports that Planning Commission was unanimous in its recommendation of denial because of sub-standard lots proposed and detrimental effects it would have on the neighborhood.

RESOLUTION 126313, denying Tentative Map of division of Lot 1 Block E Russel Heights Tract 3, in that it does not conform to development of the area, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer recommending creation of Rolando Lighting Districts 1 and 2, was presented.

RESOLUTION 126314, adopting recommendation of City Engineer and directing him to furnish description of assessment district for Rolando Lighting District No. 1 and Rolando Lighting District No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Nicholas J. Haering, addressed to "City Manager, O.W. Campbell, Honorable Mayor Charles C. Dail, City Councilmen and Advisors", dated May 5, 1955, was presented. (Receipt stamps are shown May 10, 1955, City Manager; and May 17, 1955, City Clerk). In addition to a lengthy communication on Good Government and Reasonable Taxes plus an Interested Informed Public, it concludes "If the experts have mis-guided you during the past TAX INCREASING YEARS WHY NOT LET US? THE TAX\*PAYERS HELP? A new tough policy, a change is mandatory. Let us quit taxing first by substituting a firm rule prohibiting deficit spending. An INFORMED PUBLIC & GOOD GOVERNMENT WILL RETURN WITH LOWER TAXES."

The Mayor suggested that it be filed.

Although Mr. Haering was present, he made no effort to speak.

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

The next 2 items were numbered at this point, out of order, since there was an escrow being held up, and they were needed quickly.

RESOLUTION 126315, accepting deed of Anna Borenstein, May 10, 1955, conveying easement and right of way for street purposes in portion Lot 9 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 transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126316, accepting deed of Anna Borenstein, May 10, 1955, accepting deed of Anna Borenstein, May 10, 1955, conveying easement and right of way for street purposes in portion Lot 9 La Mesa Colony, setting aside and dedicating land to public use as and for public street and naming it 62nd 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126317, directing notice of filing Assessment 2364 and of time and place of hearing, for installing ornamental lighting system on Diamond Street and Cass Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126318, directing notice of filing Assessment 2366 and of time

and place of hearing, for paving and otherwise improving Franklin Avenue and 49th Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126319, directing notice of filing Assessment 2365 and of time and place of hearing, for paving and otherwise improving Udall Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD 126320, accepting bid of A. R. Kingaard, and awarding contract for paving and otherwise improving Alley Block 9 Ocean Beach Park, Resolution of Intention 122929, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing low bid is 14.9% below estimate.

RESOLUTION OF AWARD 126321, for paving and otherwise improving Alcott Street, Resolution of Intention 122930, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing low bid is 12.1% below estimate.

RESOLUTION 126322, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, Document 511637; approving Plat 2722 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126323, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Hugo Street, Document 511631; approving Plat 2728 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126324, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Tourmaline Street, Document 511635; approving Plat 2721 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126325, approving plans, drawings, typical cross-sections, profiles and specifications for sidewalks on Vale Way, Bernardine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, Document 511633; approving Plat 2739 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 126326, for paving and otherwise improving Alley Block 80 Pacific Beach, Resolution of Intention 124570, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION ORDERING WORK 126327, for paving and otherwise improving Northerly and Southerly Alley Block 262 Pacific Beach, and Easterly and Westerly Alley Block 262 Pacific Beach, Resolution of Intention 124571, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126328, for paving and otherwise improving Electric Avenue and Public Rights of Way in Lot 2 Pueblo Lot 1783, Resolution of Intention 124572, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126329, for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, Resolution of Intention 124573, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126330, for paving and otherwise improving 29th Street, E Street and 28th Street, Resolution of Intention 123408, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126331, 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, Resolution of Intention 124575, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126332, for paving and otherwise improving Alley Block C Belmont, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126333, for paving and otherwise improving Alley Block 39 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126334, for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126335, for paving and otherwise improving Pynchon Street and Ocean View Boulevard, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126336, for furnishing electric current for lighting ornamental street lights in La Jolla Shores Lighting District Number One, for 11 months and 17 days from and including September 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126337, for furnishing electric current for lighting ornamental street lights in Pacific Beach Lighting District Number One, for 1 year from and including September 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126338, for paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126339, for paving and otherwise improving Hugo Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126340, for paving and otherwise improving Tourmaline Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126341, for grading and sidewalking of Vale Way, Bernardine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126342, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126343, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 72 City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126344, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 34 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126345, approving diagram of property affected or benefited by work of improvement to be done on paving Olney Street, and Felspar Street, Resolution of Intention 117678, and to be assessed to pay expenses thereof; directing Clerk at same time of approval to certify fact and date thereof, and immediately deliver it certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126346, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park, Resolution of Intention 121733 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126347, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Marney Street, Resolution of Intention 121776 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 126348, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on grading and sidewalk of Pacific Beach Drive, Resolution of Intention 122089 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126349, granting petition, Document 509398, for paving and otherwise improving 52nd Street; directing City Engineer to furnish Council with description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of paving and otherwise improving 52nd Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126350, granting petition, Document 506249, for paving and otherwise improving Malden Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126351, granting petition, Document 509399, for paving and otherwise improving Orange 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126352, granting Western Mutual Corporation permission to construct sewers in Block 11 Tres Lomas and in Calle Trepadora by private contract, under Document 511885, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Port Director, enclosing form of Agreement for assignment, assigning Hercules Dakis lease to Mr. and Mrs. Mario Bianchi, for approval, was presented. It says assignment has been drawn in accordance with established procedure and has been approved by Harbor Commission.

RESOLUTION 126353, ratifying, confirming and approving Assignment of Lease, copy on file as Document 512215, entered into between Hercules Dakis, Assignor, and Mario Bianchi and Edith Bianchi, as Assignees, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Port Director, enclosing form of Agreement for assignment of California Central Airlines lease to California Coastal Airlines, doing business as California Central Airlines, was presented. It says assignment is result of reorganization and sale of assets by Trustee in Bankruptcy.

RESOLUTION 126354, ratifying, confirming and approving Agreement for Assignment, copy filed as Document 512218, entered into between California Central Airlines, a Bankrupt, Acting by and through William A. Wylie, Trustee in Bankruptcy, Assignor, and California Coastal Airlines, Inc., doing business as California Central Airlines, Assignee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Port Director, enclosing form of Agreement for assignment of Star and Crescent Boat Company lease to Star and Crescent Ferry Company, was presented. It says lease covers property at foot of Market Street, and assignment is for purpose of setting ferry landing and cafe operation in company separate from Star and Crescent Boat Company and Crescent Oil Company. It reports owners of the companies are identical.

RESOLUTION 126355, ratifying, confirming and approving Assignment of Lease, copy filed as Document 512221, entered into between Star & Crescent Boat Co., a California corporation, Assignor, and Star & Crescent Ferry Company, a California corporation, Assignee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126356, authorizing and empowering City Manager to enter into contract with Robert C. Lindsay, wherein he agrees to furnish all of services, work and information necessary to advise the City Manager, City Treasurer and Funds Commission as to deposit and investment of city moneys, and further to attend all conferences and meetings of officers and commissions if called upon to aid and assist with respect to handling of securities of the City, and particularly investment of city moneys in securities authorized by state law, and make special written reports as may be required from time to time, and to receive as compensation for such services not to exceed \$7200.00 per annum, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(Although Resolution does not so state, Mr. Lindsay is currently City Treasurer, but is expected to resign and retire soon).

RESOLUTION 126357, consenting to subletting by William D. Evans and Lucy E. Cooper to Frank Y. Van Valin and Dorothy Rock of portion of Gleason Point, for purpose of operating concession for rental of sailboats, and authorizing City Manager to evidence consent of The City of San Diego by signing sub-lease and license agreement, form filed as Document 512432, was on motion of Kerrigan, seconded by Councilman Schneider, adopted.

(Evans and Cooper operate the "Bahia Hotel" under lease agreement with the City, Document 464084).

RESOLUTION 126358, authorizing City Attorney to settle Case 18750 in Municipal Court, San Diego Judicial District, in amount of \$162.70, for \$101.47; directing City Auditor & Comptroller to draw warrant in favor of Taurino Rodriguez and David A. Neal, his attorney, in amount of \$101.47 in full settlement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126359, approving claim of Dorothy M. Blake, Document 511590, in sum of \$50.60; directing City Auditor & Comptroller to draw warrant in full payment, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126360, approving claim of Mrs. C. B. Reid, Document 511496, in sum of \$7.59; directing City Auditor & Comptroller to draw warrant in favor of Mrs. C. B. Reid and Dr. C. B. Reid, 3527 Voltaire, San Diego, in full payment, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126361, approving claim of James E. Robertson, Document 509680, in sum of \$105.69; directing City Auditor & Comptroller to draw warrant in full payment, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126362, denying claim of Lindsey T. Booth, Document 511700, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.



RESOLUTION 126363, denying claim of Emmett W. Karr, Document 501850, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 126364, denying claim of Charles Richard Snyder, Document 510849, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

The next 2 items listed on agenda were Resolutions accepting deeds. They were numbered earlier, out of order, as shown.

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

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reading was dispensed with by not less than 4 members of the Council. A written or printed copy was available for each member of the Council prior to day of final passage.

ORDINANCE 6508 (New Series), appropriating \$68,800.00 from Capital Outlay Fund, for installation of Traffic Signals and Safety Lights on "A" Street between 12th Avenue and India Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

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

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading was dispensed with by not less than 4 members of the Council. A written or printed copy was available for each member of the Council prior to day of final passage.

ORDINANCE 6509 (New Series), appropriating \$2,900.00 from Capital Outlay Fund for installation of traffic signals and safety lights at intersection of Grand Avenue and Pacific Highway, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

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

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading was dispensed with by not less than 4 members of the Council. A written or printed copy was available for each member of the Council prior to day of final passage.

ORDINANCE 6510 (New Series), establishing grade of Alley Block 2 F. T. Scripps Addition to La Jolla Park, between easterly line of La Jolla Boulevard and westerly line of Cuvier Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

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

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading was dispensed with by not less than 4 members of the Council. A written or printed copy was available for each member of the Council prior to day of final passage.

ORDINANCE 6511 (New Series), establishing grade of Mission Gorge Road, between south line of Twain Street and radial line drawn westerly from point on easterly line of Mission Gorge Road distant therealong 170.19 feet southerly from intersection of northerly prolongation of westerly line of Mission Gorge Road with westerly prolongation of southerly line of Twain Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

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

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading was dispensed with by not less than 4 members of the Council. A written or printed copy was available for each member of the Council prior to day of final passage.

ORDINANCE 6512 (New Series), establishing grade of Twain Street between easterly line of Mission Gorge Road and line parallel to and distant 63.14 feet easterly from northerly prolongation of easterly line of Mission Gorge Road, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

On motion of Councilman Burgener, seconded by Councilman Evenson, Ordinance incorporating Lots 10, 11, 12 Block 14 Bay View Homestead, into C Zone as defined by Section 101.0411 of The San Diego Municipal Code and repealing Ordinance 12987 approved October 20, 1930, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

On motion of Councilman Curran, seconded by Councilman Schneider, Ordinance incorporating portion Lot 13 Rancho Mission into R-1 Zone as defined by Section 101.0405 of San Diego Municipal Code, and repealing Ordinance 6489 (New Series) adopted April 21, 1955, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

(Property was annexed, recently, as "Federal Boulevard Tract", and was placed in an interim zone by Ordinance 6489 New Series).

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

RESOLUTION 126365, authorizing L. E. Earnest, City Budget Officer, to go to Sacramento, California, May 16 and 17, 1955, in connection with proposed legislation concerning California Sales Tax; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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

Communication from Planning Commission, signed by Harry C. Haelsig, was presented, recommending approval of Final Map of Harmon Hill, formerly described as portion of Block 13 Leavitt's Addition.

RESOLUTION 126366, adopting Map of Harmon Hill Subdivision, a portion of Block 13 Leavitt's Addition, and accepting on behalf of the public portion of La Jolla Scenic Drive and unnamed easements shown for public purposes, declaring them to be portion of public street and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that 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 Kerrigan, seconded by Councilman Evenson, adopted.

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

RESOLUTION 126367, stating that the Council is of the opinion that the Congress of the United States should enact proper legislation designed to recognize the National defense value of the Panama Canal so that commercial cargoes will not be required to pay more than their fair share of tolls for use of the canal, and that Congress should also enact legislation to correct present fiscal and financial policies, of the canal to prevent placing of

Ords introduced  
6512 N.S.  
126365 - 126367 (all under  
U.C.)

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an inequitable burden of tolls on commercial shipping, and that any increases in the annuity payments to the Republic of Panama be paid for by the United States Government and not by commercial tolls; and that copies of Resolution be promptly transmitted to each and every member of the Congressional delegation from California and to the Executive Department of the Federal Government, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that Council is of opinion that continued industrial expansion of this area depends greatly upon future progress and economic welfare of San Diego Harbor and other west coast harbor areas, that the Council is vitally concerned with all matters affecting growth of San Diego Harbor and ships of the merchant marine carrying cargoes to and from San Diego through the Panama Canal, and that the Council is advised that tolls paid by commercial cargoes transiting the Panama Canal constitute an important factor in continued development of maritime commerce.

There was listed on the agenda calling to the attention of the Council a meeting of San Diego County Division, League of California Cities, to be held at San Diego Country Club, Chula Vista, Friday, May 20, 1955. It advises that speaker will be H. A. Smith, Public Relations Department, Standard Oil Company of California - Subject: "You and Tidelands Oil".

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:40 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Philip S. Wain*  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, May 19, 1955

Present--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail  
Absent--Councilman Kerrigan  
Clerk--Fred W. Sick

Resolutions and Ordinances for this meeting are recorded on Microfilm  
Roll 95.

The Mayor called the meeting to order at 10:03 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on petition of Associated Restaurants & Cafes of San Diego requesting that canteen vending trucks be prohibited, and not be licensed in the City, the Mayor stated that proponents have asked for a continuance. He asked about individuals interested in the hearing. A large group of opponents arose. Mayor Dail said that both sides might be able to get together.

Councilman Burgener asked if there is objection to continuance, for a date a date certain.

Edward Schwartz, attorney, asked if there is any machinery for compromise, if it is continued.

\* Councilman Burgener said that the City Manager sometimes calls in interested parties.

RESOLUTION 126368, continuing to 10:00 A.M., Thursday, June 30, 1955, hearing on petition of Associated Restaurants & Cafes of San Diego re prohibiting canteen vending trucks, and requesting the City Manager to call in both sides of the issue for conference immediately, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

\* Councilman Kerrigan entered during discussion

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating Lot 24 Block 180 University Heights into R-4 zone, the Clerk reported no protests.

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 Evenson, reading of the next ordinance was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of the Council before final passage a written or printed copy.

ORDINANCE 6513 (New Series), incorporating Lot 24 Block 180 University Heights into R-4 Zone as defined by Section 101.0408 of San Diego Municipal Code, and repealing Ordinance 12988 approved October 20, 1930, insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating portion Lot 9 La Mesa Colony into R-2 Zone, the Clerk reported no protests.

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, reading of the next ordinance was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of the Council before final passage a written or printed copy.

Meeting convened  
126368  
6513 N.S.  
Hearings

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ORDINANCE 6514 (New Series) incorporating portion Lot 9 La Mesa Colony into R-4 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 13558 adopted July 5, 1932, insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of William M. Skirball, Jack H. Skirball and Cliff Work, by Louis M. Karp, attorney, from Board of Zoning Adjustment decision denying permission to operate recreational center, consisting of bowling alleys, dining rooms, snack bars and offices, on portion Lots 3 and 4 Pueblo 111, south side of Camino del Rio, approximately one-half mile west of Texas Street, in Zone R-1A, the Mayor said that the Council has held a hearing, which has been closed. He told of having information from the Planning Department. He said that it is ready for action, and questions by members of the Council.

Councilman Kerrigan spoke to Mr. Karp about what terms and conditions there would be.

Mr. Karp replied that they would be limited to the petition before the Council.

Councilman Schneider asked if there would be no other activities.

Mr. Karp replied "No".

Councilman Williams asked if there would be no activities outside.

Mr. Karp's reply was "no".

City Attorney J. F. DuPaul said that the Planning Director and City Attorney should work out the details.

Councilman Evenson said that what is done in this matter would set a pattern for Mission Valley. He said that this would be the type of key the area develops into. He commented that it is a question if this is a proper type of activity for Mission Valley. He declared that there are other areas where there could be a recreation center. Mr. Evenson said that it is a question if the Valley is being keyed to the proper type of use.

Councilman Burgener said that the Council should look at the type of Valley. He pointed out that it was originally in farms, and reviewed the items which are there now. He declared that it has changed considerably. He felt it is compatible regarding uses in the Valley. Mr. Burgener said that is a master plan developed, he is not sure that it would allow as much protection as individual variances. He said while this method is inconvenient, it offers more protection.

Councilman Schneider spoke of having much admiration for the residences on the rim above the Valley, but that they can't control all they can see. He told of the Council having followed a practice regarding protests in areas of 300 feet. He said that there are others who are concerned, also. Mr. Schneider said that he has gone up to the top of the rim, and thinks that the proposed development would not be as much of a burden as might be thought. He said that control should not be given to all who can see great distances. Mr. Schneider spoke of having had to turn down the College for Women on some of its protests regarding Mission Valley development.

Councilman Williams stated that the major complaint was regarding noise.

Mr. Karp told of a test having been run yesterday, on a set borrowed from Reading (James Reading, City Traffic Director). He said that noise did not register on the City meter. He spoke of the City's anti-noise ordinance, and if there is a nuisance it can be abated. Mr. Karp pointed out that investors in the project would do something to abate any nuisance. He said that it is possible to break up the sounds.

Mr. Chernoff said that the City's decimeter was borrowed from Mr. Reading, because it is the only one in the City. He told of having fired shots, which were not heard on Lomita, and was "immeasurable". He said that traffic at 4:30 was also immeasurable.

Councilman Williams asked if the sound could not be measured.

Mr. Chernoff replied "no"; neither .38 bullets or traffic could be.

The Mayor said that opponents may have had some sound measuring device.

Mr. Gear, 1881 Mission Cliffs Drive, told of Councilman Evenson having been up, and that he could hear the traffic noise. Mr. Gear identified himself as a police officer, and that Mr. Karp has said on Thursday that if there is abnormal noise, the Police could take care of it. He told of having papier mache club, and as officer having made arrest for noise which has been difficult to enforce. He said that Caudell

& Johnson noise has not caused too much trouble.

Mayor Dail pointed out that the hearing (which had been held a week ago, originally), was closed. He said that the Council has had the evidence, and that it will confine the issue to the noise.

Mr. Gear, speaking to Councilman Evenson, said that it is not a problem of sound, but the type of activity.

Councilman Evenson said that it has to do with the activity in the Valley.

Councilman Schneider spoke to Mr. Gear, and said that landscaping can be demanded, and be written into the granting. He said that can be controlled.

Mr. Gear said that the same thing came up in the Mission Valley Swimming Pool.

Councilman Burgener said that dispersal of numbers of people is important. He said that parking lot is not similar to that of a ball park.

Councilman Evenson spoke of participants coming to play at definite times, and it would not be constant. He spoke to Mr. Karp.

Mr. Karp said that would occur only where there is a tournament, which would be only once or twice a year. He spoke of there being teams which leave, and the next league arriving. Mr. Karp spoke of bowling alley being similar to golf. He said that there would be 54 separate lanes, and that people would not be accumulating in large groups. He said that there will be small groups, with no more noise or traffic problem.

Councilman Williams said that there is a need in San Diego for bowling facilities. He said that early league lets out at 9; late league at 11 or 11:30. He said it would be a service to many people. Mr. Williams said that while there is no way of measuring it, traffic would not be difficult regarding the times that the players would go in and out.

Mr. Karp said that the developers would be providing a large parking lot, with ease for cars to move around, thereby avoiding noises. He said that there are to be separate entrance and exit.

Councilman Burgener said that it comes down to the matter of individual judgment. He said that owners of the property have the first consideration, which decreases as it moves out.

Councilman Kerrigan said that this is going to be decision to fix the future of the Valley, south of Mission Valley Road. He spoke of the Planning Commission having been asked for a survey, and the study not being complete. He said a pattern would be established. Mr. Kerrigan asked Planning Director Glenn A. Rick if he wants to comment.

Mr. Rick replied that he will be happy.

Councilman Kerrigan told of existing operations in the Valley. He said that there are things in the air, regarding hotels. He said that he wanted to hear from Mr. Rick.

Mr. Rick spoke of having watched proceedings with interest. He said that Mr. Chernoff talked to him, but that he neither encouraged or discouraged him. He declared that the future of the Valley depends upon the decision today. Mr. Rick said that will influence the report on the Valley. He said that property at the intersections have been encouraged to have businesses, but that if the City were to permit breaking in between, there will have to be a change of recommendation. He stated that zoning should be held to whenever possible. He said that every effort should be exhausted to find an area where it would be a proper use. Mr. Rick told of knowing of 4 other locations: 2 are privately owned, 2 are owned by the City. He told of being in favor of a bowling alley, but said that there is the question of location involved.

There was applause from the audience.

Mayor Dail said that the issue will be decided on evidence; not on emotions.

Mr. Rick, answering Councilman Schneider, said that locations he has in mind are not in the Valley. He said that the Country Club was for the pleasure of guests, but that it has expanded.

Councilman Curran asked if Mission Valley can be restricted to R-1A in the future.

Mr. Rick replied "not necessarily so". He spoke of there being different zones. He said that there should not be granted projects where it is the judgment the area is residential.

Councilman Curran asked if R-1A can be maintained.

He said that it is obtained up to today.

Councilman Burgener said that the character of the Valley is changing.

Mr. Rick said that every time there is a change, restrictions are written in. He said that Anthony Home is temporary use.

Councilman Schneider spoke to Mr. Rick about Anthony Home to be torn down.



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Mr. Rick said it would probably not be torn down, on account of other nearby use. He said he is not enough of an idealist to think that would be possible.

Councilman Curran spoke to Mr. Rick regarding traffic, overpassed, and change of opinion.

Mr. Rick said that traffic does have a bearing on adjacent property. He said that one can go to any highway in the country and find that it is not necessarily good business use.

Councilman Schneider said that people with view site, and expensive house are not affected.

Councilman Burgener said that there is good evidence on both sides. He said that the roll has to be called.

Councilman Burgener moved to uphold the appeal and grant the request. It was seconded by Councilman Curran.

Councilman Burgener said that there have to be terms and conditions.

The Mayor said that the item should be referred to the City Attorney and to the Planning Director to draw the Resolution, as a conditional use permit.

Councilman Kerrigan asked City Attorney DuPaul under what a property use is set up. He said that Councilman Godfrey referred to it from time to time.

Councilman Evenson wanted to recess for 5 minutes (awaiting the looking up of the Code application by the City Attorney).

The City Attorney replied that he had the Code. He read the applicable section. He said that if the Council is in favor of the project, it should sustain the appeal, and direct the City Attorney and Planning Director to prepare conditional use.

Councilman Burgener pointed out that the Council can review the conditions.

Councilman Williams observed that the Swimming School, adjoining this property, has done little to landscape.

Dave South, Zoning Administrator, said that the Swimming School was by variance, and there was no condition imposed regarding landscaping.

Councilman Evenson spoke of being able to object.

Councilman Burgener said that if it is unsatisfactory, the Council can object, and can reject it.

The roll was called, by direction of the Mayor, on reference to the City Attorney to the Planning Director, for preparation and presentation of Resolution containing conditions to be imposed for a conditional use permit.

As suggested previously, the Mayor declared a 5 minute recess. At that time, most of the people in the audience left.

Upon reconvening, the roll call showed:

Councilmen Burgener, Kerrigan, Curran, Evenson, Mayor Dail - present

Councilmen Williams, Schneider - absent

Clerk--Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on decision of the Board of Zoning Adjustment in denying permission to Einer Pederson to construct residence with attached garage - 20-foot setback along Avenida de las Pesca (25 ft. setback provided) on Lot 4 Muirlands Village No. 1, southwest corner of Avenida de las Pesca and Nautilus Street, in Zone R-1, the finding of facts signed by D. E. South Zoning Administrator, was read.

Councilman Schneider entered

Mr. South showed the Council a map of the area.

Councilman Burgener said he can appreciate what Mr. South is trying to do, and that he lives in the area. Mr. Burgener said that he is familiar with it, in that he sold all the lots.

Councilman Burgener moved to grant the appeal. Motion was seconded by Councilman Schneider.

There was discussion between Councilman Curran and Councilman Burgener over the existing conditions.

Councilman Kerrigan asked why the setback ordinance should not be changed to provide for 20 feet.

Glenn A. Rick, City Planning Director, said that setback ordinance is 15 feet.

Councilman Burgener pointed out that the adjoining property owner has signed in favor of the setback variance request.

Mr. Rick said that this could be a precedent.

Councilman Burgener said that they are large lots, owned by 1, except for those built upon.

Councilman Williams entered

RESOLUTION 126369, sustaining appeal of Einer Pedersen, 7350 Eads Avenue, La Jolla, from decision of Board of Zoning Adjustment in denying application 13988 by its Resolution 8883 for permission to construct residence with attached garage within a 20-foot setback along Avenida de las Pesca on Lot 4 Muirlands Village No. 1, at southwest corner of Avenida de las Pesca and Nautilus Street, in Zone R-1, and overruling the action denying the application, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Fiber-aised Bar & Line Co. for furnishing 1,872 lin. ft., 4-ft. length, Traffic Bars including cement sealer and paint, for channelization in University Avenue between 10th and Normal Streets at total of \$2,527.20 plus State Sales Tax - 2 bids - was presented.

RESOLUTION 126370, accepting bid of Fiber-aised Bar & Line Co. for furnishing Traffic Bars; awarding contract, authorizing and instructing City Manager to enter into and execute it 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, approved by City Manager, on low bid of Don A. Wren & Co. for furnishing 5 tons .026 x .125 x 26" Black Oil Tempered Heat Treated Steel Gutter Broom Wire for street sweeper use at total of \$2,635.00 plus State Sales Tax - 4 bids - was presented.

RESOLUTION 126371, accepting bid of Don A. Wren & Co. for furnishing 5 tons of Black Oil Tempered Heat Treated Steel Gutter Broom Wire; awarding contract, authorizing and instructing City Manager to enter into and execute it pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126372, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Books for Public Library and for other City departments for 1 year commencing July 1, 1955, according to Document 512443, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126373, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Fire Detection System in Fine Arts Building, Balboa Park, Document 512433; authorizing and directing Purchasing Agent to publish notice calling for bids in accordance with plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map for resubdivision of Lot C through G and L Block 8 Las Alturas Unit 3, was presented.

RESOLUTION 126374, suspending Sections 102.11-2, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision Lot C through G and Lot L Block 8 Las Alturas Unit 3 Las Alturas Unit No. 3, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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Communication from Planning Commission, signed by Harry C. Haelsig, recommending Tentative Map for resubdivision of Lot C through G and L Block 8 Las Alturas Unit 3, subject to 6 conditions, was presented. Communication says that subdivision includes the Imperial Mobile Trailer Park and the expansion of 15 additional trailer sites.

RESOLUTION 126375, approving Tentative Map for resubdivision of Lot C through G and Lot L Block 8 Las Alturas Unit 3, subject to Resolution conditions, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Revised Tentative Map of Lytle Terrace, resubdivision of portion Lot B La Mesa Colony, was presented.

RESOLUTION 126376, suspending Section 102.17-c of San Diego Municipal Code in connection with revised Tentative Map for Lytle Terrace, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Lytle Terrace for division of portion Lot B La Mesa Colony, a revision of Tentative Map approved August 3, located at intersection of 67th and Saranac Streets, was presented. It makes the subdivision subject to 4 conditions.

RESOLUTION 126377, approving revised Tentative Map of Lytle Terrace, subject to Resolution conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of Section 102.17-c in connection with Tentative Map of Ridge View Manor, a 19-lot subdivision of portion Lot 12 Ex-Mission Lands, was presented.

RESOLUTION 126378, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Ridge View Manor, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Ridge View Manor, a 19-lot subdivision of portion Lot 12 Ex-Mission, located adjacent to Ridge View Unit No. 2, southerly of Home Avenue, easterly of proposed Highland Avenue extension, was presented. It makes the subdivision subject to 13 conditions.

RESOLUTION 126379, approving Tentative Map of Ridge View Manor, subject to Resolution conditions, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Application of Margaret Pickney, for Class "B" Dine & Dance License at "The Flame", 3782 Park Boulevard, was presented, together with recommendations for approval by City departments.

RESOLUTION 126380, granting application of Margaret Pickney for Class "B" license to conduct public dance at "The Flame", subject to compliance with existing ordinances and regulations, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Application of Fitz-All Enterprises, for Class "A" Dine and Dance License Club Bali, 6179 University Avenue, was presented, together with recommendations for approval by City departments.

RESOLUTION 126381, granting application of Fitzall Enterprises, Inc., for Class "A" license to conduct public dance at The Club Bali, 6179 University Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations,

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

Telegram from Charles A. Muehling, Muehlings Department Store, Pacific Beach, on behalf of Tom Dammann California Tidelands Protective Association, 954 19th Street, San Diego, was presented.

Charles Forward, attorney, told the Council that he comes to talk about lots of money. He said that Long Beach Tidelands legislation is interested in the vast amounts. He said that the California Supreme Court has made a decision that the surplus funds belong to the State of California. He stated that if there is any damage, it is what had been decided by the Supreme Court. Mr. Forward said that on the same day the Council and the Board of Supervisors passed resolutions - which have since been repealed. He spoke of Long Beach officials having come down and having been heard by the Council. He spoke of request to support legislation in the Allen Bill. He passed around copies (the Clerk did not receive one). He spoke of just authorizing putting money in the State Treasury, and that it does protect Long Beach. He said that what brought on the suit was the use to which Long Beach was putting the funds - for all sorts of things: \$160,000,000. He said that the City should do nothing other than try to get its fair share. He pointed out that the Allen Bill says that the funds should just go into the State Treasury, and not what is going to be done with it. He said that the Long Beach adherents have fogged the issue regarding the study. Mr. Forward told the Council that on the day of the Court decision, funds were put in the Long Beach treasury. He contended that a 2-year study is not needed. He asked the Council to get behind the legislators regarding passage of the Allen Bill. He maintained that it does not damage Long Beach, and that there is not a parallel case between Long Beach and San Diego tidelands. He pointed out that San Diego has just set up more than \$9,000,000 of its own (for the 10th Avenue shipping facilities).

Councilman Burgener spoke to Mr. Forward.

Mr. Forward said that it can be filed; it can be denied, and it might be the end.

Councilman Kerrigan spoke to Mr. Forward about the Allen Bill.

Mr. Forward said that the money would stay in the hands of Long Beach, and that Long Beach could stall. He said that his proposal would just implement the Supreme Court.

Councilman Kerrigan spoke to Mr. Forward regarding Long Beach using funds for other purposes.

Mr. Forward spoke of not having a point, and addressed Councilman Kerrigan regarding the ceding of control of tidelands in trust. He said that "it is a trust fund". He said that Long Beach can keep what it is entitled to.

Councilman Kerrigan spoke to Mr. Forward regarding oil royalty money in Long Beach. He asked about differential between 2 types.

Mr. Forward said that he is taking about "income from natural resources" (tidelands oil revenues; not tidelands rental).

Councilman Burgener said that the Long Beach Council came down the day before the court decision. He stated that the Council had not had the benefit of the presentation (by the Long Beach Council).

Mr. Forward repeated that there is no need for a study for 2 years.

Councilman Schneider said that the San Diego Council had been sold the idea that San Diego would be jeopardised. He said that is what was put to the Council, (by the Long Beach delegation) in Conference.

Councilman Burgener said that a conference on this subject is in order.

Mr. Forward read an opinion by the State legislative counsel. He said it applies to Long Beach, only. He said that Long Beach keeps millions of dollars. He contended that the Council should back up the Legislature to get the money into the State treasury.

Councilman Curran said that it might be taken up into other jurisdictions.

Mr. Forward said that Long Beach wants to make a settlement, and keep half.

Councilman Burgener moved that it be referred to Conference, for consideration next Tuesday. Motion was seconded by Councilman Evenson.

Councilman Kerrigan said that if the funds belong to the State, it is the responsibility of the Attorney General to get the money.

Mr. Forward replied that the Court is not interested in getting the money into the treasury of the State.

RESOLUTION 126382, referring matter of Allen Bill, AB3762 re Long Beach Tidelands Oil revenues to Council Conference on Tuesday, May 24, 1955, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

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Communication from Nicholas J. Haering, 2525 Jackson Street, San Diego 10, dated May 17, 1955, asking for reading and discussion of his letter which was on the agenda of May 17, 1955, was presented. It was a long, detailed, letter expressing views on good government, reasonable taxes, interested informed public, etc. It suggests methods of providing tables with proposed budget throughout the City. At the request of Mr. Haering, the letter was read by the Clerk.

Councilman Burgener asked Mr. Haering what services he would introduce or eliminate.

Mr. Haering replied that it is difficult to say; he can't study it; he is only 1. He said he wants to "get the books on the street".

Councilman Schneider spoke to Mr. Haering, and asked how he could hope to get the public to understand it.

Mr. Haering spoke about the County budget, which he said makes the public dizzy. He said the public is apathetic, and frustrated, scared to death of the Council. He said he knows the Council is up against a stone wall on some items.

Mayor Dail asked that the Council would do with the letter, regarding the budget under law. He stated that hearings are held, as required.

On motion of Councilman Evenson, seconded by Councilman Kerrigan, both letters were filed.

A Mrs. Richardson spoke from the audience, without coming to the microphone and identifying herself, said the Council should have the Haering letter printed.

Councilmen Burgener and Schneider answered that it is up to the papers if they want to print it.

Mrs. Richardson continued to talk on a number of unrelated subjects.

Councilman Williams said that if letter is addressed to the editor, he can print it.

Communication from Mission Bay Golf Course, 2702 De Anza Road, San Diego 9, dated May 18, 1955, signed by Earl B. Hunter, president, was presented. It announces official opening on the 27th of May at 10:00 A.M., and looks forward to having the Mayor and Council as guests, with the Mayor cutting the ribbon. The course is on City lands under lease. It refers to a story in the Sunday Union of proposed course at Torrey Pines. The communication suggests that before the Council comes to any definite decision, they be permitted to show plan to build and operate the contemplated course. It says that in about 10 days they can show drawings and plans for operation. The letter was read to the Council.

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

Communication from Richard F. Pourade, 2021 Evergreen St., dated May 16, 1955, pointing out the condition of Evergreen Street on Point Loma, and urging the opening of the street between Stern and Russell Streets, was presented. It expresses concern for what might happen in the future if the property is built on.

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

Notice of hearing, before the Public Utilities Commission of the State of California in Matter of Application of The Atchison, Topeka and Santa Fe Railway Company, a corporation, and Santa Fe Transportation, a corporation, for increases in railroad fares, bus fares and coordinated rail-bus fares, Application No. 36802; and in Matter of Application of Southern Pacific Company for authority to increase certain passenger fares applicable to and from intermediate points in San Joaquin Valley and East Bay areas, Application No. 36900 - was presented.

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

Communication from San Diego Chamber of Commerce, dated May 13, 1955, signed

Communications  
Notice  
Verbal presentations

Arnold Klaus, was presented. It says that executive committee and board of directors of the Chamber have again reviewed their recommendation made at an earlier date, opposing proposal in which Council has concurred regarding financing of feasibility study of tube between San Diego and Coronado. It states it is considered opinion that \$200,000 State survey is not necessary, but that survey should be made by local authority at a greatly reduced cost. The communication says that if locally authorized survey indicates project feasible, facts developed should be submitted to electorate before share of San Diego's gas tax is committed to expenditure for the purpose.

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

Communication San Diego Chapter Number Nine, Inc., California State Association of Power Engineers, Inc., of the National Association of Power Engineers, San Diego, dated May 16, 1955, signed by W. Huntridge, D. J. Reno, J. E. Thomas (each giving his title in his respective organization), was presented. It requests a hearing before the City Council on "proposed ordinance" change for licensing Operating Engineers.

A verbal request was made by Mr. Thomas that he be notified by 'phone of date and time of hearing. A telephone call was made to Mr. Thomas, notifying of reference to the City Manager and City Attorney, by A.M.W. Motion for the reference was made by Councilman Kerrigan, seconded by Councilman Schneider.

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

Communication from Planning Commission, signed by Glenn Rick, approving revised Tentative Map of Mira Dera, essentially of same design as approved by Resolutions 125629 & 125628 except that tier of 4 lots has been added immediately south of and adjoining Lot 3, and design of Lots 2 and 3 have been modified, was presented.

RESOLUTION 126383, approving revised Tentative Subdivision Map of Mira Dera, subject to all conditions set forth in Resolutions 125629 and 125628 which approved previously submitted tentative map, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, dated 13 May 1955, requesting Resolution authorizing improvement of intersection of Harbor Drive and Broadway, by appropriate City forces, was presented. Total is \$3,000.00 estimate; Harbor Job Series 18,000 - Fund 511. It says study of job has been made and it is Commission's belief that work can be accomplished in this manner to best advantage of City of San Diego.

Richard Steck spoke of high regard for Mr. Bate and for the Commission, but he knows of some contractors who are out of work.

The Mayor said that the item had been reviewed in Conference.

The City Manager said that it is just intersection work, and contractors would probably not be interested.

RESOLUTION 126384, authorizing and empowering Port Director to do all work in connection with improvement of intersection of Harbor Drive and Broadway, by appropriate City Forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126385, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 78 locations, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126386, authorizing and directing San Diego Gas & Electric Company to install 17 6000 lumen overhead street lights in Rancho Cabrillo Subdivision, and 6 6000 lumen overhead street lights in Grantville, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION 126387, rescinding former action of rejection for public street of land marked "Reserved for Future Street" in Lot 11 Alvarado shown on Map 2789; accepting on behalf of the public land marked "Reserved for Future Street" in Lot 11 Alvarado shown on Map 2789, as a public street, and dedicating land to public use; naming it Mesquite Road; authorizing and directing City Clerk to file in office of County Recorder of San Diego County a certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126388, authorizing City Manager to employ Daley Corporation to do work in connection with improvement 52nd Street, 51st Street, Polk Avenue and Ottilie Place, in connection with a 1911 Street Improvement Act proceeding, and Drawing 11561-L which shows work to be performed by City forces - not to exceed \$607.53, payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126389, authorizing City Manager to employ Griffith Company to work in connection with improvement of Everts Street, in connection with a 1911 Street Improvement Act proceeding, and offer of Griffith Company - not to exceed \$117.00 payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126390, approving Change Order 8 dated April 22, 1955, Document 512460, issued in connection with contract between The City of San Diego and Fred J. Early, Jr. Co., Inc., for construction of alterations to Sewage Treatment Plant, contract Document 500820; changes amounting to increase in contract price of \$121.00, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126391, approving Change Order 2 dated May 2, 1955, Document 512462, issued in connection with contract between The City of San Diego and Raymond D. Haas, for construction of Harbor Service Building, Shelter Island, contract Document 506596; amounting to increase in contract price of \$367.53, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126392, authorizing and directing City Treasurer to exchange \$1,000,000.00 par value of United States Treasury 1-1/8% Certificates of Indebtedness purchased from inactive funds in City Treasury, due May 17, 1955, for \$1,000,000.00 15-month United States Certificates of Indebtedness in United States Treasury 90-day Bills, currently returning approximately 1-1/2% to 1.60%; and authorizing and directing him to sell all or such amount of said investments whenever additional cash is required for purposes for which funds were originally accumulated and placed in the Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126393, allowing bill of San Diego Convention and Tourist Bureau, May 16, 1955, in sum of \$9,111.47 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1954-1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126394, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, March 30, 1955, subordinating all right, title and interest in and to portion Lot 14 Block

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

RESOLUTION 126395, accepting subordination agreement, executed by Warren L. Christianson and Inelda May Christianson, beneficiaries, and Land Title Insurance Company, trustee, April 17, 1955, wherein they subordinate all their right, title and interest in and to portion of Pueblo Lot 104, to right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126396, accepting subordination agreement, executed by Lina H. Durrill, beneficiary, and Security Title Insurance Company, trustee, May 3, 1955, wherein they subordinate all right, title and interest in and to portion of Lots 9, 10, 11 Block 1 American Park Addition, 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126397, accepting subordination agreement, executed by John Hancock Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, March 30, 1955, wherein they subordinate all right, title and interest in and to portion Pueblo Lot 104, to right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126398, accepting subordination agreement, executed by John Hancock Mutual Life Insurance Company, beneficiary, and Union Title Insurance & Trust Company, trustee, March 13, 1955, wherein they subordinate all their right, title and interest in and to portion of Pueblo Lot 104, 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126399, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, April 19, 1955, wherein they subordinate all their right, title and interest in and to portion of Lot 5 San Miguel Terrace, to right of way and easement for storm drain and water pipe line purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126400, accepting subordination agreement, executed by Metropolitan Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, April 18, 1955, wherein they subordinate all their right, title and interest in and to portion Lots 1, 2, 3 Block 106 Roseville, to easement and right of way for street purposes; authorizing and directing City Clerk to transmit the deed, together with cert-

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ified 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 126401, accepting subordination agreement, executed by Rex L. Stephenson and Madge E. Stephenson, beneficiaries, and Union Title Insurance and Trust Company, trustee, April 29, 1955, subordinating all their right, title and interest in and to portion Lot 14 Block 3 Larchmont, 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126402, accepting deed of Helen M. Boles, March 29, 1955, conveying all of Northwest Quarter of Southeast Quarter Section 36 Township 14 South Range 1 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126403, accepting deed of Norman N. Jiminez and Norma M. Jiminez, February 18, 1955, conveying easement and right of way for street purposes in portion Lot 14 Block 3 Larchmont; setting aside and dedicating land to public use as and for public street and naming it Brooklyn Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126404, accepting deed of Caudell & Johnson, April 15, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1109; setting aside and dedicating land to public use as and for public street and naming it Friars Road; 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 Kerrigan, adopted.

RESOLUTION 126405, accepting deed of Carl Engelhart and Clara Engelhart, March 14, 1955, conveying easement and right of way for street purposes in portion Lots 1, 2, 3 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 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 126406, accepting deed of Verda Adams Adams, May 4, 1955, conveying easement and right of way for street purposes in portion Lot 14 Block 44 Paradise Hills Unit No. 3; setting aside land to public use as and for public street and naming it Morningside 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126407, accepting deed of Alex Cota and Emma Cota, April 13, 1955, conveying easement and right of way for street purposes in portion Lots 9, 10, 11, Block 1 American Park Addition; setting aside and dedicating land to public use as and

for public street and naming it Paul Jones Avenue; authorizing and directing City Clerk to file deed for record office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126408, accepting deed of Anna Deeds, Viola Deeds, Cora Johnston Deeds and Vida Johnston, May 6, 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 public street, and naming it Seminold Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126409, accepting deed of Ira F. Hogarth and Dorothy Hogarth, May 4, 1955, conveying easement and right of way for street purposes in portion Lot 161 Encima de San Diego; setting aside and dedicating land to public use as and for public street and naming it Skyline Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126410, accepting deed of Theodore R. Ulmer and Ardyth L. Ulmer, May 16, 1955, conveying easement and right of way for public use purposes in portion Lot 133 Pueblo Lands of San Diego; authorizing and directing Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126411, accepting deed of Gaylord L. Taylor and Erma Jean Taylor, April 28, 1955, conveying easment and right of way for public utilities purposes in portion Lot I Block 9 Las Alturas 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126412, accepting deed of O. U. Adams and Mae Adams, May 3, 1955, conveying easement and right of way for sewer purposes in portion Lot 15 Block 11 Tres Lomas; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126413, accepting deed of W. A. Buerger, April 23, 1955, conveying easement and right of way for sewer purposes in portion Lot H La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126414, accepting deed of John Brooks Clark, Jr. and Katherine W. Clark, March 10, 1955, conveying easement and right of way 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126415, accepting deed of Harold G. Eales and Joyce E. Eales, March 16, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, adopted.

RESOLUTION 126416, accepting deed of James L. Gauthier and Darlene Gauthier, April 15, 1955, conveying easement and right of way for sewer purposes in portion Lot H La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126417, accepting deed of Louis E. Geiger and Betty B. Geiger, March 10, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 104; 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 Kerrigan, adopted.

RESOLUTION 126418, accepting deed of Jesse W. Henderson and Bernice E. Henderson, April 4, 1955, conveying easement and right of way for sewer purposes in portion Lot H La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126419, accepting deed of Robert L. Kercher, April 27, 1955, conveying easement and right of way for sewer purposes in portion Lot 22 Block 5 American 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126420, accepting deed of Earnest D. Shattuck and Naomi R. Shattuck, April 12, 1955, conveying easement and right of way for sewer purposes in portion Lot C and H La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126421, accepting deed of Ray Snyder and Thelma C. Snyder, April 25, 1955, conveying easement and right of way for sewer purposes in portion Lot I La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126422, accepting deed of John T. Van Der Voort and Dorothy H. Van Der Voort, April 15, 1955, conveying easement and right of way for sewer purposes in portion Lot I La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126423, accepting deed of J. Donald Wykle and Helen D. Wykle, April 15, 1955, conveying easement and right of way for sewer purposes in portion Lot H La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126424, accepting deed of Dollie Lea Fenton, May 4, 1955, conveying easement and right of way for storm drain purposes in portion Lot 146 Block 2 Resub-division Block L 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126425, accepting deed of Westlands Investments, Inc., May 2, 1955, conveying easement and right of way for storm drain purposes in portion Lots 44 and 45 Las Alturas Villa Sites; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126426, accepting deed of Solomon Building Company, April 15, 1955, conveying easement and right of way for storm drain and water pipe line purposes in portion Lot 5 San Miguel Terrace; 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 Kerrigan, adopted.

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

ORDINANCE 6515 (New Series), changing name of portion of Rolando Boulevard to Aragon Way, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilmen None. Absent--Councilmen None.

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

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

ORDINANCE 6516 (New Series), appropriating \$6,000.00 from Unappropriated Balance Fund for providing additional funds to pay City's share of cost of improvement under 1911 Street Improvement Act, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilmen None. Absent--Councilmen None.

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

RESOLUTION 126427, appointing as representatives of The City of San Diego on the Feather River Association: Paul Beerman, Director, Water Department; Baylor Brooks, Geologist; Graydon Hoffman, Banker; George Kerrigan, Member of the Council; Ralph Phillips, San Diego Gas & Electric Company; Aaron W. Reese, Deputy City Attorney; Don Hanson,



Transit System; O'Neill P. Martin, Attorney at Law; Quentin Whelan, Attorney at Law; Armon Henderson, Secretary, District Council of Carpenters, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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

RESOLUTION 126428, authorizing John Bate, Port Director, and Robert T. Sjogren, Deputy City Attorney to go to Sacramento, California, in connection with tidelands oil bills now pending before the Legislature, for recommending amendment so as to provide that portion of revenues derived from tideland oil leases be set aside for use of harbor development of the cities on the coast; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

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

RESOLUTION 126429, granting application of Al Bahr Shrine, for permission to hold circus at Balboa Park Bowl on May 20, 21, 22, 1955, upon payment of license fee provided by Section 31.0320 of San Diego Municipal Code, and deposit of \$500. with City Treasurer to guarantee required cleaning and policing of premises, as provided by Section 91.14 of the Code; subject to approvals provided in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

\*

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

RESOLUTION 126430, granting application of Daniel M. Nuzum for Class "A" license to conduct public dance at Tommy's Cafe on Old Highway 395, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

\* RESOLUTION 126431, accepting deed of Ivan W. Bjorkman and Mildred M. Bjorkman, April 5, 1955, conveying easement and right of way for sewer purposes in portion Lot I La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Philip S. Brown*  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, May 24, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilman Burgener  
Clerk--Fred W. Sick

The Mayor called the meeting to order at 10:01 o'clock A.M.

Reverend Robert Lorrington Young, president of San Diego County Ministerial Association, pastor of the Church of the New Jerusalem, was presented by the Mayor. Rev. Young gave the invocation.

Resolutions and Ordinances are recorded on Microfilm Roll 95.

The Mayor presented service awards to the following City employees, honoring their long-time service with the City of San Diego:

Alfred Godden, tree trimmer, Park and Recreation Department - 20 years;  
Frances Frazer, intermediate cashier, Golf Course, Park & Recreation  
Department - 20 years;

(Councilman Burgener entered during the Frazer award).

Charles W. Hardy, Lifeguard captain, Division of Recreation of Park and Recreation Department - 25 years;

Thomas B. Smith, heavy laborer, Division of Streets, Public Works Department - 30 years. Scroll awarded, also, by the Mayor.

The Minutes of the Regular Council Meetings of Tuesday, May 17, 1955, and of Thursday, May 19, 1955, were presented to the Council.

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

The City Engineer reported that 3 bids had been opened on 1911 Act for improvement in Alley Block 8 La Jolla Park.

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

The City Engineer reported that 5 bids had been opened on 1911 Act for improvement of Guy Street.

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

The City Manager reported that 5 bids had been opened on 1911 Act for improvement of 31st Street.

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

Meeting convened  
Invocation  
Presentation of Service  
Awards  
Reports on 1911 bids

5/24/55

a finding was made that bids had been opened as reported.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 125824 for paving and otherwise improving Alley Block 10 Normal Heights, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Williams, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 125825 for paving and otherwise improving LaDorna Street, the Clerk presented protest from Mrs. Helen Homesley, which he read to the Council.

Asked for a report, the City Engineer said that constitutes 2%.

RESOLUTION 126432, overruling and denying protest of Mrs. Helen Homesley against improvement of La Dorna Street, and Public Rights of Way in Lots 28 and 29 La Mesa Colony, Resolution of Intention 125825; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, proceedings were referred to City Attorney for Resolution ordering work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 125826 for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, Thorn Street, Redwood Street, Olive Street, Maple Street, Alleys Blocks 4 and 8 Clifton Addition to City Heights, Alleys Block s 9, 16, 7 and 11 Bungalow Park Addition; Alleys Blocks 5, 10, 17 Swan's Addition; Public Rights of Way, the Clerk reported written protests from Laurretta Dalton, and from Mae B. Callahan and Olive M. Callahan.

Asked for a report, the City Engineer said that they constitute 02%.

RESOLUTION 126433, overruling and denying protests of Laurretta Dalton, Mae B. Callahan and Olive M. Callahan, against Resolution of Intention 125826 for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, et al; overruling and denying all other protests, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution ordering work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 125945 of Preliminary Determination for improvement of Alley Block 247 Pacific Beach, and Public Right of Way in Lot 26, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard, no one appeared and no protests were presented.

RESOLUTION 126434, determining that improvement of Alley Block 247 Pacific Beach and Public Right of Way, under Resolution 125945 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 125946 of Preliminary Determination for paving and otherwise improving Kurtz Street, Rosecrans Street, Alley Block 373 E. O. Rogers Subdivision of Blocks 370, 373, 367 and 366 Old San Diego, Hancock Street, et al, protest of Howard T. Payne, was presented.

It was overruled, on motion of Councilman Schneider, seconded by Councilman Williams. Resolution of feasibility was adopted. Neither was numbered, in that it came

up again, with further verbal presentation and additional action.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 125947 of Preliminary Determination for paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126435, determining that proposed improvement of 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue 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, time set for hearing on Assessment 2353 made to cover cost of paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street, the Clerk reported written appeals from Earl Lambert, Earl and Katherine Daniels, Ford Bates, Mrs. Bessie Lee Jennings Mosley.

The Mayor referred to the last named woman as "Mrs. Jennings". She told about grade which had resulted in damage to her property, and spoke of there being no sidewalk.

The City Engineer said that sidewalks are put in only where property owners petition for them.

Councilman Burgener said that property owners should have protested prior to this hearing (which is now on the assessment for the completed work) regarding the grade.

The City Engineer said that there is 4.1% district protest.

Mayor Dail pointed out that the Council is in the position where the work was carried out according to specifications - in detail. He said that the Council can only see now if the assessment roll is equitable.

Councilman Schneider spoke to the people who appeared at the microphone regarding what had been done.

Councilman Williams spoke to the City Engineer, who showed the assessment roll.

The Mayor said that there had been no damage, and that hearings had been held.

Councilman Williams said that it is unfortunate that the property owners were not well informed. He said that the Council has the responsibility to inform the property owners.

Mayor Dail said that the City has found no satisfactory way of providing for all the information. He spoke of having tried to get the people's interest, but that they say nothing until the assessment hearing.

Councilman Schneider continued to speak to the property owners regarding the State law which governs the improvement proceedings. He said the City proceeds under the State law, and that it is limited to the assessment at this time.

Mayor Dail read notice, supplied to him, sent out to the property owners regarding change of grade. It has come about as result of Council policy, he stated. He told of having used extraordinary precautions to the property owners. He said that he has a substandard street, and that it is going to have to be re-aligned.

Mrs. Jennings (or Mosley) said that she signed the petition, and that in the meantime she had a way to get in and out. She asked about the things for which she is being assessed. She contended that she can't get in now, but that she could before.

Councilman Burgener spoke to Mrs. Jennings (or Mosley) regarding assessment spread. He said that she had not been penalized on account of taking out dirt.

The Mayor said that there is the same thing in other districts. He said that he sympathizes, but that there is not much that the Council can do.

Mary Kennedy, representing Mr. Bates (her father) said it was thought there was supposed to be sidewalks.

The City Engineer said that property owners did not petition for them.

The Mayor said that they can take out petition for the walks.

Councilman Evenson asked why the grade should have been changed.

The City Engineer said that he "came up" as much as he could. He showed a profile, and stated that he "raised the thing". He made a detailed explanation from the map. He said that the Engineer's office can just leave out portions of improvement, if property owners would be hurt. He reminded the Council that there had been no protest, and that if there is no protest the work is put in.

Councilman Curran stated that the average lay person does not know of the condition. He said that they should be told.

The Mayor said that the City does give special notice (not called for).

The City Engineer said that better than 50% of the time he adjusts the grade. He added that he adjusts the grade to do the least damage. He told the Council that he would have left the section out of the proceedings if he had known of the objection. He spoke of doing everything possible to protect the property owners.

Willard Olson, of the City Engineer's office, held a conference over maps, while the City Engineer was talking to the Council.

The Engineer said that he cooperates as far as possible. He said that there is the choice of leaving the property up in the air, or leaving it out of the work.

The Mayor rapped for order, asking everyone to take their seats. He said that people interested can get detailed answers in the City Engineer's office.

RESOLUTION 126436, overruling and denying appeals of Earl Lambert, Earl F. and Katherine Daniels, Ford Bates, Mrs. Bessie Lee Jennings Mosley, from Assessment 2353 made to cover costs and expenses of work of paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, Resolution of Intention 116494; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2353; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

After the hearing had been completed, and Resolution confirming assessment adopted, a man who later identified himself as Francisco Padua, 347 S. Pardee, spoke. He told of facing Pardee.

Mr. Olson explained the development to him.

Mr. Padua said that people who circulated petition had said that Franklin was to be paved.

The Mayor said that the work is by petition.

Mr. Padua asked if he would be paying for water pipe (in this assessment).

The Mayor said "not in this job".

Councilman Burgener said that a man had insisted that Franklin would be paved. He asked what would be done, now.

The Mayor spoke of the City having tried to give all safeguards.

Mr. Padua said that when construction was finished, work was not done in the front, and it is muddy.

Councilman Burgener said that there can be another petition (for paving Franklin).

There was no further action.

Willard Olson said that there is another petition under way.

The Council reconsidered its action taken previously, and shown earlier in these minutes, when Walter Anderson appeared, to be heard.

The City Engineer said that there had been one tenth of one percent protest.

Mr. Anderson said that he and Mr. King are protesting 5" concrete, and that they want asphalt like other streets in the area.

The City Engineer stated that it is a commercial area, with trucking, and thinks there should be cement concrete. He agreed it would be cheaper with asphalt. The City Engineer told the Council that the light pavement used on residential streets would not hold up.

Mr. Anderson said that contract on Jefferson had been let to Dennis. He said that it is equally level, and has equally heavy traffic.

The City Engineer said that the Council can send the proceedings back, and abandon them.



Councilman Burgener said that the City would not abandon the project, unless it is known that it would not be wanted.

The City Engineer spoke of being under pressure to get the work done.

Councilman Curran wondered about a survey being made for preference on cement concrete or asphalt concrete.

Richard King, with Travelodge Corporation, stated that he did not write a protest. He entered a verbal protest.

The City Engineer said that improvement should be heavier than the light residential streets.

Fred Rose told the Council that he represents several property owners. He said that he questioned the differential in cost. He stated that he is not protesting.

The Mayor asked Mr. Anderson the description of the property he owns.

Mr. Anderson replied that he does not have it, but that it is 2 full blocks.

Mr. King said that the property he represents is in the name of his father, 3045 Scott Street.

The City Engineer and Councilman Schneider said that the City is willing to change the type, but insists on the paving being heavier than used in many instances.

Mr. King said that if there is a small difference in cost, he would not object.

The City Engineer spoke of 6" base, and 3" surface, in the neighborhood of 27¢ per square foot, against some 32¢ per square foot for cement. He said that there is considerable trucking, and flat grade. He said that his proposal is thought best.

Councilman Schneider moved to continue the hearing one week - and City Engineer check.

The City Engineer spoke of small protest.

Councilman Curran seconded the motion for continuance.

RESOLUTION 126437, continuing hearing on proposed improvement of Kurtz Street, Rosecrans Street, Alley Block 373 E. O. Rogers Subdivision of Blocks 370, 373, 367 and 366 Old San Diego, Hancock Street, Moore Street, Jefferson Street, Gaines Street, Smith Street and Mason Street, Resolution of Preliminary Determination 125946, until 10:00 o'clock A.M., Tuesday, May 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on incorporating portion Block 14 Bay View Homestead into C Zone and repealing conflicting ordinance, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

ORDINANCE 6517 (New Series), incorporating Lots 10, 11, 12 Block 14 Bay View Homestead into C Zone, as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance 12987 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Curran adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilmen None. Absent--None.

Reading had been suspended prior to final passage, by not less than 4 votes. There was available for members of the Council prior to day of passage written or printed copy.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on incorporating portion Lot 13 Rancho Mission into R-1 Zone, defined by Section 101.0405 of San Diego Municipal Code and repealing conflicting ordinance, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

ORDINANCE 6518 (New Series), incorporating portion Lot 13 Rancho Mission into R-1 Zone as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance 6489 (New Series), was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilmen None. Absent--None.

Reading had been suspended prior to final passage, by not less than 4 votes. There was available for members of the Council prior to day of passage written or printed copy.



Petition of property owners for rezoning portions Blocks J and K Fairmount Park, from prevailing R-1 Zone to Zones C and CP - located at Home Avenue and Gateway Drive - was presented. Communication states that public hearing was held and continued in order that some minor changes could be made in subdivision map. It says that they were made, and the Commission recommended 4-0 to provide the rezoning to be not effective until final subdivision map has been filed. It reports that no protests were received. (Vote to recommend rezoning was 4-0 - less than the 5 votes - so Council is to determine if Ordinance shall be prepared).

Glenn A. Rick, City Planning Director, told the Council that it is a business section, and that there were no protests.

The Clerk reported having received no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126438, requesting City Attorney to prepare and present ordinance for rezoning portions Blocks J and K Fairmount Park (Fairmount Plaza) from R-1 to C and CP Zones - and provide that rezoning shall not become effective until final subdivision map is filed - was on motion of Councilman of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, signed by Carl F. Reupsch, submitting form of agreement for assignment of Kona Kai Corporation lease to Kona Kai Club Motel, Inc., recommended by Office of City Attorney due to Kona Kai Corporation being merged with Kona Kai Club Motel, Inc., was presented. Also submitted was form of agreement for Assignment of Kona Kai Club Motel, Inc. to Phoenix Mutual Life Insurance Company, for repayment of note dated May 10, 1955. The communication states that assignments conform with established policy of Harbor Commission and City Council.

RESOLUTION 126439, ratifying, confirming and approving assignment, copy filed as Document 512564, entered into between Kona Kai Club Motel, Inc., a California Corporation, Assignor, and Kona Kai Club Motel, Inc., a Delaware corporation, Assignee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126440, ratifying, confirming and approving assignment, copy filed as Document 512740, entered into between Kona Kai Club Motel, Inc., a Delaware corporation, Assignor, and Phoenix Mutual Life Insurance Company, Assignee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent on low bid of Ozalid Division of General Aniline & Film Corp. for furnishing 1 Ozalid Model 400 white print machine @ \$2,195.00 plus State Sales Tax, f.o.b. Johnson City, New York - 4 bids - and recommending award as the low bidder of the 3 meeting City specifications, was presented.

RESOLUTION 126441, accepting bid of Ozalid Division of General Aniline & Film Corp. for furnishing 1 Ozalid, Model 400 White Print Machine; awarding contract, authorizing 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 Burgener, seconded by Councilman Curran, adopted.

Report of Purchasing Agent on low bids of International Harvester Co. for furnishing 3 Cabs and Chassis at total price of \$5,879.50 plus State Sales Tax; and of Bay Shore Motors for furnishing 1 1/2 Ton Pickup Truck @ \$1,248.78 plus State Sales Tax (additions to motive equipment - 7 bids - was presented.

RESOLUTION 126442, accepting bid of Bay Shore Motors for furnishing 1 1/2 Ton Pickup Truck; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126443, accepting bid of International Harvester Co. for furnishing 3 Cabs and Chassis; 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 Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of Raymond D. Haas for construction of Comfort Station and Dressing Room Building at De Anza Cove, Mission Bay Park, \$12,358.00 - 2 bids - was presented.

RESOLUTION 126444, accepting bid of Raymond D. Haas for construction of Comfort Station and Dressing Room Building at De Anza Cove, Mission Bay Park; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, with City Manager's stamp of approval, on low bid of H. H. Peterson for improvement of Street Intersections downtown, required by storm drain installation, \$22,336.50 - 6 bids - was presented.

Councilman Williams asked if the one recommended was the lowest of the 6. The City Engineer's report was "next bid was close" (it was Griffith Co. for \$23,990.65).

The City Manager reviewed the bids.

RESOLUTION 126445, accepting bid of H. H. Peterson for improvement of street intersections downtown; awarding contract, authorizing and instructing City Manager to enter into and execute it 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126446, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for landscaping and installation of sprinkler system in north end of Kellogg Park, Document 512536; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next Resolution, it is a 50%-50%, or a straight City deal.

Mayor Dail left the meeting.

Vice Mayor Clair Burgener took the Chair, and presided.

The City Manager reviewed the situation involved, and said that there is a trailer park.

Councilman Schneider spoke of having had a call on it.

Councilman Curran asked what it entails.

The City Manager explained that it goes down to the Creek, and of having to go in and connect street.

RESOLUTION 126447, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in 47th Street from Pera Street to the South Chollas Creek, Document 512535; 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 Purchasing Agent, with City Manager's approval, reporting on sale at auction held May 14, 1955, of Trucks and Equipment to 8 high bidders; \$1,325.00 received and deposited with City Treasurer, was presented.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that Final Map of Allied Gardens Unit 4-A be approved, subject to posting of

adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126448, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, contract with subdividers of Allied Gardens Unit 4, and subdividers of Allied Gardens Unit 4-A (Allied Farms, Inc., a corporation, and Louis L. Kelton and Elsa G. Kelton, husband and wife, and Walter Bollenbacher and Grace Bollenbacher) and General Casualty Company of America, surety, whereby it is agreed that resubdivision of portion of Allied Gardens Unit 4 subdivision, as Allied Gardens Unit 4-A, will not relieve subdividers of any of obligations which arose under original contract, Document 499259, and that all obligations for installation of public improvements in portion of Allied Gardens Unit 4, now being resubdivided as Allied Gardens Unit 4-A, required by Resolution 122793 will be completed and are supported by original contract and bond, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 126449, adopting map of Allied Gardens Unit 4-A, subdivision of Lot 519 Allied Gardens Unit 4; accepting on behalf of the public unnamed easements and declaring them to be unnamed easements and dedicated to public use; authorizing and directing Clerk to endorse upon map, as and for act of the Council, that they are accepted on behalf of the public; directing 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 Evenson, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Resolution suspending portion Municipal Code in connection with Tentative Map for division of Lot 3 Happy Valley Little Farms, was presented.

On motion of Councilman Schneider, seconded by Councilman Williams, it was continued until Thursday, May 26, 1955.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Resolution approving Tentative Map for division of Lot 3 Happy Valley Little Farms, subject to 5 conditions, was presented.

On motion of Councilman Schneider, seconded by Councilman Williams, it was continued until Thursday, May 26, 1955.

Communication from United Control, Inc., 2223 El Cajon Boulevard, San Diego 4, dated April 13, 1955, signed by H. Leroy Edwards, was presented. It was addressed to Planning Commission requesting change in building set-back line on Inspiration Way from 15 feet under Resolution 122394 to 10 feet.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Inspiration Point, 5-lot subdivision in Pueblo Lot 1773, was presented. It refers to request of subdivider's engineer, H. Leroy Edwards, for 10-foot setback on Inspiration, Lots 1, 2, 4, 5. It says that in property is in zone R-1C which requires 20-foot setback, Commission was unwilling to reduce it below original compromise established at time of approval of Tentative Map. It recommends approval of the final map subject to 15-foot setback line of Lots 1, 2, 4, 5, and posting of adequate bond to insure installation of required improvements.

RESOLUTION 126450, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with R. A. Jones Contracting Co., Inc., for installation and completion of unfinished improvements and setting of monuments required for Inspiration Point subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126451, adopting map of Inspiration Point Subdivision, a subdivision of portion Pueblo Lot 1773, accepting on behalf of the public Inspiration Way, portion of Inspiration Drive, named and unnamed easements shown for public purposes, 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 they are accepted on behalf of public as stated; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval and acceptance of Final Record of Survey Map, Portion Lot 1 Block 133 La Playa, in lieu of final subdivision map, was presented.

RESOLUTION 126452, authorizing and directing City Manager to execute, for and

on behalf of The City of San Diego contract with Ardyth L. Ulmer for installation and completion of unfinished improvements in northeast corner Lot 1 Block 133 La Playa subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126453, approving Record of Survey Map of northeast corner Lot 1 Block 133 La Playa, in lieu of Final Subdivision Map, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelzig, recommending approval and acceptance of Record of Survey Map, portion Lot I Block 9 Las Alturas No. 3, in lieu of final subdivision map, was presented.

RESOLUTION 126454, approving Record of Survey Map, in lieu of Final Subdivision Map, portion Lot 1 Block 9 Las Alturas No. 3, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Application of Daniel M. Nuzum for Cabaret License, at Tommy's Cafe, Old Highway 395 across from Camp Elliott, was presented, together with recommendations from City departments.

RESOLUTION 126455, granting permission to Daniel M. Nuzum to conduct cabaret with paid entertainment at Tommy's Cafe, Old Highway 395 across from Camp Elliott, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, requesting that Assessment 53 be ordered corrected and modified (Assessment Roll 2366) for paving and otherwise improving Franklin Avenue and 49th Street - Lot 3 Block K Tract Number Two of Altavista Suburb, was presented.

RESOLUTION 126456, adopting recommendation of Street Superintendent for modification and correction of Assessment Roll 2366 for paving and otherwise improving Franklin Avenue and 49th Street, Resolution of Intention 119895; directing him to modify and correct the assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from C. J. Paderewski, A.I.A., Suite 206 Fifth Avenue Building, 521 "B" Street, San Diego 1, dated May 19, 1955, was presented. It refers to appearance on October 27, 1953, requesting approval of permit to build and occupy residence on portion of Pueblo Lot 1264 located on Soledad Road above La Jolla. It mentions, in detail, the sewerage disposal system and the water situations.

Mr. Paderewski spoke to the Council of having applied some 7 or 8 months ago for a permit for a residence. He said that the permit was granted, and the Health Department approved the cesspool.

The Mayor returned, and resumed chairmanship of the meeting.

Mr. Paderewski said that it has to do with bringing up water to the property. He said that it looked feasible to bring water a shorter distance. He told the Council that 3 months or so after the building was started Beerman (Paul Beerman, Water Director), said that it was impossible to bring water from a reservoir on account of the tremendous growth of La Jolla. He spoke of not being successful in forming a water district. He referred to alternatives, and to an existing temporary line, and storage. He said he could tie into the temporary line, but could not pay \$300,000 to bring in water. He asked for permission to get temporary permit from the Civil Defense. He referred to the objection being to 2 tying on to a private water line. Mr. Paderewski said he would ask for water from Midnight to sun down, and fill a tank. He told the Council that Mr. Beerman has not changed his view.

The City Manager said that it might be worked out, for not permanent use. He said if permission were granted to tie on to the Kennedy line, it would be a water district.

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

Communications  
126453 - 126456  
Verbal presentation  
by C. J. Paderewski

Communication from San Diego County and Municipal Employees Local Number 127, Hillcrest Station Box 51, San Diego 3, dated May 20, 1955, signed by Otto W. Hahn, Business Representative, was presented. It thanks the Council for time taken to review requests. Also, it goes on record raising serious objections to discrimination against City employees in craft and trades classes by local salary survey. Also, it expresses delight at reaction of the Council regarding employees and their organizations having opportunity to work out salary differences prior to recommendations.

It was pointed out that there is to be a conference with the Civil Service, and that Mr. Hahn and Mary Harvey of the Municipal Employees Association can be there.

Communication from San Diego Symphony Orchestra Association, dated May 19, 1955, signed by Florence Ramser Goss (Mrs. Fred G. Goss) President, was presented. It refers to having written to individual members of the Council, May 6, 1955, announcing consolidation of San Diego Philharmonic Society with the Association. It refers to the Board of Supervisors having not granted the full \$10,000 requested in adoption of preliminary budget for 1955-56. It outlines, in detail, the undertaking for this year, and requests \$10,000 appropriation.

Budget

RESOLUTION 126457, referring to Council/Conference communication from San Diego Symphony Association, Document 512758 requesting allocation of funds for 1955-1956 year-round program of music in San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Southcrest Civic Club, San Diego 13, dated May 17, 1955, signed by Mrs. Arlene Robinson, Secretary, was presented. It protests increase of rates on bus fares, and inadequate bus service. It expresses hope that ultimatum can be reached in the near future.

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

Communication from Mrs. Jo Louise Williams, P.O. Box 1648 Corpus Christi, Texas, dated May 16, 1955, was presented. It expresses "profound disgust and definite unhappiness at the slick way the people of San Diego are being taken, in regards to The Horton Plaza, Japanese Tearoom and the Botanical Gardens". The communication mentions the writer having lived in San Diego and being a Native San Diegan.

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

RESOLUTION 126458, directing notice of filing of Assessment 2367 made to cover costs and expenses of work done upon sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, Alleys, et al., Resolution of Intention 120009, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126459, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 241 Pacific Beach; approving Plat 2708 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 126460, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Quince Street; approving Plat 2715 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 126461, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving "T" Street, Document 512086; approving Plat 2711 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 126462, closing portion San Fernando Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 126463, for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126464, for paving and otherwise improving Alley Block 72 City Heights, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126465, for paving and otherwise improving Alley Block 34 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126466, for furnishing electric current for lighting ornamental street lights in Adams Avenue Lighting District Number One for 11 months and 18 days, from and including October 13, 1955, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126467, for furnishing electric current for lighting of ornamental street lights located in Midway Drive Lighting District Number One, for 1 year from and including October 1, 1955, was on motion of Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126468, for closing portions of Magnolia Avenue and Lime Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126469, for closing streets in Rosedale, adjacent to Montgomery Field - set out in detail in the Resolution - was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126470, for paving and otherwise improving Alley Block 241 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126471, for paving and otherwise improving Quince Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.



5/24/55

RESOLUTION OF PRELIMINARY DETERMINATION 126472, for paving and otherwise improving T Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126473, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current for lighting ornamental street lights in Collwood Lighting District No. 1, for 1 year from and including June 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126474, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 332 Choate's Addition, and 32nd Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126475, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 128 Subdivision of Pueblo Lot 1157 for Mannasse and Schiller and Block 128 San Diego Land and Town Company's Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126476, ascertaining and declaring wage scale for paving and otherwise improving Delta Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126477, ascertaining and declaring wage scale for paving and otherwise improving Morrell Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126478, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, Resolution of Intention 119346; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126479, approving diagram of property affected or benefited by paving and otherwise improving Alleghany Street, Resolution of Intention 119499; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126480, approving diagram of property affected or benefited by work of improvement to be done on installing sanitary sewer main in 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way, Resolution of Intention 121327; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In connection with the next item, Councilman Burgener spoke to the City

Engineer about combining projects.

The City Engineer stated that it is the same job; just straightening out. He said that the property owners pay a portion - the City a portion. He said that the plans have been finished.

Willard Olson, of the City Engineer's office, said that assessments would be \$125.00 or \$175.00.

Communication from City Engineer, dated May 16, 1955, refers to Resolution 118297 which granted petition and ordered district formed to widen Garnet Street between Morrell Street and Balboa Avenue, and describes work to be done, was presented. It recommends that proceedings be amended to include additional work.

RESOLUTION 126481, adopting recommendation of City Engineer, Document 512276; authorizing him to amend proceedings for improvement of portion Garnet Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(The recommendation mentions, among other things, installation of drainage structures as required).

In connection with the next item, Councilman Burgener spoke to the City Engineer regarding the upper 1/2, and of the lower 1/2 put in regarding drain. He said that he anticipates protest.

The City Manager told the Council that it is just routine.

The City Engineer said that it is little different, and of plans to modify.

The City Manager said that he has the Engineer's memo, which he can bring to Conference. He said that the Council "can act on this".

Communication from City Engineer, with City Manager's approval, refers to Resolution 117803 which granted petition and ordered district formed for improvement of Noyes Street, and of Resolution 118023 which granted petition to improve Missouri Street. Communication recommends that resolutions be combined into 1 assessment district, and that job consist of work in Noyes Street, Beryl Street, Academy Street, Diamond Street, Missouri Street, as outlined in detail.

RESOLUTION 126482, adopting recommendation of City Engineer, Document 512275; authorizing City Engineer to amend proceedings for improvement of portion of Noyes Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Manager, with City Manager's approval, recommending granting amendment to proceedings, under Resolution 118298 to install sewers to serve portions of P.L. 104 - to include portions of P/Ls 104, 129, 142, 143, was presented.

RESOLUTION 126483, adopting recommendation of City Engineer, Document 512277; authorizing City Engineer to amend proceedings for improvement of portions Pueblo Lot 104; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126484, granting petition, Document 506208 for paving and otherwise improving Frankfort Street, Kane Street, Galveston Street, and petition under Document 511081 for paving and otherwise improving Galveston Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries 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 districts with assessment district heretofore ordered by Resolution 122565, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126485, granting petition, Document 510155, for paving and otherwise improving Alley Block 9 Bird Rock City By the Sea, including portion of Waverly Avenue and Block 9 Bird Rock City By the City; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126486, granting petition, Document 510867, for paving and otherwise improving Alley Block 2 City Heights Annex No. 1; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126487, granting petition, Document 508166, for paving and otherwise improving Alley Block 6 Chester Park 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126488, granting petitions, Documents 507806 and 510693 for paving and otherwise improving Alleys Blocks 119, 120, 123, 124, 127, 128, 131, 132, 135, 136, 139, 140, 143, 144 Mission Beach, and San Luis Obispo Place; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126489, granting petition, Document 511082, for paving and otherwise improving Alley Block 14 Ocean Beach and Block 98 Point Loma Heights; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution 122556, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126490, granting petition, Document 510156, for paving and otherwise improving Alley Block 30 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; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution 122557, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126491, granting petition, Document 509266, for paving and otherwise improving Alley Block 61 Park Villas; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126492, granting petition, Document 507274, for paving and otherwise improving Alley Block 12 Point Loma Heights; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126493, granting petition, Document 511259, for paving and otherwise improving Deauville Street and Morningside 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 120597, was on motion of Councilman Schneider, seconded by Councilman

Kerrigan, adopted.

RESOLUTION 126494, granting petition for sidewalks on Maple Street, Nutmeg Street, Balsa Street, Document 509265; 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 Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 126495, granting petition, Document, for paving and otherwise improving Newton 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 Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 126496, granting petition for paving and otherwise improving Nogal Street, Document 508524; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be benefited and affected, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 126497, granting permission to install sewers to serve Lots 1 and 5 Presidio Ridge by Private Contract, under Document 510877, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 126498, giving notice of proposed annexation to The City of San Diego of uninhabited territory in County of San Diego, to be known and designated as "Rancho Hills South", and which if annexed shall be added to the San Diego Unified School District, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.  
(the property is a portion of Rancho de la Nacion, east of Paradise Hills).

RESOLUTION 126499, establishing parking time limit of 1 hour, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Front Street, between Market Street and Island Avenue; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of signs and markings; rescinding portion Resolution 91548 adopted November 9, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126500, establishing parking time limit of 36 minutes, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

East side of Ninth Avenue between Island Avenue and J 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 Burgener, adopted.

RESOLUTION 126501, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Richmond Street between University Avenue and Cleveland Avenue; establishing parking meter zone; directing City Manager to cause parking meters to

be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126502, establishing parking time limit of 2 hours, between 8:00 a.m., and 6:00 p.m., Sundays excepted:

West side of 6th Avenue between Ivy Street and Juniper 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 Burgener, adopted.

RESOLUTION 126503, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 15 locations listed, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126504, accepting bid of Walter M. McKellar for Lots 35 to 39 inclusive Block "B" Swan's Second Addition: \$2,170.00; authorizing and empowering Mayor and City Clerk on behalf of the City to execute quitclaim deed to Walter M. McKellar and Lauralee McKellar; authorizing and directing Property Supervisor to place deed in escrow, with directions that it be delivered to successful bidder when all escrow instructions have been complied with; all expenses in connection with sale shall be deducted from proceeds, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states that Mr. McKellar requested land, belonging to the City be put up for sale, and accompanied request by deposit of \$100.00, that sale was advertised and the public auction held at 2:00 P.M., May 18, 1955, and that Mr. McKellar submitted the only bid.

RESOLUTION 126505, authorizing and empowering City Manager to do all work in connection with construction of extension to culvert in Lots 18 to 21 Block 38 Western Addition, Point Loma, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Resolution says that City Manager has submitted estimates for work and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION 126506, approving request of Fred J. Early, Jr. Co., Inc., dated May 16, Change Order 9, for extension of 30 days to and including June 15, filed with City Clerk as Document 512951, in which to complete contract for Sewage Treatment Plant alterations, contract 508820, extending completion time to June 15, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 126507, approving request of Rogers Construction Company, dated May 10, 1955, Change Order 4, for extension of 46 days to and including June 30, filed with City Clerk as Document 512830, in which to complete contract for San Vicente Aqueduct connection, contract 502828, extending completion time to June 30, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION 126508, granting revocable permit to John E. Breshears, 5173 Guava, La Mesa California, to install and maintain 3/4" copper line to run along Tarbox Street westerly to make connection with City water line: Lot 14 Block 6 Sunnyslope Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126509, granting revocable permit to William J. Krooskos, 5122 E. Falls View Drive, San Diego, to install and maintain wall 12" high over and across East Falls View Drive in front of Lot 83 Collwood Manor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126510, granting revocable permit to Pacific Telephone & Telegraph Company, 740 South Olive, Los Angeles, to install and maintain underground electrical service from power pole to transformer laid over, under and across alley between 6th and 7th Avenues - Building 629 University Avenue: Lots 26 and 27 Block 5 Crittendens Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126511, granting permission to San Diego Junior Chamber of Commerce and San Diego Fireworks Display Co. to hold public display of fireworks on a barge located in the bay opposite Civic Center, May 29, 1955, from 9:15 P.M. to 10:00 P.M., subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The next item was read by the Clerk, at the request of Councilman Schneider.

RESOLUTION 126512, approving claim of Leo J. Demers, Document 511179, in amount of \$30.97; directing City Auditor and Comptroller to draw warrant in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next item, Councilman Williams asked if it is a proper use of Capital Outlay funds.

The City Manager's reply was "Yes; any permanent use is proper".

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

On motion of Councilman Williams, seconded by Councilman Burgener, 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 6519 (New Series), appropriating \$24,600. from Capital Outlay Fund for providing funds for improving downtown street intersections, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--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 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 6520 (New Series), appropriating \$10,000. from Capital Outlay Fund for additional funds to pay City's share of cost of construction of storm drains under cooperative agreements with property owners, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

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



ing 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 6521 (New Series) establishing grade of Alley Block 80 Point Loma Heights, between southeasterly line of Guizot Street and northwesterly line of Santa Barbara Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 6522 (New Series) establishing grade of Roanoke Street, between easterly line of Rachael Avenue and westerly line of Reo Drive, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 6523 (New Series) establishing grade of 67th Street, between northerly line of Saranac Street and southerly line of Dennstedt Point Unit 2, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

In connection with the 3 preceding ordinances, Councilman Schneider asked if there were changes of existing grades.

Councilman Burgener asked if they are in connection with 1911 Act jobs.

The City Engineer replied that they are, and that he would be glad to go into each in detail.

Councilman Schneider said that the City should seek the answer.

The Mayor said that the City does. He said that the subject might be referred to Conference.

Councilman Kerrigan pointed out that where there is change of grade, a notice is sent to each property owner.

The City Engineer said that some time back the subject was gone into. He, too, spoke of notice being sent where there is change of grade.

Councilman Evenson expressed the belief that it could be indicated what the change is.

The City Engineer spoke of past procedure, and of decision having been made on the notice which is sent.

Councilman Kerrigan referred to hassel in Bay Park Village, regarding high and low grades. He said that notices have been sent out since that time. He said he knows of no way of doing it better.

The Mayor repeated that it can be referred to Conference.

RESOLUTION 126513, referring to Council Conference for review the matter of Grade Establishment Ordinances, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance establishing Schedule of Compensation for Officers and Employees of The City of San Diego, providing uniform compensation for like service in the Classified Service, for

fiscal year beginning July 1, 1955, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

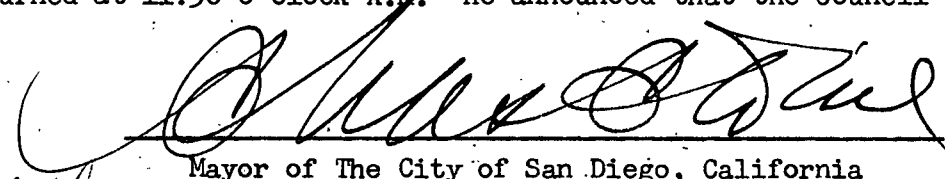
On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance amending San Diego Municipal Code by amending Section 102.16 thereof and by adding 3 new sections to be numbered Sections 102.16.1, 102.16.2 and 102.16.3, all relating to procedure for filing Tentative Subdivision Maps, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

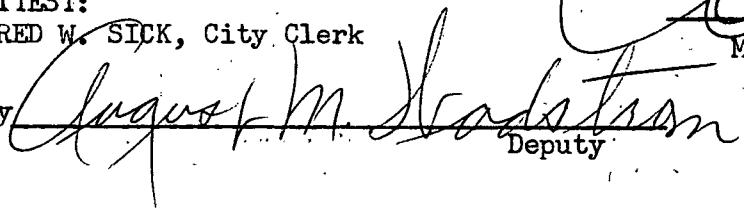
Councilman Kerrigan said that he would have to go to Sacramento next Thursday, regarding Feather River water.

The Mayor asked the City Attorney to draw the necessary resolution.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:30 o'clock A.M. He announced that the Council would go into Conference.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By   
Deputy

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, May 26, 1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--None  
Clerk--Fred W. Sick

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

Resolutions and Ordinances for this meeting will be found recorded on Microfilm Roll 95.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of Paul C. Pullaro and Pauline F. Pullaro from decision of Board of Zoning Adjustment denying permission to use rear 100 feet of portion of Pueblo Lot 265, for contractor's storage, and to maintain existing 5 foot chain link fence enclosing it, on southeasterly

Ordinance introduced  
Request to City Attorney  
to prepare Res. for Kerri-  
gan to go to Sacramento  
Meeting adjourned  
Meeting convened

side of Knoxville Street, northeasterly of Nashville Street, in Zone R-1, the finding of facts was read to the Council by the Clerk.

D. E. South showed the Council a map, and explained the existing improvements and the proposed freeway to go through the property.

Glenn A. Rick, Planning Director, said that a deal has been worked out between the City and Mr. O'Connell (whom he did not identify). The adjustment is satisfactory, he thinks, Mr. Rick said. He stated that Mr. Pullaro has not been contacted so far as he knows. Mr. Rick stated that he does not oppose temporary use of the property.

Mr. Pullaro said that he wants just temporary zoning until the City is ready to take it for freeway purposes. He said that he wants to use the property just for temporary equipment use. He told of the area to be taken. Explaining what is on the property, Mr. Pullaro said that there are 2 trucks, excepting pickup and a tractor. He said that they are usable (finding of facts refers to several old trucks stored and an old dwelling, both dwelling and trucks being in a generally run-down condition). Mr. Pullaro said that there is a temporary shed.

Councilman Kerrigan spoke to Mr. Pullaro regarding existing violation, and application for permit.

Mr. Rick said that he wants to have a home on the front of the property.

Mr. Pullaro told of having planted trees.

Councilman Williams spoke to Mr. Pullaro, and asked if it is under complaint.

Mr. South answered the question, and said "yes".

Mr. Pullaro told of the fence company having charged him for a permit at time fence was erected, but he had found out that the company had not taken out a permit.

Mrs. McMaster told the Council that her property is in R-1 Zone, and that homes had been bought for that reason, and that owners hope to keep area R-1. She said that if the City lets 1 go in, it is a question of how far it would go. She stated that when her husband declined to sign in Mr. Pullaro's behalf, he was threatened.

Mrs. McLean said she had just purchased a home across from the Pullaro yard. She showed Councilman Burgener on a map its location. She spoke of wanting to live in R-1 zone, and of hopes for residences - not a junk yard.

Mrs. Davis showed her property on a map. She said that Mr. Pullaro was at her house, she did not sign his petition. She declared that he did not take the right procedures.

Mrs. Weisinger objected to the existing bridge, which she said is broken, and was for several years before being repaired. She said that Mr. Pullaro had promised to fill in the creek, but he has changed his position.

Councilman Schneider spoke to Mr. South.

Mr. South spoke of moving equipment to M-1 zone, but of no promises made.

Councilman Burgener said that in an R-1 Zone if there are no objections, he thinks it is all right, but he thinks people should be protected.

\* Councilman Burgener moved to deny the appeal, and sustain the decision of the Board of Zoning Adjustment. Motion was seconded by Councilman Schneider. (not numbered)

After Resolution was voted, Mr. Pullaro asked how come the trailer park.

The Mayor stated that trailer courts are not in any zone, but are regulated by districts.

Mr. Rick said that trailers are not considered as objectionable as trucks. He spoke of trying to improve the property, and of not knowing of the protest. He said that the trailer park has not gone in yet.

Councilman Burgener spoke of having to apply for a zone change.

Mr. Rick said that in view of the Council's action to deny the appeal, he had no alternative but to order the trucks off the property. He said he felt the property owner could be given 15 days, but that it would be fair to give him 6 months.

Councilman Schneider asked who built the bridge.

Mr. Pullaro said that he repaired it (but apparently did not know who built it).

Councilman Williams said that it might be better to have cooperation on both sides.

Mrs. McMaster told of Mr. Pullaro having put in the fence and pump without a permit. She said that the City has laws to protect property owners, and of having to get a permit for a home. She said to the Council that Mr. Pullaro should not be given time to remove the existing pump, fence, trucks, etc.

C. V. Barber identified his home as being across from the Pullaro property. He said that Mr. Pullaro has done a great deal for the community, and "is doing a good thing".

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Councilman Burgener asked Mr. Pullaro what he has.

Mr. Pullaro told about the trucks.

Mr. Rick said that the Planning Department has not taken into court for determination what can be had, but that others have been taken to court. He said he thinks the court would hold that he can have it on the property.

Mr. Pullaro said that he wants to be legal, and get out. He asked for 6 months, and that he expects to get out.

\* Councilman Curran moved to grant 60 days to remove the equipment. Motion was seconded by Councilman Burgener. Time was changed to 90 days, instead of 60.

RESOLUTION 126514, overruling and denying appeal of Paul C. Pullaro and Pauline F. Pullaro from decision of Board of Zoning Adjustment denying permission to use rear 100 feet of portion of Pueblo Lot 265 for contractor's storage yard, and to maintain existing 5-foot chain link fence enclosing it - southeasterly side of Knoxville Street, northeasterly of Nashville Street, in Zone R-1 - sustaining action of the Board of Zoning Adjustment; granting 90 days from date of this resolution to remove the equipment from the property, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Robert Whitson, who had nothing listed on the agenda, said he understood that the gas tax item for Washington Street was to come up today, but that the item is not on the agenda.

The Mayor said that Mr. Whitson - who gave his address as 305 Hillcrest Station - would be notified when it comes up.

The Manager said that he can give Mr. Whitson a copy of the program, and that the project is listed. He said that the subject is in conference.

Mr. Whitson said that it is an old priority.

There was no action.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Laura M. Dale from Board of Zoning Adjustment decision in granting, conditionally, permission to convert 18-foot by 25-foot detached garage into residence which has approximately 4 foot rear yard where 10 feet required, Lots 15 and 16 Block 57 Arnold & Choate's Addition, 4012 Ibis Street, Zone C - on condition that 1 paved off-street parking space be provided and maintained on the property - the finding of fact was read to the Council by the Clerk.

The Mayor recognized Mr. Lambert, attorney, and asked if he wished to be heard.

Jean Lambert, attorney for Mrs. Dale, told the Council that she wants the variance, but not the conditions attached by the Zoning Board. He said that area is about 5 feet from the street level, and that it would be dangerous either way (up or down, in change from the sidewalk level). He declared that it is not practical to provide off-street parking.

D. E. South, Zoning Administrator, told the Council that the Board becomes anxious where parking is taken away. He said it means putting 2 cars on the street, which are now in garage. He said that the Commission went out on the ground. He contended that there is a way to put in driveway and use garage. He stated that property slopes rapidly.

Mr. Lambert spoke of 14" stop next to the property, and ramp next to the sidewalk would be dangerous. He said that it is "3 feet at the north, 5 feet at the south".

Councilman Schneider spoke to Mr. Lambert about danger.

Mr. Lambert said that pedestrians can run into a ramp, that the 1 there now is dangerous, and extends to the edge of the sidewalk. He identified property location as being on West Washington, where the freeway cuts off.

Councilman Kerrigan pointed out that property could be used to full capacity, as C Zone.

Glenn A. Rick, City Planning Director, stated that off-street parking requirement on variances is a practice of the Board. He stated that nearly every day where apartments go up with no garage, and no off-street parking. He said that if there is no hope of requirement in variances there will never be requirement for off-street parking. He contended that a person who rents should have the opportunity to park on the property.

Hearings

126514

Verbal presentation re

Gas Tax on Washington St.  
widening (not a scheduled  
hearing)

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Councilman Burgener spoke to Mr. Rick regarding there being no parking required.

The Mayor said that the Council had tried to remedy the off-street parking through an ordinance, but that it was voted down.

Councilman Kerrigan spoke of the hassel that developed over the proposal.

Mayor Dail said that there were areas which wanted exemptions from the requirement.

Councilman Kerrigan said that if the off-street parking is not to be a requirement, Mr. Rick should be advised regarding the Council thinking.

RESOLUTION 126515, granting appeal of Laura M. Dale from the conditions attached to variance granted by the Board of Zoning Adjustment, Resolution 8891 on application 14050, for variance to Municipal Code Section 101.0504 for permission to Laura M. Dale to convert detached garage into residence on Lots 15 and 16 Block 57 Arnold & Choate's Addition, 4012 Ibis Street in Zone C (condition is that 1 paved off-street parking space be provided and maintained on the property); overruling the Board's decision regarding the condition, was on motion of Councilman Schneider, seconded by Councilman Williams, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays--Councilmen Curran, Mayor Dail. Absent--None.

RESOLUTION 126516, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 32,000 ft. of galvanized pipe of various sizes, Document 513030, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126517, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sidewalks on Clairemont Drive, Ute Drive, Waco Street and Dakota Drive, Document 512915; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126518, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for preparation and glass covering of about 196 Plywood Skiffs for the Water Production Division of the Water Department, Document 512916; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map of Allied Gardens Unit 5-A, a resubdivision of Lots 886 through 903 and 1268 to 1287, inclusive, was presented.

RESOLUTION 126519, suspending Sections 102.07-6, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Allied Gardens Unit 5-A, 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 Allied Gardens Unit 5-A for redivision of Lots 886 to 903 and 1268 to 1287 inclusive Unit 5 of Allied Gardens, subject to 4 conditions, was presented.

RESOLUTION 126520, approving Tentative Map of Allied Gardens Unit 5-A, 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 suspension of portion Municipal Code in connection with Tentative Map of Cabrillo Village, subdivision of por. Lot 21, Lots 22 & 34 New Riverside, was presented.

RESOLUTION 126521, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Cabrillo Village, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, recommending approval of Tentative Map of Cabrillo Village, portion Lot 21, Lots 22 & 34 New Riverside, subject to 15 conditions, was presented. It says that the proposed subdivision of 193 lots is located northerly of Wherry Housing Project and Cabrillo Heights and southerly of Montgomery Field. Also, it says that design of subdivision is such that a smaller portion of City land should be dedicated to complete street system within the subdivision.

RESOLUTION 126522, approving Tentative Map of Cabrillo Village, subject to conditions of the Resolution, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Resub. Lots 100 to 105 Block 2 Fairmount Addition, was presented (communication is addressed to Planning Commission).

RESOLUTION 126523, suspending Sections 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map for redivision of Lots 100 to 105, incl., Block 2 Fairmount 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 of Fairmount Addition, Block 2 Lots 100 to 106, incl., subject to 2 conditions, was presented. It says that Commission had recommended deletion of Lots 106 to 108 incl. It reports that redivision of property is to permit existing buildings (garage on Euclid Ave. and apartment house on Reno Drive) to be separate parcels.

RESOLUTION 126524, approving tentative map for redivision of Lots 100 to 105 incl. Block 2 Fairmount Addition, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for division of East Half of North Half Lot B Block 9 Las Alturas No. 3, located on Naranja Street, easterly of Euclid Avenue, subject to 4 conditions, was presented.

RESOLUTION 126525, approving Tentative Map for subdivision of Lot B Block 9 Las Alturas No. 3, subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next 2 items had been continued from the meeting of Tuesday, May 24, 1955.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Happy Valley Little Farms, Lot, was presented.

RESOLUTION 126526, suspending Sections 102.07-5, 102.06-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map for division of Lot 3 Happy Valley Little Farms, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.



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Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Happy Valley Little Farms, Lot 3, for division into 2 parcels fronting on Lisbon Street, within R-1 zone located in Encanto District, was presented. It provides 5 conditions for the approval, and mentions Major Street Plan of the City which designates and provides for development of Encanto Freeway along Lisbon Street and sets out that 200 feet of right of way shall be provided. It says right of way has been acquired through the Lomita Village area.

The City Manager said that there are 2 situations, and understands that the route is in the major street plan. He said that the Engineer proposes to amend it. He said that only an 80 foot street would be needed, and there would not be need for so much setback (as originally specified by the Planning Commission).

Glenn A. Rick, City Planning Director, said that it is a little unusual to take action on a subdivision in anticipation of a future act. He read the proposed Resolution which was submitted with the entire file.

The City Manager said that not even 5-feet are required.

Councilman Curran moved to waive both conditions (would change the 60-foot setback to 35-foot setback, and would delete requirement for 5-strip for street right of way).

Communication from City Manager, dated May 26, 1955, told of having discussed with Mr. McKee of City Engineer's office and Mr. Haelsig of Planning Commission, the problem. It says it has been agreed there will be change in major street plan initiated, which will provide for relocation of Encanto Expressway southerly of Jamacha Road. The communication states that if modification of major street plan is adopted, it will be unnecessary to widen Lisbon Street to 200 feet. Also, it says that in view of proposed change of major street plan, it is recommended that 60-foot setback required as one of conditions for approval of tentative map be reduced to 35 feet, which it is understood will be acceptable to the subdivider.

RESOLUTION 126527, approving Tentative Map for division of Lot 3 Happy Valley Little Farms, subject to conditions of the Resolution (which changes to 35 feet the 60-foot setback, and deletes requirement for dedication of 5-foot strip for street right of way), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting communication from R. C. Pederson re amendment of improvement requirements of Resolution 122804 - 1-lot subdivision of portion Pueblo Lot 1780 - was presented. It says that City Engineer and Planning Commission have concurred that item 1 should be amended.

RESOLUTION 126528, amending 1 and deleting 2 on Resolution 122804, and reapproving Tentative Map of portion Pueblo Lot 1780, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

RESOLUTION 126529, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Lomax Construction Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Valencia Plaza 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 Schneider, adopted.

RESOLUTION 126530, adopting Map of Valencia Plaza Subdivision, being portion of North Half of Southeast Quarter of Lot 54 Horton's Purchase in Ex-Mission Lands of San Diego; accepting La Paz Drive, portion of Euclid Avenue and unnamed easements, together with any and all abutters' rights of access in and to Euclid Avenue and portion of La Paz Drive, adjacent to Lots 1 and 24, and dedicating them to public use; directing Clerk of the City to endorse upon map, as and for act of Council, that street, portion of street and unnamed easements together with any and all abutters' rights of access in and to Euclid Avenue and portion of La Paz Drive, adjacent to Lots 1 and 24.

are accepted on behalf of public as stated; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting in detail regarding name change of Harbor Drive, was presented. It tells of confusion regarding the present naming, and says that public hearing was held May 18, 1955, after posting of 60 notices, with no protests on the proposal. Report says that no new or changed street numbering is required and no protests have been received. The communication says that Planning Commission voted 5-0 to recommend that street now known as Harbor Drive, from point 1/2 block south of Market Street to Rosecrans Street, be named North Harbor Drive.

RESOLUTION 126531, requesting City Attorney to present ordinance changing name of Harbor Street, between Market and Ash Streets, and Harbor Drive between Ash Street and Scott Street, to North Harbor Drive, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting that several property owners along Huxley Street between Morena Boulevard and Clairemont Drive have requested by petition that portion be named Clairemont Drive, was presented. It says 14 notices were posted prior to public hearing held by Planning Commission May 18. It states that Commission recommended by 5-0 vote that Huxley Street between Morena Boulevard and Clairemont Drive at Galveston Street be changed to Clairemont Drive.

RESOLUTION 126532, requesting City Attorney to present Ordinance to change name of Huxley Street to Clairemont Drive, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending - by vote of 5-0 - that offer to grant to City for street purposes a 50-foot strip of land adjacent to west line of Pueblo Lot 1290, commencing at southwest corner and running north to portion of La Jolla Scenic Drive now dedicated, was presented. Among other things, it reports that offer is for a half street only, and is made in an attempt to get building permit or permits for residential construction in an area where only private roads and easements serve the property. It says that Water and Public Works Departments do not object to proposed dedication, but City Engineer does.

RESOLUTION 126533, rejecting offer to grant to City 50-foot strip along west line of Pueblo Lot 1290, as recommended by City Planning Department, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from California Motel Association, San Diego Chapter, dated May 18, 1955, signed by Irene A. Welch, sec'y, was presented. It advises the Council that the Chapter goes on record voting unanimously against Mission Bay Recreation Area being leased for motel or hotel construction or any construction except for recreation purposes only.

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

Communications from City Planner, City of National City, and from City Clerk of City of National City, submitting documents relative to need for extension of South 43rd Street from Logan Avenue to Fairmount Avenue, were presented.

Councilman Schneider said he would like to be informed.

The City Clerk read 1 of documents to the Council.

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

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Communication from E. L. Bartlett, dated May 16, 1955, objecting to contract for furnishing information relative to investing in or issuing and selling bonds, was presented. (The City has authorized a contract with the retiring City Treasurer). It says that with the Grand Jury investing Welfare Department they better investigate "this raid on public funds". It asks that if money is going to be given away, why it not be given to the needy.

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

Communication from Butler Realty, 1310 Rosecrans, dated May 19, 1955, signed by Lyle W. Butler, was presented. It requests dedication of land at Pueblo Lot 276 for portion of Kurtz Street.

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

Communication from County Board of Supervisors, transmitted by County Clerk, stating that hearing has been advertised to be held in Board of Supervisors' hearing chamber, Room 310 Civic Center Building on May 31, 1955, at 2:00 P.M.

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

La Jolla Real Estate Brokers Association, 908 Kline Street, dated May 10, 1955, signed by R. B. Johnston, et al, requesting 2-hour parking on Kline Street between Fay and Girard Avenues, was presented.

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

Communication from Ward & Ward, attorneys for Priscilla F. Orr, dated May 19, 1955, 810 Bank of America Building, signed by M. Luther Ward, Jr., was presented. It states that Mrs. Orr would like to join other protestants against bowling alley in Mission Valley.

On motion of Councilman Schneider, seconded by Councilman Wincote, filed.

Communication from William F. Reed, attorney, 630 San Diego Trust & Savings Building, San Diego 1, dated May 3, 1955, as attorney in fact for Hidden Valley Hills, was presented. It writes so that record will be clearly understood relative to road in connection with Tentative Map of Hidden Valley Hills No. 2 - Hidden Valley Road.

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

Communication from Refrigeration and Air Conditioning Contractors Association, P.O. Box 136, dated May 21, 1955, signed by J. H. Gustafson, president, was presented. It refers to understanding that City is in process of re-writing plumbing code, and asks for representation on committee.

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

Communication from San Diego County Horsemen's Association, Inc., dated May 13, 1955, signed by Robert L. Durr, executive secretary, was presented. It requests that road be made available for horseback riding on Eagle Pass Road, known on map as E-1 at site of El Capitan Lake.

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

5/26/55

Communication from Department of Public Works, State of California, Division of Highways, District XI, 4075 Taylor Street, San Diego 12, dated May 5, 1955, signed by R. A. Hayler, Assistant District Engineer, was presented. It forwards certified copy of resolution of California Highway Commission and map covering adoption of portion of State Highway in San Diego County between 18th Street in National City and Washington Street in City of San Diego. It states that location was adopted and declared a Freeway by action of Highway Commission on April 20, 1955. It furnishes information so that City may be guided in functions affected by Highway location; routing is relocation of existing Route 2 (U.S. 101) through National City and San Diego.

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

Communication from Department of Public Works, State of California, Division of Highways, District XI, 4075 Taylor Street, San Diego 12, dated May 5, 1955, signed by John C. Webb, District Right of Way Agent, was presented. It refers to Resolution of Relinquishment - XI-SD-2-SD R/W 4392 - covering 3 parcels consisting of 1.42 miles highway in City of San Diego.

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

RESOLUTION 126534; accepting bid of Jake L. Richardson for purchase of Lot 10 Block "B" Arlington for \$1,200.00; authorizing and empowering Mayor and City Clerk to execute, for and on behalf of the City, a deed quitclaiming to Jake L. Richardson, an unmarried man, reserving 2 easements, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted. It authorizes and directs Property Supervisor to place deed in escrow, with directions that it be delivered to the successful bidder when all escrow instructions have been complied with, and directs that all expenses in connection with the sale be deducted from proceeds.

Resolution states that Mr. Richardson requested The City to put up the property for sale and accompanied request by deposit of \$100.00, that he was only bidder at auction sale on May 19, 1955 at minimum amount fixed by the Council.

In connection with the next item, Councilman Burgener handed a copy of proposed Resolution to Will Hippen, Jr., President of Mission Valley Improvement Association, and talked to him.

RESOLUTION 126535, reciting fact that appeal of William N. Skirball, Jack H. Skirball, and Cliff Work to the City Council from decision of the Zoning Board of Adjustment (Resolution 8896 denying application 14036) for condition use permit to construct and operate recreation center on portion Lots 3 and 4 of Pueblo Lot 1111, located in Mission Valley, came on regularly for public hearing May 12, 1955, at 10:00 o'clock A.M.; in Council Chamber, hearing continued to May 19, at which time oral and documentary evidence was introduced; making various findings to permit the proposed use under the several conditions outlined in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 126536, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Village Unit 1 Subdivision (Plans and Specifications Document 477240), and execute Notice of Completion and have it recorded, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126537, authorizing City Manager to accept work on behalf of The City of San Diego in Euclid View Annex Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 126538, authorizing City Manager, in accordance with procedure established by Public Utilities Commission Order 49565, as amended, to prepare and submit to Public Utilities Commission of State of California all applications of The City of San Diego for allocations from Crossing Protection Fund and all requests for reimbursement for grade crossing protection projects, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution says that 1953 Legislature by Statutes 1953, Chapter 1739, appropriated \$500,000.00 from State Highway Fund to Public Utilities Commission of State of California for allocation to cities, counties, and cities and counties, on basis of need as determined by the Commission to assist in paying share of cost of constructing grade crossing protection work.

RESOLUTION 126539, authorizing and empowering City Manager to do all work in connection with installation of necessary water connections, valves and sterilization, in connection with installation of small water main replacements, Group No. 20, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126540, approving employment by City Manager of Haskins and Sells, as auditors for making audit of San Diego Firemen's Relief Association Fund, to determine whether or not any of moneys in the fund had been misappropriated by city officers; providing that total fee to cover services rendered shall not exceed \$1005.50, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126541, authorizing and directing City Manager to enter into agreement on behalf of The City of San Diego with L. L. Black and Fred F. Koehler for removal of carp from Hodges Reservoir under Document 513085, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126542, authorizing City Manager to employ Griffith Company to do work in connection with improvement of Oliver Avenue and Pacific Beach Drive, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution says that The City has entered into contract with Griffith Company for improving those streets under 1911 Street Improvement Act proceedings, and that it is necessary to do additional work, and that Griffith Company has offered to do it for \$995.00 and City Manager has recommended that offer be accepted and work done.

RESOLUTION 126543, authorizing City Manager to employ R. E. Hazard Contracting Co. to construct drainage ramp on southerly side of Montalvo Street and Famosa Boulevard, in connection with improvement of Mentone Street, Temecula Street, Montalvo Street, et al.; cost not to exceed \$135.00 payable from Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Resolution says that The City has entered into contract with R. E. Hazard Contracting Co. for improving those streets under 1911 Improvement Act proceedings, and it is necessary to do additional work, and that Hazard Co. has offered to do it for \$135.00 and City Manager has recommended that offer be accepted and work done.

RESOLUTION 126544, authorizing City Manager to employ Al E. Riley, Inc. to construct sidewalks at northerly portion of intersection of Ingraham Street and Pacific Beach Drive, shown on Drawing 11768-L, cost not to exceed \$208.25 payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that The City has entered into contract with Al E. Riley, Inc. for sidewalks on Pacific Beach Drive under 1911 Improvement Act Proceedings, and it is necessary to do additional work, and that Riley, Inc. has offered to do it for \$208.25 and

City Manager has recommended offer be accepted and work be done.

RESOLUTION 126545, granting request of H. W. Grizzle, dated May 14, 1955, Change Order 4 for extension of 5 days to and including May 20, 1955, Document 512957, in which to complete contract for construction of Fire Station 27, Contract 501370; extending completion time to May 20, 1955, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 126546, approving plans of Union Oil Company of California for reconstruction of local bulk storage plant, upon conditions of Resolution and Document 513086, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126547, granting Deacon Plumbing Company permission to install foot vent for lunch counter sink at O'Doual-Angus Recreation building at 4141 52nd Street: Lot 15 Lemon Villas, Map 734 - requested because of architectural conditions - subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126548, granting revocable permit to Harry Handlery, El Cortez Hotel, 7th and Ash, to install and maintain 2 private cast iron sewer laterals and 1 3" power conduit for use and benefit of El Cortez Hotel, under 7th and Avenues, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 126549, granting Rattner Manufacturing Company, 730 13th Street, permission to waste 8 water closets into stack of circuit vent system, by use of 2" relief vent on said circuit system - C. Leafdale Plumbing, plumbing contractor - subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126550, granting permission to A. O. Reed & Co. to install 2" copper waste line to replace lead waste line at 337 F Street, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126551, granting permission to Albert F. Rudolph, 4434 Ohio Street, to install sandtrap in private garage at 832 West Upas Street, to prevent water and sand from car and truck washing from running on to public street, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126552, granting permission to San Diego Unified School District to install roof vents 1 foot above skylight where vents are located, not closer than 10 ft to skylight at Carver Elementary School, 3251 Juanita Street, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126553, granting permission to Solar Aircraft Plant, 2200 Pacific Highway, to install 6" ceramic tile sewer line at 1/8" fall per foot, subject to the Resolution, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.



5/26/55

RESOLUTION 126554, appointing Councilmen Clair Burgener, Chester Schneider and D. D. Williams as members of the Shoreline Planning Commission, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126555, appointing Councilmen Frank Curran and Justin Evenson as members of the Co-Ordinating Council, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126556, reappointing Councilman George Kerrigan as member of City-County Camp Commission to serve for duration of his term of office, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126557, appointing Councilman D. D. Williams as member of Board of Plumbing Examiners, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126558, authorizing Councilman George Kerrigan to attend meetings in Sacramento, California, May 26 and 27 1955 for promoting and assisting in securing passage before Legislature of the State legislation as may be necessary to authorize State of California to develop and transport surplus waters of Feather River to Southern California, and with understanding that if project is undertaken and developed that portion of waters will be committed for use of The City of San Diego and its inhabitants; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 126559, authorizing Ben W. Hagar, Associate Property Agent, to execute release on behalf of the City releasing Franklin C. Vobeyda, Lumir F. Vabeyda and Katherine D. Vobeyda from all claims resulting from accident to a City-owned house located at 3804 Tennyson Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution refers to damage on or about 15th day of April, 1955, due to negligent operation of automobile by Franklin C. Vobeyda, and of repairs caused to be made to structure by driver of the vehicle, and that repairs are acceptable to Property Management Department.

The next Resolution was presented under unanimous consent granted to City Manager at end of meeting, and numbered at this point, by request.

RESOLUTION 126560, accepting deed of The United States of America, acting by and through The Housing and Home Finance Agency, Public Housing Administration, dated May 25, 1955, granting to City portions of Pueblo Lot 1197; portions of Lots 9 through 11 and Lots 12 through 20 Block 11, Lot 5 Block 12, Lot 8 Block 13 and Lots 5 through 8 Block 16 in Chesterton Extension; portions Lots 3 through 12 Block 8, Lots 5 through 10 Block 9, Lots 12 through 24 Block 10 in Chesterton Extension; portion Lot 1 Pueblo Lot 1188; portion Lot 1 Pueblo Lot 1188; setting aside and naming them Genessee Avenue and Linda Vista Road; stipulating that buildings are to remain property of United States of America, Housing and Home Finance Agency, Public Housing Administration, and that The City of San Diego has no interest in the buildings and that they may be removed by the Government without liability to the City; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The next 2 Resolutions were presented under unanimous consent granted to City Manager at end of meeting, and numbered at this point, by request.

RESOLUTION 126561, accepting deed of The United States of America, acting by and through The Housing and Home Finance Agency, Public Housing Administration, dated May 25, 1955, granting portions Lots 7, 8, 9, 10 Block 2, Lots 10, 15, 16 Block 5, Lots 12, 13, 18, 19, 20 Block 7, Lots 9, 16, 17 and 18 Block 13 and Lot 1 Block 14, together with portions of Ardmore Street, Birmingham Drive, Cambridge Street, Homewood Drive, Normandie Street, Oxford Street, Sherwood Drive and Westmoreland Street, all in Chesterton, shown on Right of Way Map of California State Road XI-SD-77-SD sheets 7 and 8 of 11 sheets, filed with Highway Commission of State of California; stipulating that buildings are to remain property of United States of America, Housing and Home Finance Agency, Public Housing Administration, and that The City of San Diego has no interest in buildings and that they may be removed by the Government without liability to the City; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of County Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126562, accepting deed of The United States of America, acting by and through The Housing and Home Finance Agency, Public Housing Administration, dated May 25, 1955, granting portions Lot 3 Partition of Pueblo Lot 1188; together with portions Lots 4, 5, 6 Block 24, Lots 4, 5, 6, 7, 8 Block 25, Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 Block 26, Lots 3, 4, 5 Block 27; Lots 2, 3, 4, 5, 6, 7, 8, 9 Block 29, all in Chesterton, together with portions of Lots 1, 2, 3 Block 8 Chesterton Extension, together with portions of Chesterton Drive, Redfield Street, Ridgeway Drive, Stratford Drive and Westmoreland Street, shown on Maps of Chesterton and Chesterton and as shown on Right of Way Map of California State Road XI SD 77 SD, Sheets 7 and 8 of 11 sheets; setting aside and dedicating the lands to the public use as and for street purposes; stipulating that The City of San Diego permits property to remain property of United States of America, Housing and Home Finance Agency, Public Housing Administration, and that City of San Diego has no interest in buildings that that they may be removed by the Government without liability to the City; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of County Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126563, accepting subordination agreement, Bank of America National Trust & Savings Association, beneficiary, and Continental Auxiliary Company, trustee, May 11, 1955, subordinating all their right, title and interest in and to portion Lot 5 Block 5 Larchmont; 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 Schneider, adopted.

RESOLUTION 126564, accepting subordination agreement, Silver Gate Building and Loan Association, beneficiary, and Union Title and Insurance and Trust Company, trustee, April 19, 1955, subordinating all their right, title and interest in and to portion Lot 90 Oak Park Annex; 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 Schneider, adopted.

RESOLUTION 126565, accepting subordination agreement, George C. Vanderburg, beneficiary, and Land Title Insurance Company, trustee, May 3, 1955, subordinating all their right, title and interest in and to portion Lot 90 Oak Park Annex, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126566, accepting deed of Jacqueline Johnson and Corlene Johnson, April 26, 1955, conveying Lot 14 Block 92 Campo Del Dios 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126567, accepting deed of M. Hall Company, May 5, 1955, conveying portions Lot 13 Block 111 Morse, Whaley and Dalton's Subdivision and Lots E, F, G, H Block 115 Morse, Whaley and Dalton's Subdivision; setting aside and dedicating land to public use as and for public street (but does not name 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 Schneider, adopted.

RESOLUTION 126568, accepting deed of The Regents of the University of California, March 7, 1955, conveying portion Pueblo Lot 1298; authorizing and directing City Clerk to record in office of Recorder of San Diego County deed, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126569, accepting deed of John Euston, March 17, 1955, conveying portion Lot 2 Subdivision of Pueblo Lot 1209; setting aside and dedicating 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 Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126570, accepting deed of Charles C. Dail and Dorothy M. Dail, conveying easement and right of way for street purposes in portion Lot 5 Block 5 Larchmont; setting aside and dedicating for public street and naming it Brooklyn 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 Schneider, adopted.

RESOLUTION 126571, accepting deed of Hans J. Peters and Maude Peters, May 19, 1955, conveying easement and right of way for street purposes in portion Lot A La Mesa Colony; setting aside and dedicating to public use as and for public street and naming it Catocin Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126572, accepting deed of The United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, April 22, 1955, conveying easement and right of way for street purposes in portion Pueblo Lots 1175 and 1176; setting aside and dedicating for public street and naming it Linda Vista Road; 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 Schneider, adopted.

RESOLUTION 126573, accepting deed of Allan Salz Klauber and Amy J. Wormser, May 12, 1955, conveying portion Tract 1385 Subdivision of Lot 38 Encanto; setting aside and dedicating to public use as and for public street and naming it Otay 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 Schneider, adopted.

RESOLUTION 126574, accepting deed of Richard L. Shinn and Willa S. Shinn, May 19, 1955, conveying easement and right of way for street purposes in portions Lot 129 Del Norte Addition to Encanto Heights; setting aside and dedicating for public use as and for public street and naming Paradise 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 Schneider, adopted.

RESOLUTION 126575, accepting deed of James J. Walsh and Bess B. Walsh, May 17, 1955, conveying easement and right of way for channel and storm drain purposes in portion Lot 63 Ex-Mission Lands of San Diego (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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126576, accepting deed of United States of America Public Housing Administration, May 6, 1955, conveying easement and right of way for general easements in portion Pueblo Lots 1175 and 1181; 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 Schneider, adopted.

RESOLUTION 126577, accepting deed of Richard L. Shinn and Willa S. Shinn, May 19, 1955, conveying easement and right of way for public purposes in portion Lot 129 Del Norte Addition to Encanto; 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 Schneider, adopted.

RESOLUTION 126578, accepting deed of Isabel Bedford, May 9, 1955, conveying easement and right of way for storm drain purposes in portion Lots 25 and 26 Block 7 Bungalow Park; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126579, accepting deed of Arthur R. Bertram, May 9, 1955, conveying easement and right of way for storm drain purposes in portion Lots 46, 47, 48 Block 10 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126580, accepting deed of Robert R. Osberg and Thelma Osberg, March 31, 1955, conveying easement and right of way for storm drain purposes in portion Lot 90 Oak Park Annex; 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 Schneider, adopted.

RESOLUTION 126581, accepting deed of Mary Kizis Reese, also known as Sister M. Felicita, May 11, 1955, conveying easement and right of way for storm drain purposes in portion Lots 23 and 24 Block 5 American 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 Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

5/26/55

5/31/55

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance incorporating portion Lot 18 Ex-Mission Lands in The City of San Diego, California, into C and C-1A Zones, as defined by Sections 101.0411 and 101.0411.1 respectively of San Diego Municipal Code, and repealing Ordinance 35 (New Series), and Ordinance 3917 (New Series) insofar as they conflict, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

The next item was not listed on the agenda:

Councilman Kerrigan said that the Council should discuss in Conference the matter of garages in a C Zone.

Glenn A. Rick, City Planning Director, said that it would be a help to petitioners to make a determination.

Councilman Kerrigan asked why the item comes to the Council on appeal.

Mr. Rick said that when there is housing there is requirement for rear and side yards. He spoke of having gone into conditions regarding parking in connection with improving conditions, in variances.

The Mayor said he thought the Council could have passed a regulation providing for parking, regarding residences.

Councilman Kerrigan stated that the City Attorney informed the Council that it could not adopt ordinance, applicable to zones. He said that there are many apartment houses being built with no parking provided.

Councilman Burgener spoke to Mr. Rick regarding application of restrictions.

Mr. Rick said that it is "a fine thing" if the City requires the parking of some, but not of others.

RESOLUTION 126582, referring to Council Conference the matter of providing garages, or off-street parking in C Zone, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:08 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Chas. E. Dail*

Mayor of The City of San Diego, California

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, May 31, 1955

Present-Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail  
Absent-Councilmen Burgener, Evenson  
Clerk--Fred W. Sick

Ord introduced  
126582 U.C.  
Meeting adjourned  
Meeting convened



5/31/55

The Mayor announced that the minister who was to have been present to give the invocation was not present. As a result, he asked all those in the Council Chamber to rise for a few moments of silent prayer for the Council meeting which was about to take place.

Roll 95

Resolutions and Ordinances for this meeting are recorded on Microfilm

On motion of Councilman Schneider, seconded by Councilman Wincote, the Minutes of the Regular Council Meetings of Tuesday, May 24, and of Thursday, May 26, 1955, were approved without reading, after which they were signed by the Mayor.

Councilman Evenson entered

An identified woman spoke out from the audience and asked if the question of an announced baseball park in Balboa Park was to be considered, or heard, at this meeting. The Mayor said that it was not scheduled for this meeting, and there would be no hearing at this time. He said that there is a regular procedure set up for such items. Councilman Williams said that the proposition has come up, but only as a presentation. He stated that there will be opportunity for interested persons to be heard. The Mayor stated that there is no intention on the part of the Council to be stampeded, and there is no effort to "push anything through".

Councilman Schneider asked for the floor. He said that many comments have come from his neighborhood. He pointed out that appeals go to the Planning Commission, and that the next hearing would be before the Planning Commission.

The Mayor asked if any other members of the Council cared to make statements. None did.

There was no action.

Report of the Purchasing Agent on bids received Friday, May 27, 1955, for paving and otherwise improving Alley Block 113 Pacific Beach - from 4 bidders - was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a finding was made that bids had been opened, as reported. By the same motion they were 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, time set for hearing on Resolution of Intention 125944 for paving and otherwise improving Calle Del Oro and La Jolla Shores Drive, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

Councilman Burgener entered

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 continued hearing on Resolution of Preliminary Determination 125946, the Mayor said that proceedings had been referred to the City Engineer for a report on the protest.

The City Engineer told the Council that there is 15.3% protest - written and oral.

Walter M. Anderson, who had protested orally last week, asked if the work was "voted out".

The Mayor said no; there is not enough protest for that.

Mr. Anderson said that he had called Mr. Dennis regarding street paving on the next street over, and had been informed that there was about a 3¢-per-foot saving.

Councilman Burgener spoke to the City Engineer.

Silent prayer  
Minutes approved &  
signed  
Report on bids  
Hearing



The City Engineer said that the street to which Mr. Anderson referred is not similar; it is residential, while this one is commercial. He said that is why concrete was specified for this street, also because it is a flat street. He stated that there will be difficulty even with concrete. He stated that utilities are close to the surface, and that concrete should be used.

Councilman Schneider spoke to the City Engineer regarding Jefferson Street.

The City Engineer spoke to Councilman Schneider regarding reason for asphalt specification on Jefferson. He said that the street is not near Kurtz, as had been indicated.

Mr. Anderson spoke to the City Engineer regarding Jefferson Street.

Mayor Dail pointed out that the City Engineer is charged with the responsibility to provide the correct specifications.

Councilman Kerrigan said that the only thing the Council could do, if it were to comply with Mr. Anderson's request, would be to abandon the proceedings, on a minority protest.

RESOLUTION 126583, overruling and denying protest of Howard T. Payne and of Walter M. Anderson against proposed improvement of Kurtz Street, Rosecrans Street, Alley Block 373 E. O. Rogers Subdivision of Blocks 370, 373, 367 and 366 Old San Diego, Hancock Street, Moore Street, Jefferson Street, Gaines Street, Smith Street and Mason Street, Resolution of Preliminary Determination 125946, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126584, determining that improvement of Kurtz Street, Rosecrans Street, Alley Block 373 E. O. Rogers Subdivision of Blocks 370, 373, 367 and 366 Old San Diego, Hancock Street, Moore Street, Jefferson Street, Gaines Street, Smith Street, and Mason Street, Resolution 125946 is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 126083 for sewer mains and appurtenances in Cotton Street, 46th Street, C Street, Hilltop Drive and Right of Way in Lot 33 Ex-Mission Lands of San Diego, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

John Sedlack said that he is in favor of the improvement. He said, further, that the City Manager had said that the Assistant City Manager said that the property owners would have to stand their own cost of connection. He spoke of Federal Government having connected to the sewer, and he asked for City assistance in the connection cost. He said that sewer in 47th Street is a foot too high for connection, necessitating having to go 1,000 feet the other way to make the connection. Mr. Sedlack said that the property owners are not responsible for having to wait, on account of the United States. He asked for City assistance regarding connecting link. Mr. Sedlack spoke of important piece of property, which could be developed.

Councilman Kerrigan said that there is a majority petition before the Council, and that if it were changed, proceedings would have to be abandoned.

City Attorney J. F. DuPaul spoke of having no outfall, unless it goes between the cemetery and the Federal property - neither of which can be assessed.

Councilman Kerrigan pointed out there is another hearing, at which time proceedings can be abandoned, if property owners desire.

The City Attorney said that this should be treated as a protest, and be overruled.

RESOLUTION 126585, overruling and denying verbal protest of John Sedlack against proposed improvement of Cotton Street, Hilltop Drive, C Street, 46th Street, Public Right of Way, Resolution of Preliminary Determination 126083, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 126586, determining that improvement of Cotton Street, Hilltop Drive, C Street, 46th Street and Public Right of Way, under Resolution 126083 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 Williams, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126084, the Clerk reported no written protests. (Preliminary Determination on Macaulay and Willow Sts.) The Mayor inquired if any interested property owners were present to be heard.

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

RESOLUTION 126587, determining that improvement of Macaulay Street and Willow Street, Resolution 126084 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 126085 for paving and otherwise improving Ozark Street and Imperial Avenue, and right of way, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

R. N. Roberts, 4950 Imperial Avenue, told the Council that he had just bought in, and did not about the street paving. He said a man came about the curb, and wanted an easement. He spoke of "going ahead of the horse". He told of the big school, with children walking in the streets. He said that Ozark is an open street, and there is no easement for sidewalk. He said Imperial is an overcrowded street. He said if they go to Churchward, they have to walk in the street, since there are no sidewalks. He said they could get along without paving, but they need sidewalk.

Mrs. Helen G. Smith, 319 Ozark, asked how much the improvement would cost.

Councilman Burgener asked her to go to the City Engineer's office for detailed information.

Mrs. Smith asked that if it is paved, how soon it would be.

Willard Olson, from the City Engineer's office, said that it would be about 6 months.

Mr. Roberts said he got an estimate of \$800.

Mayor Dail said the amount could be ascertained at the City Engineer's office.

RESOLUTION 126588, overruling and denying protests of R. N. Roberts and Mrs. Helen G. Smith, against proposed improvement of Ozark Street, Imperial Avenue, Public Right of Way in Lot 42 Ex-Mission Lands of San Diego (Horton's Purchase), Resolution of Preliminary Determination 126085, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126589, determining that proposed improvement of Ozark Street, Imperial Avenue, Public Right of Way in Lot 42 Ex-Mission Lands of San Diego (Horton's Purchase) to be 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 Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 126086 of Preliminary Determination for paving and otherwise improving Warrington Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126590, determining that proposed improvement of Warrington Street, Resolution 126086 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 Williams, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing

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on Street Superintendent's Assessment 2354 for costs and expenses of paving and otherwise improving Jamacha Road and Flicker Street, Resolution of Intention 117358, the Clerk reported written appeal from Isadore Snyder, and request from Street Superintendent that Assessment 55 be ordered corrected and modified in order that portions may be assessed separately.

The Mayor inquired if anyone was present to be heard.

Arthur W. Cobb told the Council that he can't understand the assessment, and asked why there is a discrepancy.

The City Engineer showed Mr. Cobb a plat, and the assessment.

Isadore Snyder told the Council that he has 92 feet on Jamacha, and got a bill for \$8.50 per foot, whereas everybody else's is \$5.50. He said that he has 5 lots; 4 are empty. He asked why \$3.00 per foot more. He said he had sewer, and paid for that. He said that the City asked for a 5-foot easement, that he was willing to give it, but that fell through.

The City Engineer said that unit prices are the same, part of the cost is frontage, with same unit cost on frontage; 30% is charged back on area on the very large lot. He repeated Mr. Snyder has a very large lot.

Mr. Snyder said that if Chester is paved, he would have to pay there.

The City Engineer agreed that when it is paved, he would have to pay.

Mr. Snyder spoke of paving on Chester.

The City Engineer said that 2 lots are in the area cost. He asked if was clear.

Mr. Snyder replied "no".

Mayor Dail explained the procedure under the 1911 Act. He said that the assessing is the responsibility of the Engineer. He said that lots are 1/2 block from the work, and that there is a large area; 1 frontage.

The City Engineer said that the County Recorder gives it as 3 lots regarding the corner.

Mr. Snyder asked the Engineer regarding the cost on Chester. He said he is "just getting hooked".

The Mayor said that it is difficult; there was the same thing on Brooklyn and Wunderlin.

Mr. Snyder declared that his taxes had been raised 400%; the land is empty; he has had it for 9 years; it has not changed.

The Mayor said that he was present at a meeting where the Assessor made a report on increase in assessments in Encanto area. He stated that the Assessor has to make proper assessment; he does not do it for pleasure; he does it according to the law.

Mr. Snyder said that the Assessor could not explain why his was 400% more, and why it was more than that of the others.

There was discussion between Councilman Burgener and Mr. Snyder.

Councilman Schneider spoke to Mr. Snyder regarding the lots.

Mr. Snyder declared that he is paying more than the next property.

Councilman Curran spoke to Mr. Snyder regarding the square footage, rather than the front footage.

The Mayor spoke to Mr. Snyder regarding it having to be an equitable assessment.

Mr. Snyder said that every time the property is surveyed he loses footage. He asked where the loss comes in. He said it is never surveyed right. He said "the guy behind claims all the footage". He said he surveyed it; nobody will do anything.

The Mayor said that Mr. Snyder might need to hire an attorney.

City Attorney J. F. DuPaul said the Council should deny the appeal, adopt the recommendation of the Street Superintendent regarding the lot split.

RESOLUTION 126591, overruling and denying appeal of Isadore Snyder and appeal of Arthur W. Cobb from Street Superintendent's Assessment 2354 made to cover expenses of paving and otherwise improving Jamacha Road and Flicker Street, Resolution of Intention 117358; overruling and denying all other appeals, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 126592, adopting recommendation of Street Superintendent filed under Document 511351 requesting modification and correction of Assessment 2354 made to cover costs and expenses of improvement of Jamacha Road and Flicker Street, Resolution of Intention 117358; directing Street Superintendent to modify and correct the assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. It also continues the hearing until Thursday, June 2, 1955.

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The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment 2355 made to cover cost and expenses of installation of sewers in Gregory Street, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126593, confirming and approving Street Superintendent's Assessment 2355 made to cover cost and expenses of installation of sewer main in Gregory Street, Resolution of Intention 120405; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment 2356 made to cover cost and expenses of paving and otherwise improving F Street, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126594, confirming and approving Street Superintendent's Assessment 2356 made to cover cost and expenses of paving and otherwise improving F Street, Resolution of Intention 120269; authorizing and directing him to attach his warrant thereto and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment 2357 made to cover cost and expenses of paving and otherwise improving Kendall Street, Resolution of Intention 119896, the Clerk reported no written appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126595, confirming and approving Street Superintendent's Assessment 2357 made to cover cost and expenses of paving and otherwise improving Kendall Street, Resolution of Intention 119896; authorizing and directing him 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2358 made to cover cost and expenses of installing sidewalks in 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, Resolution of Intention 119652, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126596, confirming and approving Street Superintendent's Assessment 2358 made to cover cost and expenses of installing sidewalks in 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, Resolution of Intention 119652; authorizing and directing him to attach his warrant thereto and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Application of California Rent Car for certificate of necessity to operate U-Drive Automobiles (number not specified), signed by Don K. Hankay, was presented. On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Manager.

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Report of Purchasing Agent, with City Manager's approval, on low bid of Elevator Electric, Inc. for furnishing and installing Dumbwaiter, including construction of hatch, in Civic Center Building, for \$5,268.00, was presented.

RESOLUTION 126597, accepting bid of Elevator Electric, Inc., for furnishing and installing Dumbwaiter, including construction of Hatch; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126598, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 3 high-speed Automobiles, under Document 513311, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

In connection with the next item, Councilman Schneider asked where the money is coming from.

Glenn A. Rick, City Planning Director, said he is not handling it.

The City Engineer said that it is coming from the bond fund.

RESOLUTION 126599, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for remodeling and extension of existing Sprinkler System at Dana Landing and on Tierra del Fuego, Document 513087; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

(The 2 areas are in Mission Bay).

RESOLUTION 126600, authorizing Purchasing Agent to accept on behalf of The City of San Diego offer of Atchison, Topeka & Santa Fe Railway Company to make necessary repairs to Harbor Department owned railway track which crosses Harbor Drive leading to Broadway Pier, at estimated cost of \$4,155.00; authorizing Purchasing Agent to issue necessary orders to accomplish repairs, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with revised Tentative Map of Aragon Heights, a subdivision of parcels "O" and "OO" Lot 19 Rancho Mission, was presented.

RESOLUTION 126601, suspending Sections 102.07-5, 102.1102, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Aragon Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Revised Tentative Map of Aragon Heights, was presented - subject to 13 conditions.

RESOLUTION 126602, approving Revised Tentative Map of Aragon Heights, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of C. M. Doty's Addition, easterly 130 feet Lot 3, was presented.

RESOLUTION 126603, suspending Section 102.17-c of San Diego Municipal Code



in connection with Tentative Map of C. M. Doty's Addition, the easterly 130 feet Lot 3, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of C. M. Doty's Addition, easterly 130 feet Lot 3, subject to 4 conditions, was presented.

RESOLUTION 126604, approving Tentative Map of C. M. Doty's Addition, the easterly 130 feet Lot 3, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Planning Commission has made finding that conditions contained in Section 102.02-1 of San Diego Municipal Code prevail, and that Final Record of Survey Map - Encanto Heights, Empire Addition, Lots 7 & 8 and recommends that final Record of Survey Map be accepted in lieu of Final Subdivision Map, was presented.

RESOLUTION 126605, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code - Lots 7 and 8 Empire Addition, Encanto Heights - was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting revised tentative map of Kolgra Manor in that F.H.A. would not approve the previous tentative map, was presented. It says that City Manager recommends that City acquire 112 feet of west half of 52nd Street to connect to existing street in Clearview Manor and in return subdivider will grade east half of 52nd Street adjoining Oak Park, was presented. It recommends that Resolution 124559 be amended.

RESOLUTION 126606, amending Resolution 124559 re Tentative Map of Kolgra Manor, approved April 5, 1955, 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 Loma Mar Vista, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126607, 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 the unfinished improvements and setting of monuments required for Loma Mar Vista 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 Burgener, adopted.

RESOLUTION 126608, adopting Map of Loma Mar Vista, portion of Pueblo Lot 145, accepting Amiford Drive, Stafford Place, Casitas 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 Clerk 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 Kerrigan, 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 portion Pueblo Lot 1174 and portion W $\frac{1}{2}$  Pueblo Lot 1106, was presented.

RESOLUTION 126609, suspending Sections 102.07-5, 102.11-2, 102.17-c of



San Diego Municipal Code in connection with Tentative Map for 2-lot Subdivision of portion Pueblo Lot 1174 and portion Pueblo Lot 1106, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for 2-lot subdivision of portion Pueblo Lot 1174 and portion west half Pueblo Lot 1106, located on north side of Friars Road, westerly of Cabrillo, each of parcels an acre or more in size to comply with zoning in the area, was presented. It provides 5 conditions.

RESOLUTION 126610, approving Tentative Map for subdivision portion Pueblo Lot 1174 and portion west half Pueblo Lot 1106, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map for division of Lots 1, 2, 3 Block 101 Roseville, was presented.

RESOLUTION 126611, suspending Section 102.17-c of San Diego Municipal Code, in connection with Tentative Map for division of Lots 1, 2, 3 Block 101 Roseville, 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 for division of easterly 67.5 of Lots 1, 2, 3 Block 101 Roseville, to provide a parcel 67.5 ft. x 150 ft. fronting on Plum Street between Keats and Lowell Streets, subject to 3 conditions, was presented.

RESOLUTION 126612, approving Tentative Map for division of Lots 1, 2, 3 Block 101 Roseville, 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 Vista Mesa Unit 1, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126613, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with Burley Johnson and Bessie B. Johnson, for installation and completion of unfinished improvements and setting of monuments required for Vista Mesa Unit 1 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 126614, adopting Map of Vista Mesa Unit 1, a portion of Pueblo Lot 1214; accepting on behalf of the public street and easements: Ames Street, Apollo Street, Armstrong Street, Beagle Court, Brentwood Street, Burbank Street, Burbank Court, walkways and unnamed easements shown for public purposes, declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon 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 reapproval of Clairemont Plaza Unit 2, subject to Resolutions 118135 and 118136, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued 1 week - to Tuesday, June 7, 1955.

Communication from State of California, Water Pollution Control Board, San Diego Region No. 9, 3441 University Avenue, San Diego 4, dated 25 May 1955, signed by Harold E. Miller, Executive Officer, was presented. It refers to discharge of wastes into San Diego Bay, and submits copy of Resolution 55-R2 prescribing requirements relative to discharging wastes into the Bay by the City of San Diego.

The City Manager told the Council that it can be filed; the papers are just for the record.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, they were filed.

Communication from County of San Diego, dated May 25, 1955, signed by T. M. Heggland, Chief Administrative Officer, urging support of A/B 3283 relative to use of money obtained from disposition of park lands, etc., was presented. It says that since only 2 weeks remain in the present session of the Legislature, prompt consideration would be appreciated.

At the request of Councilman Burgener, the following telegram, listed on the agenda, was read: "An embarrassing and dangerous precedent will be set if you allow discrimination of any kind in the public lands of Mission Bay Park. Alan R. Essery, 5009 Onstad".

Councilman Burgener said that he does not know what it is.

The Clerk said that it is apparently regarding children in the trailer park in Mission Bay Park, relative to story in the paper.

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

Copy of communication from San Diego Downtown Association, 521 "B" Street, San Diego, signed by Harry Callaway, president, dated May 26, 1955, was presented. It says that the City Manager has notified that he has been instructed to renegotiate present contract with Street Poster Service. It requests holding the term of the new contract (for rubbish containers and advertising with receptacles) to shortest time possible, and consideration to use of more dignified color for receptacles than the unsightly red presently used.

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

RESOLUTION 126615, directing notice of filing of assessment and of time and place of hearing thereof, Assessment 2369 made to cover costs and expenses of work done upon paving and otherwise improving Alley Block 3 La Mesa Colony, Resolution of Intention 121183, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION 126616, directing notice of filing of assessment and of time and place of hearing thereof, Assessment 2368 made to cover costs and expenses of installation of Sanitary Sewers in Market Street, Pitta Street, J Street and Public Rights of Way, Resolution of Intention 120270, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD 126617, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for paving and otherwise improving Alley Block 8 La Jolla Park, Resolution of Intention 123156, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported low bid 18.5 below estimate.

RESOLUTION OF AWARD 126618, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Guy Street, Resolution of Intention 123157, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

City Engineer reported low bid 2.6% below estimate.

RESOLUTION OF AWARD 126619, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract for paving and otherwise improving 31st Street, Resolution of Intention 123158, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported low bid is 2.7% below estimate.

RESOLUTION 126620, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue, and 41st Street, Document 512542; approving Plat 2717 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126621, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, Document 513077; approving Plat 2716 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126622, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Gaines Street, Document 512540; approving Plat 2724 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126623, for paving and otherwise improving Alley Block 10 Normal Heights, and Arthur Avenue, Resolution of Intention 125824, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126624, for paving and otherwise improving La Dorna Street, and Public Rights of Way in Lots 28 and 29 La Mesa Colony, Resolution of Intention 125825, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126625, for installation of sewer mains in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, Thorn Street, Redwood Street, Olive Street, Maple Street, Alleys in Blocks 4 and 8 Clifton Addition to City Heights; Alleys in Blocks 9, 16, 7, 11 Bungalow Park Addition; Alleys Blocks 5, 10, 17 Swan's Addition; Public Rights of Way, Resolution of Intention 125826, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126626, for paving and otherwise improving Alley

Block 332 Choate's Addition, and 32nd Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 126627, for paving and otherwise improving Alley Block 128 Subdivision of Pueblo Lot 1157 for Mannasse and Schiller and Block 128 San Diego Land and Town Company's Addition, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126628, for paving and otherwise improving Delta Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126629, for paving and otherwise improving Morrell Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION 126630, for furnishing electric current for lighting ornamental street lights located in Roseville Lighting District Number 1, for 11 months and 16 days from and including October 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126631, for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue, and 41st Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126632, for paving and otherwise improving East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126633, for paving and otherwise improving Gaines Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126634, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 247 Pacific Beach, and Public Right of Way in Lot 26, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126635, ascertaining and declaring wage scale for paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126636, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleys Block 12 Normal Heights, Resolution 118275, and to be assessed to pay expenses; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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RESOLUTION 126637, approving diagram of property affected or benefited by installation of ornamental lighting system in 30th Street, Upas Street, Ray Street and University Avenue, Resolution of Intention 117016, and to be assessed to pay expenses; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126638, approving diagram of property affected or benefited by paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, Resolution of Intention 120006, and to be assessed to pay expenses; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126639, approving diagram of property affected or benefited by paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, Resolution of Intention 118486, and to be assessed to pay expenses; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126640, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving portion Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, Resolution of Intention 119094, and to be assessed to pay expenses; ~~directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets,~~ was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126641, directing City Engineer to furnish diagram of property affected and benefited by work and improving on paving and otherwise improving Alley Block 31 University Heights, Resolution of Intention 119095, and to be assessed to pay expenses; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126642, granting petition contained in Document 510866 for paving and otherwise improving Alley Block 331 Choates Addition which is southerly of Block 105 Central 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126643, granting petition contained in Document 511257 for paving and otherwise improving Alley Block 18 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126644, granting petition contained in Document 511258 for paving and otherwise improving Alley Block 1 Reed's Ocean Front 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 Curran, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 126645, granting petition, Document 510157, for paving and otherwise improving Calle Aguadulce, Calle Tocon, Toanoke 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126646, granting petition, Document 509267, for paving and otherwise improving Gardena Avenue; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126647, granting petition, Document 507220, for paving and otherwise improving 33rd Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126648, granting petition, Document 511080, for paving and otherwise improving 39th Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126649, granting petition, Document 508167, for paving and otherwise improving 49th Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126650, adopting recommendation of City Engineer, Document 512918; authorizing City Engineer to arrange for lighting of standards, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Kerrigan, adopted. (Although the Resolution does not identify them, the recommendation mentions 5 lights: 2 in old La Playa District, 1 at Sunset Cliffs and Cordova, 1 in La Jolla Shores District and 1 on Loring Street at Windsor Drive. The communication goes into detail about the individual lights).

RESOLUTION 126651, rescinding Resolution 126456 directing Street Superintendent to correct Assessment 2366 (for paving Franklin Avenue & 49th Street), was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Street Superintendent recommended the repeal, and reported that the item would be before the Council at the date of the hearing.

RESOLUTION 126652, granting Walter McKellar permission to grade Alley Block 20 Swan's Addition, and pave portion of Fairmount Avenue by private contract under Document 512534, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.



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Resolution authorizing and empowering City Manager to do all the work in connection with construction of alterations to equipment shed at Chollas Yard, to provide lubrication and repair facilities, by City forces, was presented.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was continued 1 week.- to June 7, 1955.

RESOLUTION 126653, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 12 locations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126654, granting 30 day extension of permit of Todd's, Inc., 868 Fifth Avenue, to conduct its "closing Out Sale", was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126655, approving claim of Motors Insurance Corporation, Document 509901 in amount of \$62.70; directing City Auditor and Comptroller to draw warrant payable to Motors Insurance Corporation and John Paiva in full payment of claim, was on motion of Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126656, approving claim of Alex Rittoff, Document 512514, in amount of \$22.76; directing City Auditor & Comptroller to draw warrant payable to Alex Rittoff, 4077 Iowa Street, San Diego 4, in full payment of claim, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126657, denying claim of Carl R. Cookerham, Document 511699, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126658, denying claim of Hazel A. Creider, Document 512040, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading of the next 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 6524 (New Series), establishing schedule of compensation for officers and employees of The City of San Diego, providing uniform compensation for like service in Classified Service, for Fiscal Year beginning July 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-- Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-- None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Wincote, reading of the next 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 6525 (New Series), amending San Diego Municipal Code by amending Section 102.16 thereof and by adding 3 new sections to be numbered 102.16.1, 102.16.2 and 102.16.3 - all relating to procedure for filing Tentative Subdivision Maps - was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following

following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading 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 6526 (New Series), appropriating \$21,200.00 from Unappropriated Balance Fund, for providing funds for widening Garnet Street, between Morrell Street and Balboa Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

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

ORDINANCE 6527, appropriating \$1,350.00 from Capital Outlay Fund, for additional funds for improvement of intersection of Waring Road and Alvarado Canyon Road, including paving and curb construction and installation of signs, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

City Attorney J. F. DuPaul told the Council that he was preparing a Resolution directing the Planning Commission to look at the Master Plan in Balboa Park. He said that the master plan (in the park) should be revised, in that there are other facilities than those included.

At 11:02 o'clock A.M., the Council took a recess until 2:00 P.M., this date.

Upon reconvening, at 2:32 o'clock P.M., the roll call showed the following:

Present--Councilmen Burgener, Williams, Schneider, Curran, Evenson.

Absent--Councilman Kerrigan, Mayor Dail

Clerk--Fred W. Sick

Vice Mayor Clair W. Burgener presided.

After roll was called, Councilman Kerrigan entered

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

RESOLUTION 126659, approving filing of Record of Survey Map in lieu of final subdivision map under Section 102.02.1 of the San Diego Municipal Code - Lot 3 Happy Valley Little Farms - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Vice Mayor presented the next resolution, not listed on the agenda:

It was read by the Clerk, after which it was reviewed by the Vice Mayor.

Councilman Schneider and Evenson said that it (baseball park) sounds like selection by the Council.

5/31/55

City Attorney J. F. DuPaul told the Council that it is tied into the State Planning Act, and that this is what he has to put into the Resolution. He stated that it does not prejudice the hearing.

Councilman Schneider said that it does - if the Council initiates the proceeding.

Mayor Dail entered

RESOLUTION 126660, deeming it to be for public interest, and initiating pursuant to Section 65511 of Government Code of State of California, addition to Master Plan of The City of San Diego: Public Building Plan; consisting of general area bounded by Morley Drive, Park Boulevard, Florida Street and Laurel Street as site for construction and operation of public facility consisting of Baseball Stadium and related facilities; referring to Planning Commission the Public Buildings Plan with directions to hold at least 1 public hearing on addition to Master Plan, after publishing notice at least 10 days in advance, and report thereon to the Council within 90 days of adoption of Resolution, for failure to do which, the Commission's approval shall be deemed to have been given; also referring to Park and Recreation Commission the matter of placing Baseball Stadium and related facilities in the Public Buildings Plan of the Master Plan of the City of San Diego in the area set out, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

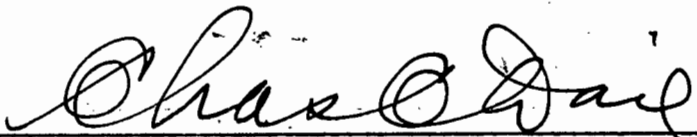
After the Resolution was adopted, the City Attorney advised that the Resolution does not prejudice the hearing (as he had said earlier).

Councilman Kerrigan said that if there had been a petition, the Council would have referred it to Planning. He said that he could not answer today if he is in favor of the baseball park in Balboa Park.

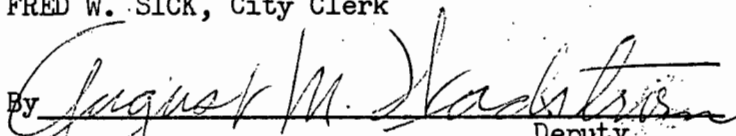
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 2:40 o'clock P.M. He announced that the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy

6/2/55

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, June 2, 1955

Present--Councilmen Williams, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilmen Burgener, Schneider  
Clerk--Fred W. Sick

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

Resolutions and Ordinances will be found recorded on Microfilm Roll 96

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2354 for paving and otherwise improving Jamacha Road and Flicker Street, the City Attorney said that other items having been taken care of at the regular hearing, it would now be proper to confirm the assessment.

RESOLUTION 126661, approving the Street Superintendent's modified and corrected Assessment 2354 made to cover expenses of paving and otherwise improving Jamacha Road and Flicker Street, Resolution of Intention 117358; authorizing and directing Street Superintendent to attach 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 Williams.

Councilman Schneider entered

Councilman Burgener entered

Communication from Coleman D. Hulette, transmitting petition signed by residents of Malcolm Drive, formerly Madrid Drive, was presented. The petition is addressed to Councilman George Kerrigan, to whom it had originally been forwarded, and complains of noise nuisance at Rancho Market, 6134 University Avenue, San Diego. It says that residents on Malcolm Drive do not consider it to be a private nuisance; that it is of such general and serious nature that it has taken on a public character and should be acted on by the Council. The communication goes into the situation in detail.

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

Several protests (500 signatures) from residents and property owners against locating ball park stadium in Balboa Park, were presented.

Mayor Dail stated that the matter has been referred to the Planning Commission, and that these protests will be referred to the Commission's hearing. He said that the Commission will make its recommendation to the Council.

Harriett Snyder said that she wanted to hear the letter.

The Clerk told the Mayor that there were several letters in the file.

The Mayor answered Mrs. Snyder that there are many. He said, again, that they will be referred. He said there is to be no Council decision (now).

Councilman Burgener entered the meeting.

An unidentified man arose and said "don't be stampeded by the former Mayor. (He referred to John D. Butler, attorney, who is representing proponents).

RESOLUTION 126662, referring to Planning Department protests of residents and property owners against locating a ball park stadium in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

6/2/55

Report of Purchasing Agent on low bid of Einer Bros, Inc. for construction of Balboa Avenue between Pacific Highway and Clairemont Drive - \$122,723.50 - 8 bids, was presented.

The City Manager said that this was a good bid (the estimate was \$180,704.50).

RESOLUTION 126663, accepting bid of Einer Brothers, Inc. for construction of Balboa Avenue between Pacific Highway and Clairemont Drive; awarding contract, authorizing and instructing City Manager to enter into and execute 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 Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on low bid of Koppers Company, Inc. for furnishing 25 PCS. 30' Creosote Piling, 7" Tip and 14" Head Min., 14 lb. Creosote - total price of \$1,143.30 including State Sales Tax - 3 bids, was presented.

RESOLUTION 126664, accepting bid of Koppers Company, Inc. for furnishing 25 pieces creosote piling; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent on bid of Industries Supply Co. for furnishing 6 items of Ceramicweld Pipe and Fittings at total price of \$3,150.00 net, plus State Sales Tax, was presented. It says 2 identical bids were received, and award was decided by lot.

RESOLUTION 126665, accepting bid of Ceramicweld Pipe and Fittings; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126666, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing City's requirements of Bulk Quicklime for 6 months beginning July 1, 1955, in accordance with Document 513482, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126667, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 75 trucks and 71 passenger cars, in accordance with Document 513483, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(They are for the Public Works, Police and Fire Departments).

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval and acceptance of Record of Survey in lieu of final subdivision map, Resub. Lot 129 Del Norte Addition; was presented.

RESOLUTION 126668, approving filing of Record of Survey Map in lieu of final subdivision map under Section 102.02.1 of San Diego Municipal Code, for resubdivision of Lot 129 Del Norte Addition, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Alvar Hills (formerly Leavitt's Addition, Block 4), was presented.

RESOLUTION 126669, suspending Sections 102.07-5, 102.12-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Alvar Hills, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

6/2/55

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Alvar Hills (formerly Leavitt's Addition, Block 4), was presented. It locates property in Pueblo Lot 1296 on easterly side of proposed La Jolla Scenic Drive which is easterly boundary of lands recently sold by City in Camp Callan area. It says that alignment of La Jolla Scenic Drive has been established, but has not been dedicated across City lands although it has been used for a number of years. It recommends 5 conditions for the approval.

RESOLUTION 126670, approving Tentative Map of Alvar Hills, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, reporting on petition to close portions of Bandini Street between northeasterly line of West California Street and northeasterly line of Middletown, was presented. It recommends that portions of Bandini Street in Middletown, shown shaded on Drawing 5057-B revised 5-25-55 be closed, subject to filing of Final Map for Rodefer Hills - Mergho Division, and improvement of Bandini Street in Middletown northeasterly of West California Street, as required by Resolution 120733.

RESOLUTION 126671, adopting recommendation of Street Superintendent, Document 513497, for closing portions of Bandini Street; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Form communication addressed to "Taxing Authorities", from San Diego County Development Federation, P.O. Box 162 Spring Valley, Calif., over signature of John E. Abbott, president (not dated), was presented.

It sets out a program which asks each "taxing authority" to consider and act favorably.

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

Postal card from H. C. Cheddy, (undated, no address), was presented. It requests action to halt rising transportation cost, especially increase in bus fares, and the Star & Crescent ferry.

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

Communication from Emmett L. Karr, 4245 Jellett St., San Diego 10, relative to denial of his claim against the City, was presented. It takes the view that the denial was unjustified, and that if situation had been reversed he would have been held liable.

City Attorney J. F. DuPaul told the Council that his office can answer it. On motion of Councilman Kerrigan, seconded by Councilman Williams, it was referred to the City Attorney.

Communication from Ruth Vickery, 3839 Herbert St., San Diego 3, dated May 31, was presented. It protests proposed increase in bus fares.

On motion of Councilman Kerrigan, seconded by Councilman Williams, it was referred to City Attorney.

The City Manager read a report from the Traffic Engineer, in connection with the next Resolution.

RESOLUTION 126672, prohibiting parking of automobiles between 4:00 P.M. and 6:00 p.m., Sundays excepted:

Communications  
Report read  
126670 - 126672



6/2/55

East side of 28th Street, between south line of Ocean View Boulevard and point 200 feet south of Ocean View Boulevard;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126673, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays excepted:  
Both sides of Fir Street between India Street and Columbia 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126674, establishing parking time limit of 1 hour between 8:00 a.m. and 6:00 p.m., Sundays excepted:  
East side of Seventh Avenue, between K and L Streets; directing City Manager to authorize installation of necessary signs and markings; rescinding portions of Resolutions 98284 and 105170 in conflict, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126675, authorizing City Manager to accept work on behalf of The City of San Diego in Dorado Terrace Subdivision, and to execute Notice of Completion and have it recorded - Plans, Specifications in Clerk's Document 493581 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126676, approving request of Royal Pipeline Construction Co., May 17, 1955, Change Order 1, for extension of 30 days to and including June 22, 1955, filed with City Clerk as Document 513504, in which to complete contract for installation of Small Water Main Replacements, Group 16 - contract Document 501782 - extending time of completion to June 22, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126677, approving request of Utility Construction Company, May 24, 1955, Change Order 1, for extension of 20 days to and including June 20, 1955, filed with City Clerk as Document 513506, in which to complete contract for installation of South Muirlands 12-inch feeder main - contract Document 509685 - extending time of completion to June 20, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126678, granting Eric H. Nelson (Plumbing Contractor), 6082 Severin Drive, La Mesa, California, permission to install copper vent pipe in lieu of cast iron pipe in bathroom wall at 1821 First Avenue, subject to the Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126679, granting C. L. Hudson (contractor-owner) 5362 Churchward Street, San Diego 14, to install sewer line at grade of 1/8" per foot instead of 1/4" fall per foot, to serve 5 units numbered 4653, 4653-1/2, 4655, 4657 and 4659 Kansas Street, Lots 10 and 11 Block 12 University Heights, subject to the Resolution, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

6/2/55

RESOLUTION 126680, granting revocable permit to Adolph Glenn, 2745 Kettner Boulevard, to install and maintain paved parking lot on Olive Street, over and across Olive Street from easterly line of Kettner Boulevard east, approximately 75 feet: Lots 2 and 3 Block 92 Middletown - 2745 and 2753 Kettner Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126681, granting revocable permit to Dr. Francis M. Amaral and Manuel O. Medina and Isabel Medina, 3426 Xenophon Street, San Diego 6, to install and maintain 9 sub area vents through sidewalk to sub area of building (May Hotel, Commercial Building at 639 E Street), under and across sidewalk area adjacent to property: Parcels 7, 25, 49 Lot L Block 60 Horton's Addition; 50 feet on 7th Avenue and 100 feet on E Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution authorizing and directing City Manager, for and on behalf of The City, to make application to Board of Supervisors of County of San Diego, State of California, and to take all necessary steps to acquire from State of California portions of Blocks 82 and 118 in Morena Subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. (It was not numbered, however, in view of subsequent action).

Asked for a report, the City Manager explained the property involved, and said that it was the City Engineer's request, for property which was to be used for drainage. He showed the Council a plat of the property.

Mayor Dail said that there are about 50 lots included, whereas about 3 lots would be needed.

The action in adopting the Resolution was reconsidered.

On motion of Councilman Evenson, seconded by Councilman Burgener, the proposed Resolution was continued to Tuesday, June 7, 1955.

RESOLUTION 126682, directing City Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as portion Lots 9 and 10 Block 112 Choate'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 taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126683, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as portion of North 1/2 of SW 1/4 of SE 1/4 of NE 1/4 Section 33, T 16 S, R 2 W, S.B.B.M., being portion of Rancho Mission of San Diego - excepting a portion lying within O. D. Arnold's Hazelwood Heights Unit 3 - together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126684, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as Southwesterly 5.0 feet of Seasterly 174.92 feet Lot 4 Block 520 Old 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; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

6/2/55

RESOLUTION 126685, accepting quitclaim deed executed 11th of May, 1955, by George Clark Rose, a single man, W. James Rose, a single man, Virginia R. Olmstead, Blanche E. Rose, a widow, Marguerite B. Rose, a widow, George A. McWilliams, Jr., and Katherine McC. McWilliams, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenances constructed for use, located in public streets, rights of way, highways public places, either within or without, subdivision named Dorado Terrace, being subdivision of portion Pueblo Lots 1280, 1281 and 1286; 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 Williams, adopted.

RESOLUTION 126686, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Continental Auxiliary Company, trustee, May 18, 1955, subordinating all their right, title and interest in and to portion Lot 27 Block 88 Linda Vista Unit 3, to right of way and easement for general easement purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126687, accepting deed of Modestino Di Giovanni and Mildred Di Giovanni, May 31, 1955, conveying easement and right of way for public easement purposes in portion Lot 91 Southern Title Guaranty Company's Subdivision of Pueblo Lot 1801; 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 Williams, adopted.

RESOLUTION 126688, accepting deed of Robert J. Belanger and Elizabeth M. Belanger, April 12, 1955, conveying easement and right of way for general easement purposes in portion Lot 27 Block 88 Linda Vista Unit 3; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126689, accepting deed of Mary Kizis Reese, April 9, 1955, conveying easement and right of way for sewer purposes in portion Lot 23 Block 5 American 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 Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126690, accepting deed of Burley Johnson and Bessie R. Johnson, May 13, 1955, conveying easement for storm drain purposes in portion Pueblo Lot 1214; 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 Williams, adopted.

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 passage a written or printed copy.

ORDINANCE 6528 (New Series), incorporating portion of Lot 18 Ex Mission Lands into C and C-1A zones, defined by Sections 101.0411 and 101.0411.1 respectively of San Diego Municipal Code, and repealing Ordinance 35 (New Series) and Ordinance 3917 (New

Series) insofar as they conflict, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

In connection with the next item, the City Manager explained the tentative budget for the Mission Bay Channel opening, and said that adoption of the ordinance had been recommended by the Mission Bay committee. He said that the Ski Association puts on a water ski show, and that the sponsoring association provides gas for the boats.

The Mayor passed around copies of a letter, dated June 1, 1955, written by him and addressed to the Councilmen. It refers to the Committee's appearance in his office asking for a Council conference around June 15 to discuss the development and preliminary plans for celebration. It says that if it is satisfactory, the Mayor will call conference for 2:00 p.m., Thursday, June 16, and that members of Mission Bay Park Commission will be invited to attend, and that City Manager will be included.

\*\* There was an unrelated discussion here, so it will be shown following completion of this item.

ORDINANCE 6529 (New Series), appropriating \$1,240.00 from Unappropriated Balance Fund, for City's share of expenses incurred in conducting ceremonies commemorating opening of Mission Bay Channel, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

\*\* Discussion referred to above, is shown here.

The City Manager referred back to the Resolution authorizing him to make application to Board of Supervisors and take necessary steps to acquire tax-deeded lands (which had been continued until next Tuesday). He reported to the Council a cost of \$550; 28 lots and 18 lots. He stated that the whole policy can be discussed in conference. He spoke of there being a full report of property acquired, and that in every instance it had been in the public interest.

Mayor Dail said that the Council can get all the policies reviewed.

(The City Manager's secretary was advised that it is the City Manager's intention to bring information to conference).

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portions of Clairemont Units Nos. 7 and 8 into RC and C-1A Zones as defined by Sections 101.0409 and 101.0411.1 respectively of The San Diego Municipal Code and repealing Ordinance 5251 (New Series) insofar as it conflicts, was introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

(Hearing has been set for June 9, 1955)

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance incorporating portions of Lots 1 and 2 La Mesa Colony into R-2 zone as defined by Section 101.0406 of The San Diego Municipal Code, and repealing Ordinance 13558 insofar as it conflicts, was ~~on motion of Councilman Schneider, seconded by Councilman Kerrigan,~~ introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

(Hearing has been set for June 9, 1955)

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance incorporating portions Loma Alta No. 1 and Western Addition into C and C-1A Zones as defined by Sections 101.0411 and 101.0411.1 of The San Diego Municipal Code and repealing Ordinance 31 (New Series) insofar as it conflicts, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

(Hearing has been set for June 9, 1955)

Mission Bay Channel opening discussion  
Tax-deeded land application discussion  
6529 N.S.  
Ords introduced

6/2/55

In connection with the next item, the City Manager spoke of a request regarding hours, and said that the amendment comes at the request of the people themselves. He said that the Police Department favors the proposal, although not strongly in favor. The Manager said that it would cut down the cost of checking.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance amending Section 33.1106 of The San Diego Municipal Code Regulating Pawnbrokers and Second-Hand Dealers, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending Section 84.01 of San Diego Municipal Code making unlawful U-Turns by Driver of a vehicle at hazardous or congested street intersections and providing for City Manager to erect signs, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

Proposed Ordinance amending San Diego Municipal Code adding new section to be known and numbered Section 67.26: "Adjustment of Water Bills - Authority Therefor", was presented.

The City Manager explained it, and said that it had been proposed by McQuilken (John McQuilken, City Auditor & Comptroller). He read to the Council a letter from Mr. McQuilken. The Manager said that adjustment where the City was at fault has been hazardous. It was stated by him, also, that it would improve public relations.

\*\* RESOLUTION 126691, referring to Council Conference proposed ordinance amending Municipal Code re adjustment of water bills, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

In connection with the next Ordinance, the City Manager said that the following are the streets the Council instructed the Planning Commission to name. He said that there are the proper recommendations, but that the Fire Department does not recommend this ordinance.

Harry C. Haelsig, Asst. Planning Director, that there are 2 duplicates; 1 in the City (referring to the proposed naming). He said that there are 14 "Valencias" in the metropolitan area. He referred to it as being like a situation Councilman Kerrigan has on Redlands.

Councilman Burgener asked if there is any progress on the County-wide which had been asked by the Council.

Councilman Kerrigan said that the Council had authorized setting up a committee on a County-wide basis.

Mr. Haelsig stated that it is being worked on between the Planning Commission and the City Manager. He spoke of it having to be on a higher level, and of it having been tried in other cities. Mr. Haelsig referred to an almost intolerable condition.

The City Manager said that there has been meeting on the subject. He stated that Planning has worked out an informal situation through the County Planning. He told of a list of names not used having been prepared. He referred to "getting pretty good cooperation", but that there is no enforcement. The Manager said that there can be a uniform ordinance adopted by all the cities regarding there being no overlapping named. He said that if the City and the County were to adopt such ordinances, it would clarify the situation.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance changing name of Alamo Place to Toledo Drive; Vantage Drive to Valencia Drive; Calvert Way to Casita Way, was introduced, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilman Williams. Absent--None.

\*\* According to John Ingram, this item was taken care of in the conference following this meeting, and that it is wanted back on the agenda for introduction on Tuesday, June 7, 1955.



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

RESOLUTION 126692, extending on behalf of Council members and citizens of The City of San Diego, to surviving widow and children of Dr. Will C. Crawford their heartfelt sympathy in loss of an honored and dear husband and father; directing City Clerk to forward certified copy to Mrs. Crawford, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution says that Dr. Crawford was Superintendent of The City of San Diego schools for nearly twenty years, from 1934 to 1954, that the school system grew from student body of some twenty-seven thousand to more than seventy thousand during his superintendency. It states that the Education Center during superintendency of Dr. Crawford, largely under his direction, is one of the finest in the country. The Resolution recites that Dr. Crawford in his lifetime was repeatedly honored by membership in educational organizations such as the National Education Association, American Association of School Administrators, American Council on Education, California Association of School Administrators, and California Teachers' Association.

The Resolution states that Dr. Crawford departed this life May 30, 1955, in the City of Los Angeles, California.

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

RESOLUTION 126693, supporting strenuous efforts of local tuna industry organizations and individuals in their fight to protect local tuna industry, and recommending to our Congressional representatives that they persistently represent to the President and Secretary of State the serious economic situation produced in the City of San Diego area; requesting Congressional representatives respectfully request the President and Secretary of State to regulate equitably the importation of foreign into the United States, in order that the local tuna industry may again have an opportunity to grow and contribute to the economic development of The City of San Diego; directing City Clerk to forward certified copy to Committee for Reciprocity Information in care of Commission Building, Washington, D.C.; and to representatives Bob Wilson and James Utt; and to Senators Thomas Kuchel and William Knowland and to President Eisenhower and to Secretary of State Dulles, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Mayo Place, a 1-lot subdivision located in portion of Pueblo Lot 1297.

RESOLUTION 126694, adopting Map of Mayo Place and accepting unnamed easement, and rejecting dedication for public street of portion of land shown thereon and marked "Reserved For Future Street", was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Land is a subdivision of portion Lot 1297 of Pueblo Lands. Resolution directs Clerk of the City to endorse upon map, as and for act of the Council that unnamed easements are accepted on behalf of the public, and that the Council rejects the dedicating of portion marked "Reserved for Future Street, and directs City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, California.

The Mayor read a telegram from Mayor Vestal and Councilman Robin Goodenough (Coronado): "Sacramento California June 1 Mayor Dail...Bill on tube study going strong however need new immediate reaffirmation of your Councils support to reassure Hegland Sankary and Luckel and Schrade Please wire them immediately that San Diego Council fully behind bill We will be present at Assembly Committee hearing today Await your wire Sincerely appreciate your help."

RESOLUTION 126695 authorizes Mayor Dail to send telegrams, as requested, was on motion of Councilman Kerrigan, seconded by Councilman Williams, was adopted.

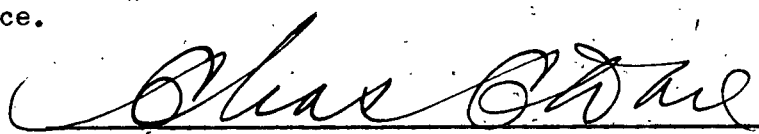


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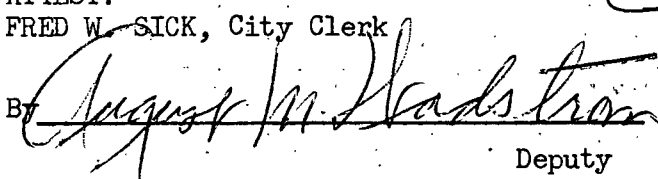
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:36 o'clock A.M. He announced that members of the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By

  
Deputy