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REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, June 7, 1955

Present---Councilmen Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---Councilmen Burgener, Williams.  
Clerk---Fred W. Sick

The Mayor called the meeting to order at 10:00 o'clock A.M.

The Reverend Robert Sanders, of the Old San Diego Community Church, was introduced by Mayor Dail. Reverend Sanders gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Regular Council Meetings of Tuesday, May 31, 1955, and of Thursday, June 2, 1955, were approved without reading, after which they were signed by the Mayor.

Resolutions and Ordinances are recorded on Microfilm Roll 96

Communication from Purchasing Agent, dated June 6, 1955, reporting on 5 bids opened Friday, June 3, 1955, on 1911 Act for paving and otherwise improving Shafter Street, Upshur Street, Scott Street, was presented.

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

Communication from Purchasing Agent, dated June 6, 1955, reporting on 5 bids opened Friday, June 3, 1955, on 1911 Act for paving and otherwise improving 40th Street, was presented.

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

Communication from Purchasing Agent, dated June 6, 1955, reporting on 3 bids opened Friday, June 3, 1955, on 1911 Act for sewers in Inez Street and Gage Drive, was presented.

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

Communication from Purchasing Agent, dated June 6, 1955, reporting on 6 bids opened Friday, June 3, 1955, on 1911 Act for sewers in La Jolla Rancho Road, was presented.

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

Councilmen Burgener and Williams entered

Meeting convened  
Invocation  
Communication from Pur Agt (re 1911 bids opened June 3 '55)

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The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 126081 for paving and otherwise improving Alleys Blocks 22, 23 and portion between Blocks 22 and 8 La Jolla Park, 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 Schneider, seconded by Councilman Kerrigan, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 126082 for paving and otherwise improving 53rd 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 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 Preliminary Determination 126207 for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham 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 126696, determining that paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street is feasible, and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 126208 for paving and otherwise improving Boundary 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 126697, determining that paving and otherwise improving Boundary Street is feasible, and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 126209 for paving and otherwise improving Brooklyn Avenue and Iona Drive, 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 126698, determining that paving and otherwise improving Brooklyn Avenue and Iona Drive is feasible, and that lands to be assessed will be able to carry burden of proposed improvements, 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 Assessment 2359 made to cover costs and expenses of work done upon installation of sewers in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144, 145 City Heights, Thorn Street,

Redwood Street, Quince Street, Unnamed Street, and Public Rights of Way, the Clerk reported written appeals from Theodore S. & Viola Steele and from Raymond Fox. They were read.

The Mayor inquired if anyone was present to be heard.

Raymond Fox told the Council that he had completed cesspool 1-1/2 years ago, and that assessment (valuation) on the property is low. He said he understood that he would have to pay connection, but he did not know his property was to be assessed for the sewer. He said that he was compelled to do the work. Answering the Mayor, Mr. Fox said that he has a 5-room house; there are 2 in the family.

The Mayor told Mr. Fox that he does not have to tie onto the sewer line until such time as the cesspool becomes inoperative. He explained the assessment.

\* On motion of Councilman Williams, seconded by Councilman Schneider, appeals were denied.

\* On motion of Councilman Kerrigan, seconded by Councilman Schneider, assessment was confirmed, etc. (but was not numbered, inasmuch as the item was reconsidered, and acted upon at the end of the meeting - where it will be found again).

The hour of 10:00 o'clock A.M. having arrived, the time set for appeal on Street Superintendent's Assessment 2360 made to cover costs and expenses of work of paving and otherwise improving Alley Block 30 Park Villas, Resolution of Intention 120578, the Clerk reported written appeal from Florence E. West. It was read.

The Mayor inquired if anyone was present to be heard.

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

The City Engineer said that it an area assessment on 80%-20% basis, and that the appeal is 2.5%.

RESOLUTION 126699, overruling and denying appeal of Florence E. West against Street Superintendent's Assessment 2360 made to cover costs and expenses of work of paving and otherwise improving Alley Block 30 Park Villas, Resolution of Intention 120578; overruling and denying all other appeals; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing appeal on Street Superintendent's Assessment 2361 made to cover costs and expenses of work of paving and otherwise improving Olvera Avenue, 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 filed.

RESOLUTION 126700, confirming and approving Assessment 2361 made to cover cost and expenses of paving and otherwise improving Olvera Avenue and Bonita Drive; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2362 made to cover cost and expenses of paving and otherwise improving Alley Block 18 La Mesa Colony, 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 filed.

RESOLUTION 126701, confirming and approving Assessment 2362 made to cover cost and expenses of paving and otherwise improving Alley Block 18 La Mesa Colony; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2363 made to cover cost and expenses of paving and

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otherwise improving Clove Street, Plum Street, Oliphant Street, Newell Street, the Clerk reported appeals from Mrs. Jane Graven and others and appeals of Matt P. and Elizabeth Buday. He read the names of the appellants and their appeals.

The Mayor inquired if any one was present to be heard.

A group of individuals, none of whom gave or was asked their names, appeared at the microphone.

The City Engineer reported that all the protests are on area assessment. He showed a plat of the work, including that indicating the protestants.

The Mayor stated that petition for the improvement had not been circulated in the area where protest has been raised. He discussed with 9 unidentified persons at the microphone the 70%-30% assessment basis.

Councilmen Schneider and Kerrigan spoke to those property owners.

At the request of the Mayor, the City Engineer took the property owners to the next room, to speak to them, instead of the Council being obliged to attempt to answer their individual questions.

(The hearing was continued, and will be found again at the end of the meeting)

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Petition of property owners for the opening of Torrence Street, between Keating and Pringle Streets, was presented.

(Normally it would have been referred, without being listed on the agenda. James A. Milligan, one of the signers, asked that it be shown, inasmuch as it does not have 60%.

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

(There was reconsideration 2 items later, but it will be shown here - to keep it together).

Mr. Milligan requested the Council to hear him.

Councilman Burgen explained the matter to Mr. Milligan.

Action was reconsidered.

The petition - a long, involved one - signed by 9 property owners, was read.

Mayor Dail spoke to Mr. Milligan. He said that the petition has been referred to the City Manager, and that it will have the attention of the City Engineer.

Mr. Milligan asked how long it would be.

Councilman Kerrigan replied that it would be 15 to 18 months, with regular hearings. He said that as he understands, Mr. Milligan wants the Council to act, inasmuch as there are not 60%. He spoke to an unidentified woman, and said that the 60% had been set by the Council, arbitrarily.

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

Report of Purchasing Agent, approved by City Manager on bids for furnishing 34 items of Copper Tubing, Fittings and Valves, was presented. It submits 3 Resolutions of award, and reports 2 identical low bids on 2 lots of items on which successful bidder was decided by lot.

RESOLUTION 126702, accepting bid of Western Metal Supply Company for furnishing 5 items of Copper Tubing and Valves; 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 Williams, adopted.

RESOLUTION 126703, accepting bid of Industries Supply Co. of San Diego for furnishing 26 items of Copper Fittings; 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 Williams, adopted.

RESOLUTION 126704, accepting bid of Mission Pipe & Supply Company for furnishing 3 items of Copper Fittings and Valves; 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 Williams, adopted.



Report of Purchasing Agent, with City Manager's approval, on low bid of Cyclone Fence Department (United States Steel Corporation, American Steel and Wire Division) - 4 bids - for installing chain-link fence and gates around 9 Water Department facilities, was presented.

RESOLUTION 126705, accepting bid of Cyclone Fence Department (United States Steel Corporation, American Steel and Wire Division) for installing chain-link fence and gates; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

During the preceding item, Nicholas J. Haering talked about the next item. He said that there is a ball park under consideration, too, and that the Council should wait until that is determined.

Councilman Schneider said that the City has been trying for months to get this work done, that 1 man had been killed where work is proposed, and that it is necessary.

with City Manager's approval,  
Report of Purchasing Agent/on low bid of M. H. Golden Construction Company for construction of traffic islands at Pershing Drive and Florida Street, \$7,977.40 - 6 bids - was presented.

RESOLUTION 126706, accepting bid of M. H. Golden Construction Company for construction of traffic islands at Pershing Drive and Florida 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 Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of W. V. Hutchison Company for installation of Small Water Main Replacements, Group 20, \$45,731.99 - 2 bids - was presented.

RESOLUTION 126707, accepting bid of W. V. Hutchison Company for installation of Small Water Main Replacements, Group 20; 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 Williams, adopted.

Report of Purchasing Agent, with City Manager's approval, submitting resolution authorizing Purchasing Agent to purchase from Fallbrook Public Utility District 3 - 4200 gallon Steel (bolted) tanks with covers @ \$450.00 ea; and 4 - 300 gallon Trailer Mounted Steel tanks with trailers @ \$200.00 ea., or a total of \$2,150.00 plus State Sales Tax, was presented.

RESOLUTION 126708, authorizing and directing Purchasing Agent to purchase from Fallbrook Public Utility District tanks with covers and tanks with trailers, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126709, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Comprehensive Liability Property Damage Insurance for 3 years commencing July 1, 1955, under Document 513838, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126710, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Chollas Pumping Plant and Chollas-Redwood Village Pipe Line, Document 513667; authorizing and directing Purchasing Agent to publish notice calling for bids, was

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

RESOLUTION 126711, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for repairs to exterior of buildings in Municipal Frontier Project south of the flood control channel, west of Kurtz Street, under Document 513666; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code re tentative map of Belleview Heights was presented.

RESOLUTION 126712, suspending Sections 102.09-1 & 2, 102.11-2, 102.12-8, 102.11-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Belleview Heights Unit 8, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Belleview Heights Unit 8, a 94-lot subdivision of portion Waterville Heights and Seaman's Subdivision, southerly of University Avenue on extension of 58th Street - subject to 14 conditions, was presented. It says that subdivision has the problem of connecting Dwight Street to existing street in Hubner Park, and that after several discussions with the City Manager's office it was agreed that the City would assume responsibility of paving, curbs and any sewer mains that might be required in Dwight westerly of Day Street.

RESOLUTION 126713, approving Tentative Map of Belleview Heights Unit 8, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending reapproval of Tentative Map of Clairemont Plaza Unit 2, which was approved by Resolutions 118135 and 11836 dated March 8, 1954, was presented.

RESOLUTION 126714, reapproving Tentative Map of Clairemont Plaza Unit 2, subject to all of conditions contained in Resolutions 118135 and 118136, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Previous item had been continued from the meeting of May 31, 1955.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Record of Survey on Lots 6 & 7 and por Lot 8 Garden Grove, was presented.

RESOLUTION 126715, approving filing of Record of Survey Map in Lieu of Final Subdivision Map in Garden Grove, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Record of Survey on Lots 1, 2, 11, 12 Blocks 122 & 131 Roseville, was presented.

RESOLUTION 126716, approving filing of Record of Survey Map in lieu of final subdivision map in portions Blocks 122 and 131 Roseville, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommend-

ing approval and acceptance of Record of Survey on Southern Title Guaranty Company's Subdivision Lot 91 E 1/2, was presented.

RESOLUTION 126717, approving filing of Record of Survey Map in lieu of final subdivision map in E-1/2 Lot 91 Southern Title Guaranty Company's Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Muirlands Vista Unit 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 126718, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with La Jolla Mesa Lands, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Vista Unit 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 Burgener, adopted.

RESOLUTION 126719, adopting Map of Muirlands Vista Unit 2, a subdivision of portion of southerly Half of Pueblo Lot 1774; accepting on behalf of the public Colgate Circle and Bucknell Avenue and unnamed easements shown for public purposes; declaring them to be public streets and unnamed easements dedicated to public use; rejecting as dedication for public street land shown as "Reserved for Future Street"; authorizing and directing Clerk 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 Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Muirlands Panaroma, a 39-lot subdivision of south half of Pueblo Lot 1774, was presented.

RESOLUTION 126720, suspending Sections 102.09-1&2, 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Muirlands Panaroma, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Muirlands Panaroma, located on both sides of La Jolla Mesa Drive southerly of La Jolla Scenic Drive, in Zone R-1B - lots above the minimum requirements of 20,000 square feet in area but lesser setbacks have been required due to topography, was presented. Recommendation for approval is subject to 13 conditions.

RESOLUTION 126721, approving Tentative Map of Muirlands Panaroma, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Postal card from Miss F. Winifred Culley protesting proposed increase in local bus fares, and requesting vigorous action by the Council, was presented.

On motion of Councilman Curran, seconded by Councilman Kerrigan, it was referred to the City Attorney's file.

Communications from various individuals favoring placing a baseball stadium in Balboa Park, were presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, they were referred to the Planning Commission.

RESOLUTION OF AWARD 126722, accepting bid of A. R. Kingaard, and awarding

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contract 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.

The City Engineer reported in writing, low bid is 19.7% below estimate.

RESOLUTION 126723, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving Alley Block 6 Ocean Beach; approving Plat 2730 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126724, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street and Akron Street; approving Plat 2723 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 126725, for paving and otherwise improving Calle del Oro and La Jolla Shores Drive, Resolution of Intention 125944, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126726, for paving and otherwise improving Alley Block 247 Pacific Beach, and Public Right of Way in Lot 26, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 126727, for paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126728, for paving and otherwise improving Alley Block 6 Ocean Beach, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126729, for paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street and Akron Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126730, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current for lighting of ornamental street lights located in San Diego Lighting District 1, for 11 months and 16 days from and including June 15, 1955, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126731, ascertaining and declaring wage scale for sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, Public Right of Way, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

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RESOLUTION 126732, ascertaining and declaring wage scale 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, et al, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126733, ascertaining and declaring wage scale for paving and otherwise improving Macaulay Street and Willow Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126734, ascertaining and declaring wage scale 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126735, ascertaining and declaring wage scale for paving and otherwise improving Warrington Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126736, approving diagram of property affected or benefited by installation of sewers in Alley Block 16 La Mesa Colony, 73rd Street, et al., Resolution of Intention 121772, and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126737, approving diagram of property affected or benefited by paving and otherwise improving Alley Block 88 Ocean Beach Extension 2, Alley Block 76 Ocean Beach, Bacon Street, Resolution of Intention 119651, and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126738, approving diagram of property affected or benefited by paving and otherwise improving Alleys Blocks 199 and 220 Pacific Beach, Resolution of Intention 116718, and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126739, approving diagram of property affected or benefited by paving and otherwise improving Dudley Street, Resolution of Intention 120267, and to be assessed to pay expenses thereof; directing Clerk of the City at time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item had been continued to this meeting from meeting of May 31.

RESOLUTION 126740, authorizing and empowering City Manager to do all work in connection with construction of alterations to equipment shed at Chollas Yard to provide lubrication and repair facilities, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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The next item was continued from the meeting of June 2, after it had been adopted that day, and action reconsidered.

RESOLUTION 126741, authorizing and directing City Manager, for and on behalf of the City, to make application to Board of Supervisors of County of San Diego, and to take all necessary steps to acquire from State of California portions of Blocks 82 and 118 in Morena Subdivision, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126742, directing City Attorney to file petition with Board of Supervisors of County of San Diego requesting that all taxes of record against portions of Block 13 Electric Line Addition and Block 32 Mission Beach Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to the State for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126743, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of water pipe line and appurtenances across portion of Lot 3 Marcellena Tract, and that public interest, convenience and necessity demand acquisition of easement to be used by the City for construction of the water pipe line and appurtenances; declaring intention of The City of San Diego to acquire it 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 the easement, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126744, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 23 locations, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126745, authorizing and empowering City Manager to do all work in connection with converting drag type beach screen to vibrating paddle wheel type, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126746, authorizing City Manager to employ Griffith Company to remove and reconstruct 17 lineal feet of curb and 77 square feet of sidewalk on Akron Street northerly of Trumbull Street, cost not to exceed \$72.50, payable from Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Resolution says that The City has entered into contract with Griffith Company for improvement of Akron Street under 1911 Street Improvement Act proceeding, that Drawing 11800-L shows work in addition to proceedings, and that Griffith has offered to do work for price stated and City Manager has recommended acceptance and work be done.

RESOLUTION 126747, authorizing and empowering City Manager for and on behalf of The City of San Diego to enter into contract with Solomon Building Company, a corporation, 1034 8th Avenue, San Diego, subdividers of San Miguel Terrace, providing for circulation and better supply to entire area, by tying ends of mains together, to serve area along San Miguel Avenue and 42nd Street south of Ocean View Boulevard, and benefit existing services, at request of the City for reimbursement by the City to subdividers of \$750. upon execution and delivery to the City of quitclaim deed conveying all right, title and interest to water distribution system in San Miguel Terrace Subdivision, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.



RESOLUTION 126748, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with J. C. Hendricks, dba Business Extension Bureau for exchange of information as to new businesses, business transfers and related data, Document 513910, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126749, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with Dr. Carl Wilson, Los Angeles, California, Consulting Technologist on water purification, for services for 1 year beginning July 1, 1955, at monthly compensation of \$100.00, in connection with purification of City's water supply, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126750, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, Extension Agreement with Cleveland National Forest entered into in 1945, Document 355824, as modified by Document 404660, for payment by City of San Diego of total of \$3240.00 per year, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126751, approving Change and Extra Work Order 1 dated 13 May 1955, filed with City Clerk as Document 513476, issued in connection with contract between The City of San Diego and A. O. Reed & Company for construction of and replacement of water pipes in Sky Chef Restaurant, Administration Building, Lindbergh Field, contract Document 510174, changes amounting to increase of \$55.00, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126752, granting revocable permit to Mary K. Dougherty, 3568 Keating Street, San Diego, to install and maintain steps and landings: portion Lot 24 Block 2 Middletown Addition, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126753, granting revocable permit to Robert W. Weber, 527 Genter Street, La Jolla, to install and maintain 1" copper water line under Pearl Street from northerly 100' Lot 5 Beverly Heights Addition, La Jolla Park, to City water main in Cabrillo Avenue at Pearl Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126754, granting revocable permit to Robert W. Weber, 527 Genter Street, La Jolla, to install and maintain driveway ramp and possible future retaining wall over and across Miramar Avenue, approximately 10' wide along east side of street adjacent to property line, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126755, authorizing and directing City Auditor and Comptroller to transfer:

- \$480.00 from Mayor's Fund to City Council Fund;
- \$3,250.00 from General Services Division Fund to Property Division Fund;
- \$450.00 from Library Fund to Governmental Reference Library Fund;
- \$2000.00 from Montgomery Field Impounded Savings to Park and Recreation Department Fund;

\$8,000.00 from Public Works Department Impounded Savings to Park and Recreation Department Fund

\$3,300.00 from City Engineer's Impounded Savings: to Planning Department Fund; Civil Service Department Fund; City-County Administration Building Fund; Social Service Department Fund -  
was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126756, authorizing V. M. Capesius, Director of Building Inspection Department, to attend Institute in Building Department Administration, sponsored by University of Southern California and Pacific Coast Building Officials Conference, in Los Angeles June 13 through June 18, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126757, denying claim of Dorothy M. Byers, Document 512912, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126758, vacating southwesterly 9.00 feet of northeasterly 15.00 Lot 14 Scripps Estates Associates Subdivision, excepting a portion, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution says that Subdivision of Scripps Estates Associates map was filed July 22, 1953 in office of Recorder of San Diego County, and established easements; that they have not been used for purpose for which acquired and the City has no present or prospective use for easements and City Manager recommends that City abandon its interests. It declares that from and after date of order of vacation title to land previously subject to easement shall revert to owners of the land free from rights of the public. It authorizes and directs City Clerk to cause certified copy of Resolution, attested under seal, to be recorded in office of County Recorder of County of San Diego.

RESOLUTION 126759, vacating easement for right of way for sewer in portion Block 84 Villa Tract La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution says that by deed dated February 23, 1950, The City acquired easement over portion Block 84 and Primrose Drive closed in Villa Tract La Jolla Park; that since acquisition of easement it has not been used, nor has it been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation, that it is unnecessary for present or prospective public use. It says that from and after date of order of vacation title to land previously subject to easement shall revert to owners of the land free from rights of public; and it directs and authorizes City Clerk to cause certified copy of Resolution, attested under seal to be recorded in office of County Recorder of County of San Diego.

RESOLUTION 126760, accepting quitclaim deed executed 26th day of May, 1955, by Harmony Homes, a corporation, 6610 El Cajon Boulevard, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, in public streets, rights of way, highways and public places, either within or without subdivision named College View Estates Unit 1, being subdivision of portion Lot 67 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126761, accepting quitclaim deed executed 26th day of May, 1955, by Harmony Homes, a corporation, 6610 El Cajon Boulevard, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, in public streets,

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rights of way, highways and public places, either within or without subdivision named College View Estates Unit 2, being subdivision of portion Lot 67 Partition of Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126762, accepting quitclaim deed executed 16th of May, 1955, by Solomon Building Company, a corporation, 1034 8th Avenue, San Diego 1, 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 San Miguel Terrace, being subdivision of portion Lots 17 and 18 Caruther's Addition; 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.

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 not later than day of final passage, a written or printed copy.

ORDINANCE 6530 (New Series), appropriating \$8,800.00 from Capital Outlay Fund for construction of traffic islands at Pershing Drive and Florida Street, 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.

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

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

ORDINANCE 6531 (New Series), establishing grade of Paul Jones Avenue, between line parallel to and distant 12.14 feet southerly from easterly prolongation of southerly line of Lot 8 Block 1 American Park, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, 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 Curran, the next ordinance was introduced.

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

ORDINANCE 6532 (New Series), establishing grade of 63rd Street, between westerly prolongation of radial line that passes through beginning of curb in westerly line of Lot 18 Acacia Park, and northwesterly line of El Cajon Boulevard, 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.

The next item was on the agenda for meeting of June 2, 1955, and referred to Conference that date.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance amending San Diego Municipal Code by adding new section to be known and

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numbered Section 67126 - \*\*\*"Adjustment of Water Bills - Authority therefor"\*\*\*, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

(The City Manager's explanation of the reason and the effect of the Ordinance was explained at the June 2, 1955 meeting).

+ On motion of Councilman Burgener, seconded by Councilman Kerrigan, ordinance repealing Ordinance 5300 (New Series), entitled "An Ordinance Amending Chapter II Article 2 Division 2 of San Diego Municipal Code by adding thereto a new section, to be numbered Section 22.0225, which authorizes the creation and maintenance of a bureau or department of Finance" adopted August 19, 1952, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance changing name of Lambeth Drive to Lorca Drive, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, ordinance changing name of portion of Logrono Drive to Lorca Drive, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

+ At this point reference was made back to the Ordinance which was introduced, repealing the Ordinance which had created the bureau or department of Finance. The City Manager was asked if it was recommended by the Charter Committee. The City Manager's reply was "yes".

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance incorporating portions of Blocks J and K Fairmount Park into C and CP Zones, as defined by Sections 101.0410 and 101.0411 respectively of The San Diego Municipal Code, and repealing Ordinance 35 (New Series) insofar as it conflicts, was introduced by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

(A hearing had been held May 24, 1955, on this proposed zoning).

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

RESOLUTION 126763, setting public hearings for June 28, 1955 (Tuesday) at 10:00 A.M., and for June 30, 1955 (Thursday at 10:00 A.M., in the Council Chamber, on the Annual Appropriation Ordinance proposed to be adopted for the fiscal year 1955-1956 - The Budget - directing the City Clerk to publish the proper notices, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

\* In connection with hearing held earlier, on assessment for installation of sewer mains in Alleys Blocks 111, 121, et al, City Heights and various streets, Councilman Williams said that people are here, and that they should talk to the City Engineer.

Mayor Dail said that the City Engineer, who is conferring with another group, will be back soon. He said that the Council should take a 5 minute recess. It will be shown again.

At 10:32 o'clock A.M., the Council took a recess for 5 minutes.

Ords introduced  
126763.

Reference back to hearing on assessment for Alleys Blocks  
111 City Heights, et al

Upon reconvening, at 10:39 o'clock A.M., the roll call showed all members of the Council present.

The Council returned to the hearing in connection with which the City Engineer had met with appellants in the room adjoining the Council Chamber - for paving of Clove Street, Plum Street, Oliphant Street, and Newell Street - Assessment 2363 - the City Engineer reported a 15.3% protest on an area basis.

Councilman Burgener spoke to property owners who were present, and they spoke to him.

Mayor Dail said that the only choice the Council has is to approve the assessment on an equitable basis. He stated that the district can't be changed, and that this is the same formula used for many years.

Councilman Burgener asked for amounts of individual assessments on Oliphant frontage.

Willard Olson, from the City Engineer's answered questions put by an unidentified woman on amounts. He told of previous assessment on Capistrano. He continued to explain individual parcels' assessments.

Councilman Schneider spoke to Mr. Olson, who answered his questions.

The same woman continued to speak about the assessments.

Mr. Olson answered her, and continued with detailed explanation on the assessment roll.

Councilman Kerrigan was excused

The City Engineer made an explanation, regarding the drain cost, from a plat which he exhibited. He said he had included with with the other improvements.

Councilman Kerrigan returned

The City Engineer told about the spread of each of the improvements. He showed a detailed work sheet on each item on each parcel, and said that it was done under State law.

Individual Councilmen spoke to the City Engineer, and replied to each question addressed to him.

Councilman Burgener pointed out that in some areas the City has contributed to the cost of the drains.

The City Engineer stated that the drain is a minor item on this project.

The Mayor stated, after looking at the Clerk's file, that some had protested earlier. He said that the Council had to proceed, on account of the small protest.

Councilman Burgener asked that if the City could contribute, how much would it be.

The Mayor stated that the work has been done.

Councilman Curran spoke to property owners, regarding this assessment, and previous assessments.

The City Manager said that this assessment "stands on its own legs".

Another unidentified woman spoke about Lot 11 Block 6. She said it is in the middle of the block, but that she has an assessment of \$150.15.

There was discussion between Councilman Burgener and the City Engineer on the point just presented. The City Engineer pointed it out on his map. He stated that assessments vary block to block, and that he tries to have each block stand on its own.

Councilman Williams spoke to the City Engineer.

The Mayor said that it is a problem for the Council, which is protecting the property owners' interest. He said that there is no way to do anything other than what is equitable. He stated that the only remedy property owners would have would be to attack the assessment in Court, which would be the only way to throw it out. He said that the Council has gone over it carefully with the City Engineer.

Mr. Harmelink spoke to Mr. Olson.

Mr. Olson said that the assessment includes the drain; that if the Council confirms the assessment "that's it".

Meeting reconvened  
Hearing resumed on  
assessment for Clove  
St., et al improvement

RESOLUTION 126764, overruling and denying appeal of Matt Buday and Elizabeth Buday, and appeal of property owners from Street Superintendent's Assessment 2363 made to cover costs and expenses of paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, Resolution of Intention 118395; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Williams had been down in the audience section, talking to a group of property owners who were interested in Street Superintendent's Assessment 2359 for sewers in Alleys Blocks 111 and others in City Heights, Thorn Street, Redwood Street, Unnamed Street and Public Rights of Way.

(The assessment had been confirmed, but the Resolution not numbered, in view of the following).

On motion of Councilman Wincote, seconded by Councilman Schneider, action taken earlier, was reconsidered.

Councilman Williams recommended that 1 of the group act as spokesman.

Mrs. Mamie Collins told the Council that she has 6 lots, that sewer and water had been put in for only 5. She asked if she was assessed for 6. Mrs. Collins identified the lots as 16, 17, 18, 19, 20, 21.

Willard Olson, from the City Engineer's Office, referring to the assessment plat, said that Lot 21 is not assessed; it is in the canyon.

Mrs. Collins asked if the amount sent out is correct.

Mr. Olson said "yes, it is correct"; Lot 20 is in the canyon, assessment on that one was reduced, too.

Councilman Williams spoke to Mrs. Collins, and told her that it is correct.

Councilman Kerrigan told Mrs. Collins, and others interest, of the manner of payment provided.

Councilman Schneider explained the same thing.

Charles Carter, 3078 - 39th Street, told of having had a letter with the approximate amount. He said he had no protest, was here "just to hear and see".

Mr. Olson said that the amount is correct.

Councilman Kerrigan said that when the Council approves (confirms the assessment) it will be the right amount.

Mr. Carter said that some had thought the bills were for paving.

The Mayor said that it is for only sewer.

Councilman Kerrigan said that it could be another (although his meaning was not clear).

Charlie Smarte, 3121 - 38th Street, spoke. He said that the bill was high, and wondered how it can be. He told the Council he has 3 lots.

Councilman Williams stated that assessment is \$105.03 on each lot, that notice is correct, and is the same as the neighbors'.

Mr. Smarte said that some do not have so much.

The Clerk checked the property of Mr. Golsten, to whom Mr. Smarte had referred. He said that Mr. Golsten has 2 lots and a fraction - \$5.00 is the assessment on the small portion.

Councilman Burgener spoke to Mr. Smarte.

Councilman Williams told the interested individuals in the audience section that they should confer with the Engineer for details. He explained the payment to Mr. Smarte.

RESOLUTION 126765, overruling and denying appeals of Theodore S. Steele and Viola Steel, Raymond Fox, from Street Superintendent's Assessment 2359 made to cover costs and expenses of installation of sewer mains in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144, 145 City Heights, Thorn Street, Redwood Street, Unnamed Street, and Public Rights of Way, Resolution of Intention 118980; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2359, authorizing and directing him to attach his warrant thereto and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.



The next item was not listed on the agenda:

Arthur E. Derrick, of the San Diego Fire Department, told the Council of a problem regarding holidays. He said that the men in the Fire Department had understood that they were to get 5 holidays, although the Chief said that there are only 4.

The City Manager said that there will be 5 set up in the ordinance, but that the ordinance will not be in effect until after July 4.

Mr. Derrick spoke of having had vacation (on that day, or for that day) last year. He said that City employees get about 11 or 14 holidays, and that they should have 5. Mr. Derrick said that Policemen and Firemen thought that they were to get 5 holidays. He said that they would like to get paid for the time worked, then, and that they are entitled to that.

Mayor Dail said that the Council did not pass the ordinance in time for July 4 to get in; there are 5 regularly.

Mr. Derrick asked the Council to reconsider.

The Mayor said that the Council is embarrassed; it can't.

Mr. Derrick said that Labor Day is considered a holiday.

The City Attorney, J. F. DuPaul, said that the matter involves Civil Services rules, which have not come in yet.

Mr. Derrick said he knows that he is not going to take the 4th off. He Derrick said that it is just administrative, only, regarding convenience of the department.

Mr. DuPaul said that it is still with the Civil Service.

Councilman Kerrigan spoke of having it, but not being recommended.

Councilman Williams said that 5 holidays have been awarded, and the Council should see if there is some way for them to be received.

The City Attorney told the Council that the matter starts with the Civil Service. He said that at the time the Council looks over the ordinance it can change it - but not until it comes from the Civil Service.

Mayor Dail said that it has not come down.

Mr. Derrick spoke of the Budget Department already setting up the schedules.

The Mayor said that it was sent to Krah (Raymond Krah, Personnel Director, who is secretary to the Civil Service Commission.

Harvey C. Harmelink, of the Fire Department asked if ordinance regarding holidays could be retroactive.

The Mayor said that it is not before the Council.

The City Manager said that there is no significance in naming the days; they have to be taken at the convenience of the department. He stated that it makes no difference to the departments if they are named, or not.

Councilman Curran spoke to the City Attorney about setting up 5 holidays, but not naming them.

The City Attorney said that if it is agreed, 5 could be allowed, but not be named.

There was no action on the unscheduled discussion.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:29 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August W. Hadsorn*  
Deputy

*Philip B. Stone*  
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, June 9, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilman Burgener  
Clerk--Fred W. Sick

Resolutions and Ordinances for this meeting are recorded on Microfilm 96

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance incorporating portions of Loma Alta No. 1 and Western Addition into C and C-1A Zones, the Clerk reported no protest.

The Mayor inquired if anyone was present to be heard.

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

ORDINANCE 6533 (New Series), incorporating portions of Loma Alta No. 1 and Western Addition into C and C-1A Zones as defined by Sections 101.0411 and 101.0411.1 of San Diego Municipal Code and repealing Ordinance 31 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Absent--Councilman Burgener. Nays--None.

Prior to the adoption, the reading was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of the Council written or printed copy.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance incorporating portions of Clairemont Units Nos. 7 and 8 into RC and C-1A Zones, 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.

ORDINANCE 6534 (New Series), 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 on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by the following vote; Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

Prior to the adoption, the reading was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of the Council written or printed copy.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on incorporating portions of Lots 1 and 2 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.

ORDINANCE 6535 (New Series), 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 Wincote, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilman Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

Prior to the adoption, the reading was dispensed with by not less than 4 members of the Council. There was available for consideration of each member of the Council written or printed copy.

The hour of 10:00 o'clock A.M. having arrived, the time set on petition for rezoning portions of the Highlands from R-1, R-1B and R-1C to M-1A - being portions of Lots 21 through 24 lying westerly of U.S. Highway 395 and all of Lots 25 and 28 and Lots 37 and 38 in the Highlands, the Clerk reported no written protests.

Report from Planning Commission, signed by P. Q. Burton, on petition for rezoning about 300 acres across from Montgomery Airport, was presented. It says area is generally under flight pattern of existing northwesterly runway on Montgomery Airport and proposed instrument runway. Report says that area is now zoned R-1B generally under an emergency ordinance, that portions of Lots 23 and 24 are in Zone R-1 and portion of 38 is in R-1Z - balance is in R-1B under interim zone ordinance. It says that first hearing on rezoning was held March 23, 1955, and after lengthy discussion, hearing was closed and decision held in abeyance until further study could be made of various problems involved. It says some of the problems were industrial engineers' report on City's tentative industrial development plan in the area to the north, the rumored expansion of Miramar Naval Air Station, the City's interest in building instrument runway on Montgomery Airport, protests of individual property owners who preferred a residential zone, and a needed community development plan for the entire area. Report says that rezoning was discussed also at Planning Commission meetings on April 6, April 29, May 4 and May 18, and that at each it was emphasized to the Planning Commission that one of the property owners in the area proposed to be rezoned had sold acreage to a toy manufacturer who was ready to start construction immediately. It says that at the last Planning Commission meeting the property owner stated that any further delay would cause the toy manufacturer to take his plant to Escondido, where a site had been offered for the plant. The report says that on May 18, 1955, the Planning Commission voted 4-1 to recommend that the area shown on Plat B-642 be rezoned M-1A. (Since the vote of the Commission was less than 5, the Council was to determine if the City Attorney is to prepare ordinance rezoning the property).

Glenn A. Rick, City Planning Director, showed the Council a map of the property: 300 acres north and west of Cabrillo Freeway, near Montgomery freeway. He pointed out on a large map various properties, identifying them. He said that the situation has not been cleared up on the Montgomery Field and on the Miramar Field. He said that the City Manager had asked this to be held up, and it was. He spoke of a survey of air conditions to be taken in the area. Mr. Rick said that the owner brought pressure regarding use of the property. He said that the item could not get before the Council unless the Planning Commission presented it.

Councilman Williams stated that he hates to see this put off, but that the airport plans cause the City to be in a spot. He spoke to Mr. Rick, who pointed out the runway.

Councilman Schneider declared that there is a tremendous amount of M-1 property in the area.

Councilman Burgener entered

Mr. Rick said "the owners are here".

Mayor Dail said that the Council can't set up an imaginary buffer, on a 12,000 foot line. He spoke to Mr. Rick regarding loans on building.

Councilman Burgener said that it has to stop somewhere. He asked Mr. Rick if Planning is working on an overall plan.

Mr. Rick replied that it is contingent on the Montgomery Airport situation.

Councilman Curran spoke to Mr. Rick, who pointed out areas on the map.

Earl Asbury told the Council that the problem of the City airport is important. He stated that he is an airport designer. He said that in Detroit there was the same thing regarding there being more homes; there was the same in Chicago and Los Angeles. He told of having bought near the trip, on account of the sewer. Mr. Asbury said he tried to buy City land, but that it was too expensive. He expressed willingness to trade. He said that "Lindbergh Field can't be used forever", and that the City will need another field. He said that North Island can be enlarged. He contended that there is no problem.

Mayor Dail said that those things have to be worked out in the survey.

Mr. Asbury said that industry favors aircraft, but that if the City does not control construction of homes, it will have the same problem as Douglas in Los Angeles. He urged licking the problem before it arises. He said that homes can't be allowed there.

Councilman Williams spoke to Mr. Asbury regarding location of his manufacturing plant if the airport does not go in. He asked if that would influence the project.

Mr. Asbury said no, but that it has great possibilities regarding air freight.

Councilman Williams asked if development would be done immediately.

Mr. Asbury said he hopes to develop immediately, and that he has to bring water only 1500 feet; the sewer is on. He said he has 6.7 acres of land.

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Councilman Schneider asked Mr. Asbury if he had made overtures regarding exchange of lands.

He said yes; to Mr. Blom (Assistant City Manager, and to Dr. Farr, whom he had bought out). He said that he bought a whole piece of property, so as not to split up a \$5,000. bond.

Councilman Schneider talked to the City Manager.

Mr. Asbury stated that he had talked to Mr. Blom, and it was indicated that there could be exchange, if rezoned. He said that he would do nothing, unless forced to.

Councilman Schneider said that the Council is not informed. He continued to discuss with Mr. Asbury regarding price, and exchange. He asked if Mr. Asbury is willing to exchange.

Mr. Asbury replied that he wants to see where he is going. He said he is on a sewer now, and wants to stay on a sewer.

Mayor Dail said that the Council should stay on this rezoning, that the Council is not a negotiating body. He talked directly to Councilman Schneider who answered him.

Councilman Williams said that the questions are pertinent. If said that if it is rezoned, it would not be rezoned in 6 months or a year. He said that it all hinges on the survey regarding the airport. He said he hates to see anything influence or hinder the airport.

Councilman Burgener asked about owning the 6.7 acres, and who owns the 300 acres.

Mr. Rick said that it is someone who is not asking for the rezoning. He showed the petition requesting the rezoning to Councilman Burgener.

George Hatch, representing his mother and his aunt - Mrs. Hatch and Mrs. Matthews - was heard. He spoke of their owning 60 acres; originally 100. He said that eventually the property should be zoned M-1A. He identified the land as being adjacent to and just south of the runway. He said that the City will take it, or it will be subsidiary to the airport. He suggested to Mr. Rick that it be held up until study is completed. He said that he is not interested in tin shack type of industrial development. He suggested delay.

Councilman Kerrigan asked if there would be a vote today, would it be for delay.

Mr. Hatch replied "a delay".

Mrs. Lee, 7452 Hyatt Street, said that until it is known what is to happen with the airfield, nothing should be done. She said that the small strip the City owns, would not be sufficient; the Asbury property would be valuable. She spoke about being home owners who have everything they own in the property. Mrs. Lee said that the sewer and water which were installed, were for homes. She said that there are people from Los Angeles who have taken options for homes, across from Montgomery airport. She pointed out the land owned by her, for Councilman Burgener, on a map.

Mr. Anderson told the Council that he owns 2-3/4 acres in the south portion of Lot 37, which he bought for a nursery, and that he has a wonderful well. He stated that M-1A would be suitable for him. He said he feels it would not be a good idea to object regarding Montgomery Field. He showed Councilman Burgener the property, on a map.

Mrs. Dkinins stated that she owns portion of Lot 28. She spoke of having loans to build, and work has started. She said she opposed the rezoning, that there is no problem from the airfield. She asked that property be left residential.

Mrs. A. R. Heap stated that she lives in the County, adjoining the land which is proposed to be rezoned. He said that she opposes it for 10 families. She said she lived there before it was determined that there was to be a field. She spoke to Councilman regarding flight pattern not being there. She objected to M-1 zoning, until it has been determined regarding the airport.

Councilman Schneider spoke to Mr. Asbury, and asked if it is a possibility regarding exchange for business, or if there is an exact amount that can be rezoned in R-1A

Mr. Asbury said that rezoning would enhance the property, but that the runway should be protected. He said he thinks something can be worked out. He said that he can either see it rezoned, or exchange with the City. He said that his getting other property is out. He pointed out, for benefit of Councilman Burgener, property.

Councilman Schneider started to speak to Mr. Asbury, but made no statement.

The Mayor interrupted Councilman Schneider saying that this should go to Conference for discussion, his questions have no bearing.

Councilman Schneider said that a threat was made on the phone (he changed that to "intimation") that the toy manufacturer might move to another city. He said he is

willing to pursue the idea of exchange.

City Attorney J. F. DuPaul said that has nothing to do with zoning. He said that this hearing has to do with the proper zoning. He said that it is extraneous regarding statements, threats and implied threats. He said this has nothing to do with threat. Mr. DuPaul said "he" owns 6 acres 0 there are 300 acres involved. He repeated that threat has nothing to do with the zoning. If the property owner feels it would pay him to go to Escondido, he will, but that has nothing to do with this."

Councilman Curran moved to refer the item back to the Planning Commission. Councilman Evenson seconded the motion.

Mr. Nestor said he is associated with Mr. Asbury. He said that Planning has considered a lot of things in the area, and he feels it should go M-1A. He stated that the Council should not delay; many are anxious to get going. He said that "people become angry at the whole set up."

Councilman Burgener said that this would be a symbol of what will happen on the Mesa.

Mr. Nester said, again, that there should be rezoning to M-1A.

Councilman Burgener spoke to Mr. Nestor about his opinion.

Mr. Nestor said that if there is an airport strip, the property can stay as it is.

Councilman Burgener, speaking to Mr. Nestor, said that there will be problems.

Answering question regarding ownership, Mr. Nestor replied that it has been owned about 3 months, surveyed for a year. He said that the whole area was checked, including El Cajon.

Councilman Curran called for the question, but the roll was not called.

Councilman Williams said that the Council would not accomplish what it is supposed to do, if it does not act on orderly development of airport. He said this is a public hearing, maybe this is the place it should come up.

Councilman Kerrigan said that Planning did not have the information. He said he would just as soon file the item; he is not ready to vote for rezoning today.

Councilman Burgener said that the Council should develop a policy, and that he opposed sending it back to Planning, but is in favor of sending the item to Conference.

Councilman Kerrigan moved to continue 1 month, and refer to conference.

Mr. Nestor said there are adequate reports.

Councilman Kerrigan said that he can vote against the rezoning - right now. The motion was withdrawn.

Councilman Kerrigan moved to file the matter. Motion was seconded by Councilman Schneider.

Mr. Hatch spoke again, and said he hopes Planning will make a proper study.

Councilman Burgener asked who defined the boundaries of the proposed rezoning.

Mr. Rick replied he thought the applicant did. He said that people who object are "right in the center".

Councilman Burgener showed map to Mr. Nichols, who had not been heard.

Mayor Dail said that filing is tantamount to dying.

Mrs. Beall, Lot 36, spoke. She asked the Council to sit at the end of the runway, and members would get the effect of what she was thinking. She spoke of her Dad's home having been bought for little. She referred to having wells on her property, and of there being 1,000 acres zoned. She spoke of there being lots of confusion from the jet planes. She said the Council in a body should drive over the area. She declared it to be a shame to put in the planes, to take away homes. She identified her location, as Aero Drive and 395 (highway 395).

Roll was called on motion to file. It showed the following: Yeas-- Councilmen Schneider, Kerrigan, Curran. Nays--Councilmen Burgener, Williams, Evenson, Mayor Dail. Absent--None.

Councilman Burgener said that somebody is faced with the problem of where industrial property ends. He said he thought there was no question that Montgomery Field was to be the major airport of the City - now there are grave doubts.

Councilman Burgener moved to continue the hearing 2 weeks. Motion was seconded by Councilman Williams.

Councilman Kerrigan said the Council should direct the City Attorney to prepare the ordinance. He said that the people have all the rights they need. He contended that study will not be made in 2 weeks; it will be 3 to 6 months. He said that an answer is not possible. He said that the Council will not have the answer, regarding the airport study. He said that questions should be answered. He said that if the item is filed, the Council can revive it any time.

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Councilman Williams said that information might be acquired in 2 weeks. Councilman Evenson observed that the Council is asked to make a decision in minutes.

Councilman Burgener said that he would like to explore the entire picture. Councilman Kerrigan said that there is not a proper study, that if answer is wanted today he would vote "no".

Roll was called on motion to continue the hearing 2 weeks - to June 23, 1955. Results were: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-Councilman Schneider. Absent-None.

Application of Salvatore Spinali for certificate of necessity to operate one automobile for hire - limousine - was presented.

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

Report of Purchasing Agent on low bid of W. H. Barber - 7 bids - for construction of sewer main, water main, electrical and telephone ducts for Comfort Station and Dressing Room Buildings at De Anza Cove, Mission Beach Park: \$15,081.30, was presented. Report is approved by City Manager.

RESOLUTION 126766, accepting bid of W. H. Barber for construction of improvements for Comfort Station and Dressing Room Building at De Anza Cove; 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 on low bid of Cameron Brothers Construction Company - 5 bids - for construction of Storm Drain in Mission Bay Southwesterly from Ventura Boulevard and Midway Drive: \$7788.84, was presented. Report is approved by City Manager.

RESOLUTION 126767, accepting bid of Cameron Brothers Construction Company for construction of Storm Drain in Mission Bay Southwesterly from Ventura Boulevard and Midway Drive; 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 on low bid of United States Pipe & Foundry Co. for furnishing 2,200 ft. 6" cast iron pipe @ \$3,871.60 net price including State Sales Tax - 4 bids by 3 bidders - was presented. Report is approved by City Manager.

RESOLUTION 126768, accepting bid of United States Pipe and Foundry Company for furnishing Cast Iron Pipe, Class 150; 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 126769, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Asphaltic Plant Mix Surfacing Material for 1 year beginning July 1, 1955, under Document 513926, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126770, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Liquid Chlorine for 1 year beginning 7/1/55, under Document 513927, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



RESOLUTION 126771, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 20 tons of Copper Sulphate, Snow Crystals, under Document 513928, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126772, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Decomposed Granite (approx. 10,000 sq. yds.) for 1 year beginning July, 1955, under Document 513929, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126773, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Ferric Chloride for 1 year, beginning July 1, 1955, under Document 513930, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126774, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Rental of Dump Trucks for 1 year, beginning July 1, 1955, under Document 513931, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126775, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing City's requirements of Ready-Mix Concrete for 1 year, beginning July 1, 1955, under Document 513932, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Record of Survey in lieu of final subdivision map on Lots 8 & 9 Block 6 Encanto Heights, was presented.

RESOLUTION 126776, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, on portions Lots 8 and 9 Block 6 Encanto Heights, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

RESOLUTION 126777, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego a contract with Paul A. Wenhe for installation and completion of unfinished improvements and setting of monuments required for Marine View 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 126778, adopting Map of Marine View Terrace Subdivision, subdivision of Lot 124 and portion Lot 125 Morena, accepting on behalf of the public Magdalene Way, portion of Orten Street, portion of Galveston Street and unnamed easements, declaring them 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 Burgener, seconded by Councilman Kerrigan, adopted.

Communications - L. J. ... - opposing a Baseball Park in Balboa Park,

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were presented.

On motion of Councilman Schneider, seconded by Councilman Williams, they were referred to the Planning Commission.

Communications favoring a Baseball Park in Balboa Park, were presented. On motion of Councilman Schneider, seconded by Councilman Williams, they were referred to the Planning Commission.

Communication from Joshua L. Bailey Jr. regarding use of part of Torrey Pines Park for establishment of a golf course, was presented. It says that there can be no objection to the City going into the golf business if that is found profitable, but that the course should not be placed where it would serve the interests of a specialized group and be detrimental to the City as a whole. It refers to the natural wild growth in the area, now included in the park, which represents plant association formerly found elsewhere within the City limits, but not found anywhere else. It cites that condition as reason chiefly cited for protection and preservation of the park.

Communication from Jack Schrade, member of the California Legislature - Assemblyman from the 80th District - was presented. The communication dated June 7, 1955 reports that Senate Bill 144 (which appropriated \$200,000 for the San Diego-Coronado Tube study) has passed the Assembly with a unanimous vote. It calls attention to the splendid job that Mayor Walter Vestal and Councilman Robin Goodenough of Coronado did while in Sacramento.

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

Communication from City Attorney, signed by Aaron W. Reese, Deputy, and approved by J. F. DuPaul, dated June 7, 1955, was presented. It advises that the Atchison, Topeka & Santa Fe Railway Company has applied to the California Public Utilities Commission for authority to increase passenger fares within California by approximately 33%. It says that application has been analyzed by Clarence Winder, City Utility Consultant, who advises that financial condition of applicant does not justify fare increase. It recommends that the City file an appearance as an interested party; that by appearing in that capacity the City will be in a position to take any action that may be warranted by evidence at conclusion of applicant's case.

RESOLUTION 126779, authorizing and directing Clarence A. Winder to appear in matter of application of Atchison, Topeka & Santa Fe Railway Company for increased passenger fares, Application 36802, and that appearance be filed on behalf of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Bird Rock Merchant's Association, 5676 La Jolla Boulevard, La Jolla, dated June 6, 1955, signed by 5 individuals, was presented.

RESOLUTION 126780, referring to Budget Conference communication from Bird Rock Merchant's Association, requesting information on traffic signal light at intersection of Bird Rock Avenue and La Jolla Boulevard, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Carbon copy of communication from G. C. Welden, Box 54 Rancho Santa Fe, California, dated June 1, 1955, addressed to the County Assessor - protesting denial of veteran's tax exemption, and requesting explanation - was presented.

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

Communication from Carol Reid, 3530 - 5th Avenue, San Diego 3, dated Jan. 3, 1955, expressing concern regarding lack of sanitary inspection in dental offices, and referring to injury she received last November on a San Diego Transit Company bus, etc., was presented.

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

Communication from Anna Sophia Emerson, 3955 St. James Place, dated June 5, 1955, urging favorable consideration to request of Fine Arts Gallery in Balboa Park for \$10,000 to help maintain the Gallery, was presented.

RESOLUTION 126781, referring to Budget Conference communication from Anna Sophia Emerson, urging favorable consideration of request of Fine Arts Society in 1955-1956 budget, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Harold C. Torbert, M.D., F.A.C.P., 2290 Sixth Avenue, urging denial of application of San Diego Symphony Society for increase in grant from City and County from \$5,000. each to \$10,000. each, was presented. It mentions the writer having been former member of Board of Directors who served for past 5 years, and last 2 years as vice president of San Diego Symphony Association. It says that he is interested in music, and protest is merely against increase in subsidy allowed because of interest in tax rate, also.

RESOLUTION 126782, referring to Budget Conference communication from Harold C. Torbert, M.D. re grant of money in 1955-1956 budget to San Diego Symphony Society, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's approval, recommending granting petition for improvement of Arroyo Drive northeasterly from Curlew Street by private contract, was presented.

RESOLUTION 126783, granting Archie R. Hill permission to grade and otherwise improve portion of Arroyo Drive by private contract, under Document 513756, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126784, ratifying and approving act of the Street Superintendent in correcting clerical error in Assessment Roll 2340 with respect to Assessments 93 and 95 - for improvement of Klauber Avenue, et al - was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by Assistant City Manager, recommending informal contract and payment from Ordinance 5341 N.S. of \$132. in connection with 1911 Improvement Act contract awarded to John B. Henry for improvement of Alley Block 27 H. M. Higgins' Addition, et al, was presented.

RESOLUTION 126785, authorizing modification of contract with John B. Henry for improvement of Alley Block 2 Bartlett Estate Company's Subdivision, the North and South Alley Block 27 H. M. Higgins' Addition, et al, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. It authorizes Auditor to draw warrant for \$132.00 payable from Ordinance 5341 (New Series).

Communication from Harbor Commission, signed by John Bate, dated 6 June 1955, enclosing for approval form of Clarification Amendment being entered into with Solar Aircraft Company, was presented. It states that amendment combines all of amendments and master lease into one document. It reports that term in years and rental have not been changed, but that map covering leased area has been brought up to date, clarifying a confused set of documents.

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RESOLUTION 126786, ratifying, confirming and approving Clarification Amendment, copy on file in Office of City Clerk as Document 513912, between The City of San Diego, acting by and through Harbor Commission, Lessor, and Solar Aircraft Company, California corporation, Lessee, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, signed by John Bate, dated 6 June 1955, enclosing for approval form of assignment of Star Fishers lease to Catherine B. Ghio, Cottardo M. Ghio, Anthony A. Ghio and Roy Weber - drawn in accordance with established policy of Harbor Commission, was presented.

RESOLUTION 126787, ratifying, confirming and approving Agreement for Assignment of lease, copy filed with City Clerk as Document 513915, entered into between Vincent Petrasich and Dinko Kovacevish, co-partners, doing business under name and style of Star Fisheries of San Diego, assignor, and Catherine B. Ghio, Cottardo M. Ghio, Anthony A. Ghio and Roy Weber, assignees, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126788, giving notice of proposed annexation to The City of San Diego of uninhabited territory in Lot 73 Rancho Mission of San Diego, Lot 2 of Resubdivision of Fanita Rancho, Lots 1 and 2 Block "H" and Lots 1 to 6 inclusive, Block "G" including unnamed street between Lot 2 Block "H" and Lot 1 Block "G" Fanita Rancho, and portion Tract "T" and Tract "C" Rancho El Cajon, and Lot 7 Subdivision Map of Part of Fanita Rancho, "T" Tract, to be known and designated as "Mission Reservoir Lands", which territory if annexed, shall be added to the San Diego Unified School District, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution states that City Manager has recommended that the territory, together with approximately 82.2 acres of uninhabited territory in Camp Elliott located in northwest quarter of Section 25 Township 15 South Range 2 West S.B.B.M., belonging to the United States Navy, be annexed to and incorporated in The City of San Diego, in order to prevent it from being included in new water district which is being formed in the adjacent County area, and that the United States Navy by and through Acting Commandant of Eleventh Naval District has consented to the annexation.

RESOLUTION 126789, authorizing City Manager to accept work on behalf of The City of San Diego in Catalina Estates Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126790, authorizing City Manager to employ H. C. Dennis to do work of curb and sidewalk, according to Drawing 11316L, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution states that Dennis has a 1911 Street Improvement Act proceedings contract for improvement of portions of Jefferson Street, Moore Street, Conde Street, and Harney Street, that he has offered to do work at \$549.12, and City Manager has recommended acceptance - to be paid from Ordinance 5341 (New Series).

RESOLUTION 126791, authorizing City Manager to employ Griffith Company to install concrete pipe culvert easterly of intersection of Soto Street and Castelar Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states that City Manager has recommended doing the work under 1911 contract of Griffith Company for not to exceed \$136.00 - to be paid from Ordinance 5341 (New Series).

RESOLUTION 126792, ratifying and approving action of Board of Directors

of the Zoological Society of San Diego, Inc., increasing regular admission price for a visit to the Zoological Gardens from forty cents (40¢) to fifty cents (50¢) per person, effective July 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126793, establishing fees for use of the Municipal Golf Course, as recommended by City Manager and Park and Recreation Director - set out in the Resolution - rescinding Resolution 126218, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126794, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Grant D. Horton, owner and operator of Horton Variety Store, 6417 Imperial Avenue, Encanto, for collection of water bills of The City of San Diego - as set out in the Resolution - terminating agreement with A. D. Lyles for collection of water bills, Document 418575, effective June 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126795, authorizing City Manager to execute, for and on behalf of the City, lease with Lester T. Morgan of buildings and appurtenances at El Capitan Reservoir for operation of concession and snack bar, as outlined in Document 514033, for 5 years, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution states real property has value of \$4,000. as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable.

RESOLUTION 126796, authorizing and empowering City Manager to execute, for and on behalf of City, agreement with Lester T. Morgan to sell permits and tickets on behalf of the City, at El Capitan Reservoir, under Document 514034, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126797, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 5.0 feet Lot 9 Block 99 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126798, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 5.0 feet Lot 8 Block 99 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126799, 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 Block 8 Larchmont, 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

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secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126800, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Block 4 Larchmont, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126801, 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 3 Larchmont, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126802, 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 1 Block 3 Larchmont, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126803, 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 1 Block 6 Larchmont, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126804, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Block 4 Larchmont, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126805, 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 1109, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126806, denying claim of Myrtle Alexander, Document 503286



was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 126807, denying claim of Walter D. Charles, Document 513481, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 126808, allowing bill of San Diego Convention and Tourist Bureau, dated May 23, 1955, \$2,960.54, for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund of The City of San Diego for fiscal year 1954-1955; rescinding Resolution 126393 adopted May 19, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 126809, accepting deed of Horner-Golem Company, May 4, 1955, conveying portion Lot 4 Block 6 Homeland 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 Williams, and seconded by Councilman Curran, adopted.

RESOLUTION 126810, accepting deed of R. E. Hazard Contracting Company, June 1, 1955, conveying easement and right of way for sewer purposes in portion Lot 67 Rancho Mission of San Diego, according to partition map filed in office of County Recorder; 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 Evenson, adopted.

RESOLUTION 126811, accepting deed of Housing and Home Finance Agency, Public Housing Administration of the United States of America, May 9, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1190; 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 Evenson, adopted.

RESOLUTION 126812, accepting deed of Edward J. Moore and Edwena B. Moore, May 20, 1955, conveying easement and right of way for sewer purposes in portion Block 9 and Block 12 Crittenden Addition, Brooks Avenue Closed and 8th Avenue Closed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126813, accepting deed of Edward J. Moore and Edwena B. Moore, May 20, 1955, conveying easement and right of way for sewer purposes in portion Block 9, and Block 12 Crittenden Addition, Brooks Avenue Closed and 8th Avenue Closed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 126814, accepting deed of Kermit M. Davis and Frances J. Davis, May 27, 1955, conveying easement and right of way for storm drain purposes in portion Lot 63 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 Evenson, adopted.

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RESOLUTION 126815, accepting deed of Housing and Home Finance Agency, Public Housing Administration of the United States of America, May 9, 1955, conveying easement and right of way for storm drain purposes in portion Pueblo Lot 1190; 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 Evenson, adopted.

RESOLUTION 126816, accepting deed of San Diego Unified School District of San Diego County, May 10, 1955, conveying easement and right of way for water main purposes in portion Lots 25 and 28 and Blakeley Avenue (closed) of Waterville Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

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

ORDINANCE 6536 (New Series), amending Section 33.1106 of The San Diego Municipal Code regulating Pawnbrokers and Second-hand dealers, 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 Kerrigan, seconded by Councilman Schneider, 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 written or printed copy.

ORDINANCE 6537 (New Series), amending Section 84.01 of The San Diego Municipal Code making unlawful U-Turns by the driver of a vehicle at hazardous or congested street intersections and providing City Manager shall erect signs, 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 Kerrigan, seconded by Councilman Burgener, reading of the next ordinance prior to final passage, was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6538 (New Series), changing name of Alamo Place to Toledo Drive; Vantage Drive to Valencia Drive; and Calvert Way to Casita Way, 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.

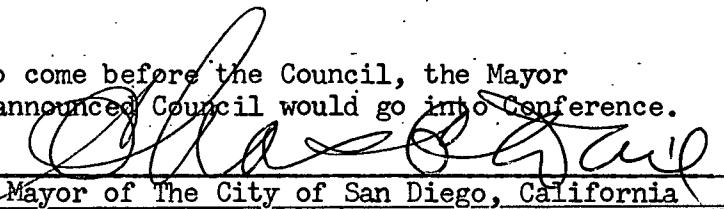
(There had been 1 "no" vote at the introduction, June 2, 1955).

Councilman Kerrigan announced that he is going to Ventura in connection with a water matter. He said that no Resolution authorizing the trip would be needed, in that expense would be less than \$25.00.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:02 A.M. He announced 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, June 14, 1955

Present—Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail  
Absent---Councilmen Burgener, Evenson  
Clerk----Fred W. Sick

Mayor Dail presented Dr. William M. MacInnes, of the College Park Presbyterian Church. Doctor MacInnes gave the invocation.

Councilmen Burgener and Evenson entered.

Resolutions and Ordinances are recorded on Microfilm Roll 96.

Awards were presented to the following City employees, honoring their service with the City of San Diego:

Mrs. Leona Hall, supervisor of the History and World Affairs Section of the Central Library - 25 years;

Robert L. Ott, construction and maintenance man I in the Water Distribution Division of the Water Department, 20th and B - 20 years;

Byron M. Peace, gardener for the City Park and Recreation Department - City park in La Jolla - 20 years;

George W. MacBride, Plant Operator for the Water Production Division at Torrey Pines Filter Plant - 20 years;

Earl E. Grate, Captain in command of Fire Station No. 7 - 20 years;

Francis J. Riedy, in charge of the cement section as Construction and Maintenance Senior Foreman - 20 years.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Regular Council Meetings of Tuesday, June 7, 1955, and of Thursday, June 9, 1955, were approved without reading. They were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been opened Friday, June 10, on 1911 Act, for improvement of Alley Block 80 Pacific Beach - from 4 bidders.

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

The Purchasing Agent reported in writing that bids had been opened Friday, June 10, on 1911 Act, for improvement of E Street, 28th Street, 29th Street - from 5 bidders.

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

The Purchasing Agent reported in writing that bids had been opened Friday, June 10, on 1911 Act, for improvement of 33rd Street, Durant Street, Webster Avenue, Gillette Street, etc. - from 5 bidders

On motion of Councilman Schneider, seconded by Councilman Kerrigan, finding was made by the Council that bids were opened as reported. By the same motion, 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~~ ~~having arrived~~, time set for hearing on 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; the Clerk reported written protest from Virginia L. Butler (Mrs. J.E.).

The protest was read to the Council by the Clerk.

The City Engineer, asked about it, reported that there had been a majority petition.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126817, overruling and denying protest of Mrs. Virginia L. Butler against improvement of Alleys in Teralta and Sterlingworth, and Teralta, Resolution of Intention 126201; overruling and denying all other protests, was on motion of Councilman Schneider, 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, time set for hearing ~~having~~ on Resolution of Intention 126202 for paving and otherwise improving Frost 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 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 of Intention 126203 for paving and otherwise improving Roosevelt 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 Wincote, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126338 of Preliminary Determination for paving and otherwise improving Alley Block 33 Fairmount Addition, 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 126818, determining that paving and otherwise improving Alley Block 33 Fairmount Addition to City 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 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 126339 of Preliminary Determination for paving and otherwise improving Hugo Street, the Clerk reported no protests.

RESOLUTION 126819, determining that paving and otherwise improving Hugo Street is feasible and that lands to be assessed will be able to carry burden of proposed

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assessment, also finding and determining that public convenience and necessity require 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.

There were no verbal protests.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126340 of Preliminary Determination for paving and otherwise improving Tourmaline Street, the Clerk reported no protests. There were no verbal protests.

RESOLUTION 126820, determining that paving and otherwise improving Tourmaline Street is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvement, 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 126341 of Preliminary Determination for grading and sidewalking portions of Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, the Clerk reported no protests. There were no verbal protests.

RESOLUTION 126821, determining that grading and sidewalking of portions of Vale Way, Bernardine Place, Sharron Place, Trojan Avenue, Orange and 54th Street is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvement, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2364 made to cover costs and expenses of installing ornamental lighting system on Diamond Street, Resolution of Intention 117255, the Clerk reported written appeals from Thomas E. Belch and from L. B. and Ellen E. Swails. No one appeared to be heard.

RESOLUTION 126822, overruling and denying appeals of Thomas E. Belch and of L. B. and Ellen E. Swails from Street Superintendent's Assessment 2364 made to cover costs and expenses of installing ornamental lighting system on Diamond Street, Resolution of Intention; overruling and denying all other appeals; confirming and approving Assessment 2364, authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law, directing to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2365 made to cover costs and expenses of paving and otherwise improving Udall Street, the Clerk reported no appeals.

No one appeared to be heard.

RESOLUTION 126823, confirming and approving Assessment 2365 made to cover cost and expenses of paving and otherwise improving Udall Street, Resolution of Intention 119097; authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2366 made to cover costs and expenses of paving and otherwise improving Franklin Avenue and 49th Street, the Clerk reported communication from the Street Superintendent

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dated May 18 1955 (which had been presented earlier), and no appeals.

City Attorney J. F. DuPaul told the Council that it should adopt the recommendation of the Street Superintendent on a split of property, and continue this hearing until the next meeting.

RESOLUTION 126824, adopting recommendation of Street Superintendent, Document 512755, in connection with Assessment 2366 made to cover costs and expenses of paving and otherwise improving Franklin Avenue and 49th Street, Resolution of Intention 119895; directing Street Superintendent to modify and correct assessment 2366 in accordance with recommendation; continuing until 10:00 o'clock A.M. of Thursday, June 16, 1955, the hearing, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

A large volume of petitions and communications, favoring and opposing establishment of baseball stadium in Balboa Park, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, all were referred to the Planning Commission.

Report of Purchasing Agent, approved by City Manager, on low bid of Walter H. Barber for construction of Storm Drain near Rolando Boulevard and University Avenue, \$1330.00 - 6 bids - was presented.

RESOLUTION 126825, accepting bid of Walter H. Barber for construction of Storm Drain near Rolando Boulevard; 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 Department, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company for improvement of College Avenue southerly of University Avenue, \$8,786.43 - 4 bids - was presented.

RESOLUTION 126826, accepting bid of Griffith Company for improvement of College Avenue southerly of University 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 Williams, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Sim J. Harris Company for construction of storm drain in Pueblo Lot 1207 (Clairemont) for Whittier School - \$1620.00 - 5 bids - was presented.

RESOLUTION 126827, accepting bid of Sim J. Harris Company for construction of storm drain in Pueblo Lot 1207 (Clairemont) for Whittier Elementary School; 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 Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of John B. Henry for improvement of Ingraham Street between Pacific Beach Drive and Fortuna Avenue - \$1938.00 - 4 bids - was presented.

RESOLUTION 126828, accepting bid of John B. Henry for improvement of Ingraham Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of Industries Supply Co. for furnishing 3 gate valves for Chollas Pumping Plant Connection to



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Chollas 36" Pipe Line, total of \$1,485.63 plus State Sales Tax - 3 bids - was presented.

RESOLUTION 126829, accepting bid of Industries Supply Co. of San Diego for furnishing 3 Gate Valves for Chollas Pumping Plant Connection to Chollas 36" Pipe Line; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on low bid of O. O. & R. E. Maurer for construction of 5 houses and garages for Water Department Production Division, Items 1, 2-(b), 3 and 4, for total of \$40,627.00 - 6 bids - was presented.

RESOLUTION 126830, accepting bid of O. O. & R. E. Maurer for construction of 5 houses and garages; 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 Williams, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on low bid of Westerlund & Lange for furnishing 1 Air Compressor complete with Start-Stop Control @ \$1,186.88 plus State Sales Tax - 6 bids, was presented.

RESOLUTION 126831, accepting bid of Westerlund & Lange for furnishing 1 Air Compressor; 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 Williams, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending that he be authorized to order an extension of 30 days for existing Liability Property Damage Policy furnished by Great American Indemnity Company and Lloyd's of London, on a pro-rata basis, and that date for receiving bids for furnishing a new policy be changed from June 22, 1955 to July 12, 1955, was presented. It says that 25 insurance companies have been notified that bid has been set for June 22, 1955; that although date has been approved by local agents, several company representatives have requested additional date regarding operations of the City together with added time in which to study proposal and submit bids. It reports that it is believed that it is to City's interest to afford additional time, and that City will obtain more competition and probably better prices by so doing.

RESOLUTION 126832, authorizing and directing Purchasing Agent to order extension of 30 days from existing Liability Property Damage Insurance Policy furnished by Great American Indemnity Company and Lloyd's of London, on a pro-rata basis, and changing date for receiving bids from June 22, 1955, to July 12, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 126833, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for widening Ash Street between Pacific Highway and Kettner Boulevard, Document 514070; 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 126834, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements, Group 21, Document 514069; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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Communication from Planning Commission, by Harry C. Haelsig, addressed to City Manager, was presented. It suggests, in order to delete controversial item in respect to moving house on Richland Extension of Hyatt Street as requested, it will be necessary to amend Resolution 119851 - Linda Vista Unit 8 - condition 1.

RESOLUTION 126835, amending Condition 1 of Resolution 119851 approving Tentative Map of Linda Vista Unit 8 - Richland Street or Montrose Street extension shall be dedicated as shown on drawing prepared by City Engineer's office on file in City Clerk's office as Document 514023, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending Tentative Map approval for redivision of Lots 2, 3, 25 and portions Lots 24 and 26 Block 1 El Cerrito Heights - El Cerrito Drive and Ashby Street northerly of Madison Avenue, was presented. It is subject to 2 conditions.

RESOLUTION 126836, approving Tentative Map of El Cerrito Heights, a redivision of portion Block 1, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending Tentative Map approval for redivision of Lots 12, 13, 14 Block 44 Paradise Hills Unit 3 - at corner of Morningside and Roanoke Streets - subject to 5 conditions, was presented.

RESOLUTION 126837, approving Tentative Map of Paradise Hills Unit 3, redivision of Lots 12, 13, 14 Block 44, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending Tentative Map for resubdivision Lot 39 Southern Title Guarantee Company's Subdivision, a portion of Pueblo Lot 1801 - westerly side of Gresham Street adjacent to Mission Bay - subject to 6 conditions, was presented.

RESOLUTION 126838, approving Tentative Map of Southern Title Guarantee Company's Subdivision, a resubdivision of Lot 39 of portion Pueblo Lot 1801, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

In connection with the next item, the Acting City Manager said that it would be all right for the Council to file it.

Communication from City Manager returning Documents 512868 and 512869, communication from City of National City and resolution adopted by City Council of National City pertaining to the proposed extension of 43rd Street from Logan Avenue to Fairmount Avenue - as well as communication from Planning Director stating that routing is included in Major Street Plan and recommending that necessary rights of way be acquired, was presented. It says this is one of the routes being analyzed in the transportation study now in progress, to determine whether its status should be established on a freeway basis or a major street basis. Also, it says as soon as it has been decided, the City can proceed to acquire necessary rights of way; in the meantime City is buying up any vacant land lying within proposed right of way, where improvements are being proposed.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the several documents in the file were ordered filed.

Application of Big Top Inc. of San Diego, 3089 Clairemont Drive and 2137 Pacific Hwy. for cabaret license at Stardust Room, 3089 Clairemont Drive, was presented together with recommendation for granting from interested City departments.

RESOLUTION 126839, granting permission to Big Top Restaurant, Incorporated, to conduct cabaret with paid entertainment at "Stardust Room", 3089 Clairemont Drive, where liquor is sold, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Copy of communication - addressed to City Council of The City of Coronado, by Senator Fred H. Kraft, was presented. The communication, dated June 7, 1955, states that without the presence in Sacramento of Mayor Walter Vestal and Councilman Robin Goodenough and their diligent and effective work, changes of securing passage of Senate Bill 1441 relative to tube would have been slim. It speaks of problems encountered, and of the work that went into adoption of the Bill. It says that the 2 did an outstanding job, and they have given the writer and Assemblyman Schrade assistance needed. The letter reports success because of the help.

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

(Legislation had to do with \$200,000 appropriation for San Diego-Coronado vehicle tube study).

Communication from Tuna Fishermens' Wives Emergency Committee, 4960 Harbor Drive and 633 W. Market Street, dated June 5, 1955, signed by Mrs. Laura Tocco, was presented. It thanks the Council for adopting resolution concerning quota on Japanese tuna imports.

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

RESOLUTION 126840, directing notice of filing Assessment 2370 made to cover costs and expenses of work done upon paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, Resolution of Intention 118276, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 126841, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract for paving and otherwise improving 40th Street, Resolution of Intention 123407, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 2.6% below estimate.

RESOLUTION OF AWARD 126842, accepting bid of Griffith Company, a corporation, for paving and otherwise improving Shafter Street, Upshur Street and Scott Street, Resolution of Intention 123288, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 11.3% below estimate.

RESOLUTION OF AWARD NO. 126843, accepting bid of W. V. Hutchison Co., a co-partnership, and awarding contract, for installation of sewers in Inez Street and Gage Drive, Resolution of Intention 123287, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 7.0% above estimate.

RESOLUTION OF AWARD 126844, accepting bid of Schafer & Stowers, a co-partnership, and awarding contract for installation of sewers in La Jolla Rancho Road, Resolution of Intention 123409, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 7.5% below estimate.

RESOLUTION 126845, approving plans, drawings, typical cross-sections, pro-

files and specifications for paving and otherwise improving Garnet Street and Pendleton Street, Document 513580; approving Plat 2731 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 126246, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving La Jolla Shores Drive, Document 513578; approving Plat 2735 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 126847, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place, and Public Rights of Way in Pueblo Lot 104; approving Plat 2683 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 126848, for paving and otherwise improving Alleys Blocks 22, 23, portion between Blocks 22 and 8 La Jolla Park, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 126849, for paving and otherwise improving 53rd Street, Resolution of Intention 126082, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 126850, 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 Councilman Evenson, adopted.

RESOLUTION OF INTENTION 126851, for paving and otherwise improving Macaulay Street and Willow Street, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 126852, 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 Evenson, adopted.

RESOLUTION OF INTENTION 126853, for paving and otherwise improving Warrington Street, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 126854, for sewers and otherwise improving Cotton

Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 126855, for closing portion of Martin Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126856, for paving and otherwise improving Garnet Street and Pendleton Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126857, for paving and otherwise improving La Jolla Shores Drive, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126858, for sewers in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126859, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126860, ascertaining and declaring wage scale for paving and otherwise improving Brooklyn Avenue, Iona Drive and Kenwood Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126861, ascertaining and declaring wage scale for paving and otherwise improving Boundary Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126862, approving diagram of property affected or benefited by work of improvement to be done on installation of curb and sidewalk in Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Hubner Road, Resolution of Intention 119787, 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 to immediately deliver it so certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126863, granting petition, Document 512268, for paving and otherwise improving Alley Block 50 Park Villas; 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 the improvement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126864, granting petition, Document 512472, for paving and

otherwise improving High Avenue; directing City Clerk 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 126865, for paving and otherwise improving Missouri Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be 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 126866, granting petition, Document 512269, for paving and otherwise improving Peck Place; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126867, granting petition, Document 512516, for paving and otherwise improving Sea Breeze Drive; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126868, directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, for paving and otherwise improving Alley Block 44 Tract 1368, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126869, directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of paving and otherwise improving Muir Avenue, and West Point Loma Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126870, authorizing and empowering City Manager to do all necessary construction in connection with development of picnic area at Colina del Sol, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126871, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego agreement with Carl R. Rankin, 180 South Orange Avenue, Pasadena, for professional services as Consulting Engineer in conduct of City's investigations, surveys and construction work for water development program, Document 514365, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126872, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with San Diego Unified School District of San Diego for use of Ford Building in Balboa Park for recreational and educational program, Document 514367; real property has value of \$385,000. as disclosed by last



appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126873, authorizing and empowering City Manager to execute, for and on behalf of the City, Agreement and Grant of Easement between the City and State of California for sewer in portion Pueblo Lot 1203, Document 514366; rescinding Resolution 123110 adopted March 10, 1955, authorizing City Manager to execute an agreement and grant of easement filed as Document 507813, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126874, approving Change Order 2, dated May 31, 1955, Document 514233, issued in connection with contract between The City and Sim J. Harris Company for installation of drain in 47th Street, Document 509887; changes amounting to increase in contract price of \$110.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126875, extending term of contract with Roland S. Hoyt - Landscape Consultant, for professional services, Document 473441 - for 1 year from and after July 1, 1955, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126876, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at 47th Street and Nogal Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126877, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at Oliver Court at Oliver Place, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126878, 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 1 Pueblo Lot 1783, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126879, 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 1 Pueblo Lot 1783, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126880, granting revocable permit to Guy H. Berridge, 4237 Ocean Boulevard, San Diego, to install and maintain private 4" cast iron sewer lateral under Reed Street: Lots 1 and 2 Block 294 Pacific Beach to City sewer, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126881, granting Beyerle Company permission to run waste arms a distance of 26-1/2" from lavatory trap seal to vent in bathrooms of 2 of models of houses in Allied Gardens Unit 5 (models 50 and 53), subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

§. 1

RESOLUTION 126882, granting revocable permit to Mrs. Louretta Lacey, 337 Brookes Avenue, San Diego 3, to install and maintain private 3/4" Galvanized Iron water line in alley south of Laurel Street, and in Laurel Street to City water main in Fairmount Avenue: Lots 42 and 43 Block 20 Swans Addition, subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126883, granting revocable permit to Harold E. Mann and Mary I. Mann, 2315 Vallecitos, La Jolla, to install and maintain 1-1/4" G. I. pipe private water line from 2523 Ardath Road to nearest City water main, subject to conditions of Resolution, was on motion of Councilman Curran, seconded by the Councilman Kerrigan, adopted.

RESOLUTION 126884, granting revocable permit to Reginald F. Paul, 3345 McGraw, San Diego, to install and maintain 3/4" galvanized temporary water line in Hartford Street for approximately 60 feet north of Milton Street to connect with City main: Lots 17 and 18 Block 98 Morena, subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126885, granting revocable permit to Mrs. Edward M. Richeson, 3084 40th Street, San Diego, to install and maintain private 3/4" galvanized water line and private 4" cast iron sewer lateral under Redwood Street from eastern 90 feet of Lots 47 and 48 Block 138: to alley west of Central, subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 126886, approving claim of Della L. Bonnet, Document 512244, in amount of \$40.46; directing City Auditor & Comptroller to draw warrant in favor of Della L. Bonnet and Frank Bonnet in full payment, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 126887, approving claim of Warren H. Flarity, Document 513819, in amount of \$24.00; directing City Auditor & Comptroller to draw warrant in favor of Warren H. Flarity in full payment, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126888, denying claim of Ozell Heard, Document 513780, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 126889, authorizing S. M. Franklin, Fire Marshal, Fire Department, to attend annual California Fire and Arson Investigation Course, University of California at Los Angeles, June 27 through July 1, 1955, and incur all expenses necessary, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION 126890, authorizing Howard Ogden, Property Division Supervisor, to attend Annual National Seminar of American Right of Way Association, Los Angeles, June

23 and 24, 1955, and incur all expenses necessary, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126891, authorizing and directing City Attorney to take whatever steps are necessary to declare a forfeiture of Lease, to recover possession of premises, and to collect any and all moneys now due and owing to The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution says that on September 5, 1947, The City of San Diego and William H. Gibbs, Jr., entered into and executed Lease Agreement whereby City leased to Gibbs portion of Montgomery Airport, which Lease Agreement has from time to time since date of execution been amended; that Gibbs has not performed covenants and conditions of lease and amendments thereto and is presently in default in payment of rent to the City; that City Manager has recommended steps be taken to correct deficiencies involved.

RESOLUTION 126892, accepting quitclaim deed executed 12th day of May, 1955, by Arthur E. Wilson & Associates, a corporation, 4244 Midway Drive, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, subdivision named "Muirlands Heights", subdivision of portion of northwesterly 1/4 of Pueblo Lot 1774; 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 Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Schneider, reading of 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 6540 (New Series), repealing Ordinance 5300 (New Series), entitled "An Ordinance Amending Chapter II Article 2 Division 2 of San Diego Municipal Code by adding a new section, to be numbered 22.0225, which authorizes creation and maintenance of a bureau or department of finance", adopted August 19, 1952, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the 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, reading of 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 6541 (New Series), changing name of Lambeth Drive to Lorca Drive, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

No. 6542 (New Series) was not used.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, reading of 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 6543 (New Series), changing name of portion of Logrono Drive to Lorca Drive, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, 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 Evenson, reading

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On motion of Councilman Kerrigan, seconded by Councilman Evenson, reading of 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 6544 (New Series), incorporating portions of Blocks J and K Fairmount Park into C and CP Zones as defined by Sections 101.0410 and 101.0411 respectively of San Diego Municipal Code, and repealing Ordinance 35 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, 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 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 6545 (New Series), appropriating \$9,700.00 from Capital Outlay Fund for providing funds for improvement of College Avenue southerly of University Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, 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 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 6546 (New Series), appropriating \$2,150.00 from Capital Outlay Fund for providing funds for improvement of Ingraham Street, between Pacific Beach Drive and Fortuna Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

On motion of Councilman Kerrigan, seconded by Councilman Evenson, 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 6547 (New Series), establishing grade of Alley Block 274 Pacific Beach, between easterly line of Morrell Street and westerly line of Noyes Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

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

On motion of Councilman Kerrigan, seconded by Councilman Evenson, 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 6548 (New Series), establishing grade of Alley Block 317 San Diego Land and Town Company Addition, between northerly line of San Diego Land and Town Company's Addition and westerly line of 28th Street, was on motion of Councilman Kerrigan, seconded by

Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6549 (New Series), establishing grade of Castana Street, between easterly line of San Jacinto Drive and southerly line of Groveland Drive, was on motion of Councilman Kerrigan, seconded by Councilman Evenson adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6550 (New Series), establishing grade of Gregory Street, between southerly line of Ocean View Boulevard and southerly line of Florence Lane, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilman Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6551 (New Series), establishing grade of Hensley Street, between southerly termination and southerly line of Commercial Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6552 (New Series), establishing grade of San Jacinto Drive, between southerly line of Groveland Drive and northwesterly line of Imperial Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, Ordinance changing name of portion of Harbor Drive to North Harbor Drive, was introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

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Acting City Manager E. W. Blom requested, and was granted, unanimous consent to present the following items, not listed on the agenda:

RESOLUTION 126893, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Point Loma Holding Company, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Fleetridge Unit No. 4 and Fleetridge Unit 5 subdivisions; directing City Engineer to present Ordinance establishing official grades of all streets within the subdivisions, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126894, adopting Map of Fleetridge Unit 4, subdivision of portion of Pueblo Lot 197; accepting on behalf of the public Del Mar Avenue and portion of Chatsworth Boulevard and unnamed easements; declaring them to be public street, portion of public street and 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126895, adopting Map of Fleetridge Unit 5, subdivision of portion Pueblo Lot 197; accepting on behalf of the public Liggett Drive, Del Mar Avenue, Fenelon Street and unnamed easements; declaring them to be public streets and 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 Williams, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan told the Council that Congress is considering the Upper Colorado River, and that Echo Park has been "taken out".

There was no action.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:27 o'clock A.M. He announced that the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Chas. D. Dail*  
Mayor of The City of San Diego, California

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, June 16, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

Nays----None

Absent--Councilman Burgener

Resolutions and Ordinances are recorded on Microfilm Roll 97.



The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2366 made to cover expenses of paving and otherwise improving Franklin Avenue and 49th Street, Resolution of Intention +

RESOLUTION 126896, confirming and approving Street Superintendent's modified and corrected Assessment 2366 made to cover expenses of paving and otherwise improving Franklin Avenue and 49th Street, Resolution of Intention; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of C. H. Benton, Inc. for furnishing 3 items - 600 gallons of paint: \$1,140. terms 2% 30 days, plus State Sales Tax (for Municipal Housing maintenance) - 3 bids - was presented.

RESOLUTION 126897, accepting bid of C. H. Benton, Inc. for furnishing Paint; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Western Metal Supply Co. for furnishing various Steel Bars, Angles and Plates: \$1,662.00 net, plus State Sales Tax - 3 bids - was presented.

RESOLUTION 126898, accepting bid of Western Metal Supply Co. for furnishing Steel Bars, Angles and Plates; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of San Diego Pipe & Supply Co. for furnishing 10 items of Galvanized Pipe of various sizes: \$8,901.28 plus State Sales Tax, terms 2% 30 days - 7 bids - was presented.

RESOLUTION 126899, accepting bid of San Diego Pipe & Supply Co. for furnishing Galvanized Pipe; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, submitting Tentative Map of Grace Manor for 3-lot subdivision of portion Pueblo Lot - northerly of Baltic System in subdivision of Magnolia Downs and easterly of subdivision of Vista Park Unit 1 and directly south of subdivision of Mesa Park, was presented. It says that subdividers propose to erect church and school on Lot 1, with no indication as to what is proposed for Lots 2 and 3 (property is now within R-1 zone and would necessitate either zone variance or rezoning to accommodate proposed church and school). Report says that in June 1951 Planning Commission adopted community plan for the area, after notifying some 85 property owners and after holding several public hearings. It says that since adoption of the community plan the area has developed rapidly with completion of Kearny Mesa High School, State Guard Armory, elementary school on Baltic Street and several hundred houses in Vista Park and Magnolia Downs. Also, it states that recently final maps of Mesa Park and Vista Mesa were filed with the Council. It states that in addition to elementary school which exists, the School Board has purchased another school site and each and all of the sites and development basically follow the community plan in providing facilities and conforming to the street plan. More recently, tentative maps have been approved for northerly portion of Pueblo Lot 1214 and all Pueblo Lot 1219, confirming to the community plan, it states. The communication says that proposed Grace Manor subdivision will eliminate Atlas

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Street which is continuous through the subdivision of Magnolia Downs, through portions of Mesa Park for 3/4 mile, excepting portion between Baltic and Beagle Streets, which are undedicated. The report says that tentative map of Grace Manor proposes to delete extension of the street, providing only reservation for future street for extension of Beagle Street and southerly extension of Budd Street, and does not provide streets for access to vacant lands directly to the east. In addition to further detailed report, communication says that the Commission in original consideration on May 4 recommended denial of the Tentative map, that at public hearing held June 1 in which members and representatives of the church presented their views, the Commission was unanimous in its recommendation of denial because the map does not conform to the community plan of the area adopted in June 1951, and because of problem of zoning for school and church purposes in a residential area.

(This item had been referred back to the Planning Commission on May 17, the day it was before the Council and representatives of the church appeared and were heard).

Accompanying the documents in the file was communication from The First Brethren Church, dated June 7, 1955, signed by F. Archer Baum, pastor. It appeals from the decision of the Planning Commission and requests permission to appear before the Council to present the case.

Councilman Schneider spoke to Harry C. Haelsig, Asst. Planning Director, about the case.

Mr. Haelsig said that the matter had been referred back to the Commission for re-hearing, and that a re-hearing was held.

\*\* The Mayor inquired if anyone was present in connection with the item, and the request for a hearing. No one responded. As a result, it was held up, and will be found again, at the end of the Minutes for this meeting.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Muirlands Crest Unit 4, a portion of Pueblo Lot 1775, was presented.

RESOLUTION 126900, suspending Sections 102.09-1 & 2, 102.11-2, 102.17-c, 102.12-6 of San Diego Municipal Code, in connection with Tentative Map of Muirlands Crest Unit 4, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Muirlands Crest Unit 4 for 35-lot subdivision of portion Pueblo Lot 1775 - easterly of Muirlands area and adjacent to Muirlands Crest Unit 1 - subject to 13 conditions - was presented. It says that access to the property is to be provided through Muirlands Crest Unit 2, the final map of which has not been filed, that lots in the subdivision are from approximately 15,000 to 20,000 square feet in area and will provide good hillside dwelling sites. It reports that it is proposal of developer to deed to the City in fee title Lot A at bottom of the canyon for future street in that the Gas Company will not subordinate its existing easement.

RESOLUTION 126901, approving Tentative Map of Muirlands Crest Unit No. 4, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Muirlands Crest Unit 3, was presented.

RESOLUTION 126902, suspending Sections 102.09-1, 102.07-2, 102.07-5, 102.11-2, 102.11-1, 102.12-2, 102.6, 102.12-6, 102.18, 102.17-c of San Diego Municipal Code, in connection with Tentative Map for Muirlands Crest Unit 3, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Muirlands Crest Unit 3, for division of NW $\frac{1}{4}$  of Pueblo Lot

1255 into 48 large lots - northeasterly of Muirlands Subdivision and adjacent to recently filed map of Muirlands Crest Unit 1, was presented. It says that primary problem concerning tentative map is providing access to portion of subdivision in that proposed major streets of La Jolla Scenic Drive and Nautilus Street have not been dedicated through adjoining property. Report says that details of alignment, r/w widths, and grades of both streets will require determination by City Engineer. Approval is subject to 15 conditions.

RESOLUTION 126903, approving Tentative Map of Muirlands Crest Unit 3, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending reapproval of Matchinski Subdivision, approved by Resolution 118692 and 118693 June 22, 1955, subject to conditions of those resolutions, was presented.

RESOLUTION 126904, reapproving Tentative Map of Matchinski Subdivision, subject to conditions of Resolutions 118692 and 118693, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

by Harry C. Haelsig,

Communication from Planning Commission, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Normal Heights, Lot 93, was presented.

RESOLUTION 126905, suspending Section 102.12-3 of San Diego Municipal Code in connection with Tentative Map of Normal Heights, Lot 93, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Lot 93 Normal Heights, to permit division into 2 parcels - 1 with 35-foot frontage widening out to 100 feet at the rear, and the other parcel 65 feet x 150 feet, was presented. It identifies property as located on easterly side of Hawley Boulevard northerly of Mountain View Drive, where most of lots in the area are 100-foot lots which have subsequently been divided into 50-foot lots. It reports on former actions in connection with other maps, divisions, etc. The communication recommends approval, subject to 4 conditions.

RESOLUTION 126906, approving Tentative Map of Normal Heights, 2-lot subdivision of Block 93, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting that Planning Commission reconsidered recommendation that "Soria Drive" in Rolando be changed to "Marraco Way", was presented. It says that no reason was seen to hold another public hearing (for reasons mentioned), and that Commission reaffirmed previous recommendation that change be made.

RESOLUTION 126907, requesting City Attorney to prepare and present ordinance for changing name of Soria Drive in Rolando area to Marraco Way, in accordance with Planning Commission recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from John D. Butler, For Better Sports, Inc., dated June 9, 1955, submitting supplemental proposal for construction of a modern baseball stadium in Florida Street canyon area in Balboa Park, was presented.

(The application, to which reference was made, had not been received by the Clerk. It was received from the Mayor's office 6/13/55, so was attached to the application which requested its amendment).

- Hearing was held on proposed amendment to master plan for Balboa Park, including this item -

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the amended, supplemental proposal was filed. The Clerk filed the original request, also.

Communications  
126903 - 126907  
(Incl. baseball stadium  
in Balboa Park item)



Communication from Margaret C. Hawkins (Mrs. W. W. Hawkins), Miramar, San Diego County, dated June 13, 1955, was presented. It protests considered plan of taking the approximately 40 acre tract of the present Torrey Pines Park for purpose of extending proposed golf links in the area. The communication says that the writer is influenced in her protest by many things: the great interest of her aunt Miss Ellen Scripps, in development of the area as a public park. It states that Mrs. Hawkins is at present Chairman of Board of Ellen Browning Scripps Foundation, founded by Mrs. Hawkins' late husband, Robert P. Scripps, who was residuary legatee of Miss Scripps' fortune and it was founded with the entire fortune she left to him. It says that purpose of the Foundation is in accord with Miss Scripps' wishes that it be used for benefit of projects to which she contributed during her lifetime (and they are named). No objection is made to golf links; it is thought that building the 2 is a fine project, but there is sufficiently large area to the south which could be used for the purpose and that it "is not only folly but desecration to encroach on this park area". It mentions the sale of nearby City/property, and the good change of the State Park providing for many generations of use of the area.

Councilman Williams asked to have the letter read. It was read by the Clerk.

Mayor Dail said that the Planning Commission passed a Resolution yesterday that the golf course would not disturb Torrey Pines Park.

Councilman Schneider said that it is "little used".

The City Manager added, "not used at all".

Councilman Williams said that it is the Council's responsibility to know feelings of the people. He said that it should provide for future of people.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was filed - to be available later.

Communication from Uptown Center Business Association, 30th & El Cajon, dated June 8, 1955, signed by Dick Grove, president, was presented. It says that citizens, property owners, and merchants of the Uptown San Diego district feel now is the time that they should demand direct connecting link with Alvarado Freeway. It requests the City to make a current survey on construction and financing of 2-lane connection with Alvarado Freeway to Adams Avenue at Boundary Street.

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

Communication from La Jolla Town Council, Inc., 7776 Eads Avenue, La Jolla, signed by H. Bailey Gallison, dated June 10, 1955, was presented. It submits special report made by La Jolla Town Council Aircraft Committee, June 2, 1955, regarding the air traffic problem.

RESOLUTION 126908, referring to Council Conference communication from La Jolla Town Council Aircraft Committee on air traffic problem, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

"Petition to Stop all abuse to us Citizens by so-called Law Enforcement officers of this City of San Diego California", signed by Steve Lipstay, Dewey Hotel, San Diego, was presented. It mentions many alleged abuses.

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

RESOLUTION 126909, repealing Resolution 79524, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution says that Council adopted 79524 granting special leave with pay, not to exceed 3 days, to City employees who are required to report for physical examination prior to induction into military service. It refers to President of United States proclamation 3080 and Executive Order 10858, and California Legislature A.B. 2529 which terminated combatant activities in Korea as of January 31, 1955, etc.

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RESOLUTION 126910, authorizing City Manager to employ Griffith Company to do all work in connection with improvement of portions of Carleton Street, Plum Street, Dickens Street, cost not to exceed \$484.41, payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. Resolution mentions City of San Diego having entered into 1911 Street Improvement Act, and Drawing 11552-L calling for additional work, that Griffith Company, contractor, has agreed to do the work at price stated.

RESOLUTION 126911, granting request of William F. Bell for extension to and including June 15, 1955, within which to prepare and file his proposed plan for revision of Balboa Park Golf Course, Document 502415 on the contract, and modifying Sections 1 and 2 of the contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126912, approving Change Order 3, June 10, 1955, Document 514395, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of Redwood Village Standpipe Foundation (Housing and Home Finance Agency Project, Calif. 4-CF-18), contract Document 488250; changes amounting to decrease in contract price of approximately \$516.10, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126913, granting permission to M. Hall Company, a corporation, 953 8th Avenue, San Diego 1, to install and maintain a 4x40-foot strip of black top paving over 10th Avenue adjacent to property described as Lots A and B and portions of Lot K Block 56 Horton's Addition, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126914, granting revocable permit to Thomas F. Corso and Henry C. Robert, 1160 Garnet, San Diego 9, to install and maintain private 1-1/2" copper water service under Alley in Block 155 Pacific Beach to connect with City water main in Emerald Street: Lots 7 and 8 Blk 155 P.B., was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126915, granting revocable permit to I. E. Bramlett, 1106 Felspar, San Diego, to install and maintain 3/4" galvanized temporary water line across Brandwine Street: E 1/2 Lots 1, 2, 3 Block 6 American Park Addition, to nearest City water main, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126916, granting revocable permit to Clifford D. Sisson, 4178 32nd Street, San Diego 4, to install and maintain private drive across Juniper Street from barricade and curb to Lot 6 and portions Lots 5, 4, 3, 2 Block 67 Seaman & Choates Addition, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126917, granting permission to Ladies' Auxiliary of San Diego Post #185 Jewish War Veterans of United States, to conduct annual Poppy Sale on sidewalks, including Downtown area, North Park and Hillcrest, Monday, August 15, 1955, between 9:00 A.M. and 12:00 Midnight, for raising funds for disabled veterans of all creeds in the TB wards of the United States Naval Hospital in San Diego, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.



RESOLUTION 126918, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead light at each of 27 locations, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 126919, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 5.0 feet of Lot 12 Block 99 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126920, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions of Lots 9, 10, 11 Block 1 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126921, 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 5 Larchmont, 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 Schneider, adopted.

RESOLUTION 126922, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against easement for right of way for public street and incidents thereto, in portion Lot 24 Block 12 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 Schneider, adopted.

RESOLUTION 126923, 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 129 Del Norte Addition to Encanto Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126924, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against westerly 10 feet of portion Lot A La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; ~~and 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 Schneider, adopted.

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RESOLUTION 126925, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Continental Auxiliary Corporation, trustee, June 6, 1955, subordinating all right, title and interest in and to portion Lot 1 Doty's Addition, to easement and right of way for sewer purposes conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126926, accepting subordination agreement, executed by First National Trust & Savings Bank, beneficiary, and First National Trust & Savings Bank, trustee, May 10, 1955, subordinating all right, title and interest in and to portion Lot 1 La Mesa Colony, to right of way and easement for sewer purposes conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 126927, accepting subordination agreement, executed by George Bennett and Grace M. Bennett, beneficiaries, and Security Title Insurance Company, trustee, May 10, 1955, subordinating all right, title and interest in and to portion Lot 1 La Mesa Colony, 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 126928, accepting deed of I. E. Bramlett and Ruby Bramlett, May 22, 1955, conveying easement and right of way for street purposes in portion Lot 32 Block 16 First Addition to Ashers Clover Leaf 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.

RESOLUTION 126929, accepting deed of I. E. Bramlett and Ruby Bramlett, May 23, 1955, conveying easement and right of way for alley purposes in portion Lot 32 Block 16 First Addition to Ashers Clover Leaf Terrace; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126930, accepting deed of Tooley Hotels, Incorporated, March 1, 1955, conveying easement and right of way for sewer purposes in portion Lot 67 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126931, accepting deed of Bern R. Swarts and Carmelita L. Swarts, April 24, 1955, conveying easement and right of way for sewer purposes in portion Lot 1 Doty's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126932, accepting deed of Marie Carter Sutges and Armistead

Byrd Carter, May 17, 1955, conveying easement and right of way for sewer purposes in portion Lot 9 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126933, accepting deed of Charles W. Sult and Dorothea M. Sult, May 12, 1955, conveying easement and right of way for sewer purposes in portion Lot 9 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126934, accepting deed of John F. Woodhead & Jeanette J. Woodhead, May 18, 1955, conveying easement and right of way for sewer purposes in portion Lot 21 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126935, accepting deed of John Finch Woodhead and Jeanette J. Woodhead, May 18, 1955, conveying easement and right of way for sewer purposes in portion Lot 45 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126936, accepting deed of Earl LeRoy Bailey and Rose D. Bailey, May 20, 1955, conveying easement and right of way for sewer purposes in portion Lot 22 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126937, accepting deed of Martin K. Metcalf and Louise M. Metcalf, May 16, 1955, conveying easement and right of way for sewer purposes in portion Lot 30 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126938, accepting deed of Ira B. Riford and Florence Riford, May 13, 1955, conveying easement and right of way for sewer purposes in portion Lot 50 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126939, accepting deed of George E. Muth and Evelyn S. Muth, May 13, 1955, conveying easement and right of way for sewer purposes in portion Lot 51 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126940, accepting deed of Frank N. Dorland, Jr. and Mabel V. J. Dorland, May 11, 1955, conveying easement and right of way for sewer purposes in portion Lot

54 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126941, accepting deed of Mildred Shaw Jennings, May 10, 1955, conveying easement and right of way for sewer purposes in portion Lot 55 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126942, accepting deed of Edward K. Lang and Gertrude M. Lang, May 10, 1955; conveying easement and right of way for sewer purposes in portion Lot 59 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126942, accepting deed of Edward K. Lang and Gertrude M. Lang, May 10, 1955, conveying easement and right of way for sewer purposes in portion Lot 59 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126943, accepting deed of Loretta Nevins Daly, May 10, 1955, conveying easement and right of way for sewer purposes in portion Lot 59 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126944, accepting deed of Kesling Modern Structures, Inc., May 13, 1955; conveying easement and right of way for sewer purposes in portion of Lots 58, 59, 60 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126945, accepting quitclaim deed of O. D. Arnold & Sons, a partnership, 6122 El Cajon Boulevard, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places either within or without subdivision named O. D. Arnold's Hazelwood Unit 2, a resubdivision of Lot 1 Block B and Lots 7 and 8 Wadsworth's Olive Grove; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 126946, accepting Quitclaim deed, executed 7th day of June, 1955, by Harmony Homes, a corporation, 6610 El Cajon Boulevard, San Diego 15, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named College View Estates, a subdivision of portion Lot 67 Rancho Mission Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 consideration of each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6553 (New Series), appropriating \$1,190.00 from Capital Outlay Fund for acquisition of property for widening University Avenue east of College Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Williams, Ordinance incorporating portion of Lot 67 Rancho Mission into R-1A, R-1 and R-4 Zones as defined by Sections 101.0402, 101.0405 and 101.0408 respectively of San Diego Municipal Code, and repealing Ordinance 6194 (New Series) insofar as it conflicts, was introduced, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Williams, seconded by Councilman Schneider, Ordinance incorporating portion Block 9 Estudillo & Caprons Addition into RC Zone as defined by Section 101.0409 of San Diego Municipal Code and repealing Ordinance 190 (New Series) insofar as conflicts, was introduced, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Williams, Ordinance authorizing leasing portions of Pueblo Lots 1293, 1294, 1295, 1322, 1323, 1327 and 1329 - to Sawday and Sexson, Inc., for 5 years - annual rental of \$992.50; value of lands \$60,000.00 - was introduced, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

RESOLUTION 126947, granting permission to American Legion Convention Committee, San Diego, pursuant to recommendation of City Manager, to erect and maintain from June 24 through June 30, 1955, during annual convention of American Legion, a canvas awning over organ pavilion area in Balboa Park, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

This item, not listed on the agenda, was presented under unanimous consent granted to the City Manager.

\*\* The item referred to on page 47 of the Minutes for this meeting, was considered again. It had been held, awaiting arrival of someone to be heard, as had been requested in communication from The First Brethren Church, by F. Archer Baum, pastor, dated June 7, 1955. No one appeared in the matter.

RESOLUTION 126948, denying Tentative Map for Grace Manor, a 3-lot subdivision of portion Pueblo Lot 1214, in that it does not conform to development of the area, was on motion of Councilman Kerrigan, seconded by Councilman Schneider.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:18 o'clock A.M. He announced that the Council would go into conference following adjournment of this meeting.

ATTEST:

FRED W. SICK, City Clerk

BY

*James M. Hadston*

Deputy

*Charles O. Dail*  
Mayor of The City of San Diego, California

126948

6553 N.S.

o Ords introduced  
Meeting adjourned

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## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, June 21,  
1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---None  
Clerk----Fred W. Sick

The Reverend E. Major Shavers, Church of Christian Fellowship, was presented by the Mayor. Rev. Shavers gave the invocation.

Mayor Dail introduced the Chief Administrative Officer of Tel-Aviv, Mr. Yehudah Nedivi, welcomed him to San Diego, and presented a key.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Minutes of the Regular Meetings of Tuesday, June 14, 1955, and of Thursday, June 16, 1955, were approved without reading, after which they were signed by the Mayor.

Communication from Purchasing Agent reporting 3 bids under 1911 Act had been opened June 17, 1955, for improvement of Alley Block 262 Pacific Beach.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was referred to the City Manager and City Attorney for recommendation, after finding was made that bids had been opened as reported.

Communication from Purchasing Agent reporting 6 bids under 1911 Act had been opened June 17, 1955, for improvement of Electric Avenue.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was referred to the City Manager and City Attorney for recommendation, after finding was made that bids had been opened as reported.

Communication from Purchasing Agent reporting 5 bids under 1911 Act had been opened June 17, 1955, for improvement of Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was referred to the City Manager and City Attorney for recommendation, after 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 126332 for paving and otherwise improving Alley Block C Belmont, 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 Schneider, seconded by Councilman Kerrigan, proceedings were referred to City Attorney for Resolution Ordering Work.

Meeting convened  
Invocation  
Minutes approved  
Visitor introduced  
Hearings - proceedings referred to Attorney



The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 126333 for paving and otherwise improving Alley Block 39 Ocean Beach, 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 Burgener, seconded by Councilman Evenson, 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 126334 for paving and otherwise improving Grand Avenue, Jewell Street and Balboa 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.

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 126355 for paving and otherwise improving 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 presented.

On motion of Councilman Curran, seconded by Councilman Williams, proceedings were referred to City Attorney for Resolution Ordering Work.

\*\* This item was brought up again, and will be shown later, in the Minutes for this meeting.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126470 of Preliminary Determination for paving and otherwise improving Alley Block 241 Pacific Beach, 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 126949, determining that paving and otherwise improving Alley Block 241 Pacific Beach, Resolution 126470 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 126471 of Preliminary Determination for paving and otherwise improving Quince 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 126950, determining that paving and otherwise improving Quince Street, Resolution 126471 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 126472 of Preliminary Determination for paving and otherwise improving T Street, Resolution 126472 of Preliminary Determination, the Clerk reported that no written protests had been received.

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The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 126951, determining that paving and otherwise improving T Street, Resolution 126472 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2367 for installation of sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Streets and alleys in Mission Bay Park Tract; the Clerk reported written appeal signed by Edwin C. Jeffries, attorney, 1035 Bank of America Building, dated June 17, 1955, in behalf of J. F. Nickerson, was presented. The communication signed by Mr. Jeffries sets out the objections, and requests that hearing be continued 2 weeks - to July 5, 1955.

The letter was read to the Council by the Clerk.

The Mayor inquired if anyone was present to be heard.

John F. Nickerson said that it was he who was referred to in the Jeffries letter.

Asked by the Mayor for a report, the City Engineer said that there is a 5.4% appeal.

Councilman Burgener spoke of serious protest in the area. He said that he wants to give time needed, but not penalize the contractor.

Councilman Kerrigan asked how much money is involved.

The Engineer gave the Council a figure, which is \$43,032.59, according to the file.

Councilman Burgener moved to continue the hearing 2 weeks.

The City Attorney said while he would favor providing a fee for the services of the attorney, he said that if the Council does continue the hearing it should be from week to week. He told of the people having been given permit to connect, on adjoining land. He said that they "signed under protest", but that is meaningless. He told of additional lots served, and of being assessed in lesser amount than "these people". He said that situation would not permit legitimate appeal. He declared that the assessment would stand up in court.

Mr. Nickerson told of building an auto court, and of sewer opening at the corner. He told of having made application, of having been held up 5 or 6 days, and of being "required to sign up".

Councilman Burgener said that there are many motels (in the area where Mr. Nickerson's is located). He said that if this is not out of the ordinary, the City could hold to this assessment.

Councilman Schneider spoke to Mr. Nickerson.

Mr. Nickerson said that he does not remember details, that he paid dues twice "to get on the thing". He said that he wrote on the document that he signed under protest. He contended that he should have been told before he built.

Councilman Kerrigan spoke to Mr. Nickerson.

The Mayor and Councilman Burgener spoke to Mr. Nickerson about the attorney.

City Attorney J. F. DuPaul told the Council that he did not know if "this" (referring to the agreement) was prepared in the City Attorney's office. He read a copy of the agreement signed by Mr. Nickerson. He stated that there had been written upon it "signed under protest".

Mr. Nickerson asked why he was not shown.

Mayor Dail said that this is not a court. He stated that the City Attorney says the Council is in the position where it is going to have to pass the assessment roll. He said that the hearing is regarding equitable distribution, and that this is a simple assessment.

Mr. Nickerson said that on the next property, the assessment is only half as much.

Mayor Dail said that if something is accomplished by the delay, it is different.

Mr. Nickerson stated that he thought the case could be prepared in a week.

Mr. DuPaul said that property owners cannot connect until contractor agrees. He said that line connected into is low, and of having pumps

Councilman Burgener said that there are other problems.

Mr. DuPaul said that they are foreign to this (the assessment).

RESOLUTION 126952, continuing hearing on Assessment 2367, made to cover costs and expenses of installation of sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, Alleys in Blocks 16, 18, 19, 31 Mission Bay Park, et al., Resolution of Intention 120009, until 10:00 o'clock A.M., Tuesday, June 28, 1955, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current for lighting ornamental street lights located in Collwood Lighting District No. 1, the Clerk reported no protests.

RESOLUTION 126953, confirming assessment of total amount of costs and expenses of work or improvement of furnishing electric current for lighting Campanile Drive, Dorothy Drive, Dorothy Way and Mary Lane Drive, Resolution of Intention 121975 under "Engineer's Report and Assessment for Collwood Lighting District No. 1" filed in office of City Clerk May 13, 1955; adopting report as a whole, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The Mayor asked if anybody was here on any items the Council had acted on. A man appeared on the Pynchon Street and Ocean View Boulevard hearing, shown on page 61.

The action of the Council was considered.

The speaker identified himself as Necola Caesar. He asked about the assessment spread, and identified his property as 1/2 of Lot 9 in Block 1.

The City Engineer said that property is being assessed only for the share of Franklin and Pynchon.

Mr. Caesar said that then he has no protest.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, proceedings were referred to City Attorney for Resolution Ordering Work (as was done under the earlier action).

Report of Purchasing Agent, approved by City Manager, on low bid of The American News Company, Los Angeles Division, for furnishing Books for Public Library, for 1 year from July 1, 1955 - 5 bids - at prices listed in the schedule accompanying the report, was presented.

RESOLUTION 126954, accepting bid of The American News Company, Los Angeles; 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Becker Book Bindery for binding of Library books in accordance with schedule-attached, was presented. It recommends acceptance of the only bindery in San Diego capable of handling the type of library binding required.

RESOLUTION 126955, accepting bid of Becker Book Bindery for furnishing binding Library Books, Magazines and Newspapers, as listed in the Resolution; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of V. R. Dennis Construction Company for construction of storm drain in 47th Street from Pera Street to South Chollas Creek - \$7,093.00; estimate was \$8,000.00 - 8 bids - was presented.

RESOLUTION 126956, accepting bid of V. R. Dennis Construction Company for

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construction of storm drain in 47th Street; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent reporting on low bid of Ets-Hokin & Galvan 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 - 2 bids - was presented. It has approval of City Manager.

RESOLUTION 126957, accepting bid of Ets-Hokin & Galvan 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; at \$25,021.50; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on option contained in Contract Document 505604, for extension of 6 months beginning July 1, 1955, for furnishing Bulk Quicklime, was presented.

RESOLUTION 126958, authorizing and instructing City Manager to exercise for The City of San Diego its option to extend contract with Arrowhead Lime & Chemical Co., Sales Division, United States Lime Products Corporation for Bulk Quicklime for 6 months beginning July 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126959, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Trailer-Truck Service for hauling sewage sludge, Document 514589, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 126960, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Tractor Bulldozer, Document 514590, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 126961, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for cleaning and painting all exposed metal surfaces on underside of deck over center spans only of Ventura Boulevard Bridge and the 2 bridges on Ingraham Street at north and south sides of Tierra Del Fuego Island in Mission Bay, Document 514580; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending reapproval of Tentative Map (revised) of Linda Vista Unit No. 4, subject to conditions set forth in Resolution 117659 except amendments to conditions 1, 2, 5, 10, was presented.

RESOLUTION 126962, approving revised tentative map of Linda Vista Unit 4, according to the Resolutions, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of revised tentative map of Linda Vista Unit 8 with amendments and additions

was presented.

RESOLUTION 126963, approving revised Tentative Map of Linda Vista Unit 8, subject to all conditions of Resolution 119851, except as subsequently amended by Resolution 126835, and subject to amendments to conditions 1, 4, 11, and addition of 14, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Del Cerro Units 2 and 3, was presented.

RESOLUTION 126964, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Del Cerro Units 2 and 3, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Del Cerro Units 2 and 3, a 139-lot subdivision of portion Lot 67 Rancho Mission, located northerly of Alvarado Freeway, directly east of Unit 1 of Del Cerro, was presented. It makes approval subject to 15 conditions.

RESOLUTION 126965, approving Tentative Map of Del Cerro Units 2 and 3, subject to conditions of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Glenn A. Rick, City Planning Director, reporting on hearing held as directed by Resolution 126660, on June 16, 1955, after legal public notice, on addition to City's Master Plan of addition to Public Buildings Plan, was presented. It says that proposed public building is a baseball stadium to be located in the area designated in the resolution (the "Florida canyon" area, Balboa Park). It says that the hundreds of communications received, and reviewed by the Commission, both for and against baseball stadium, are forwarded, and that copy of minutes of the Planning Commission meeting will be filed with the City Clerk's office as soon as available. It refers to the 2-full hours hearing. The communication states that at the conclusion of the hearing Mr. Lundy said, on the basis of information the Commission presently has, he has satisfied himself that the Commission would be ill-advised to go on record in favor of including the ball park at said location as part of Master Plan of the City, and moved that the Commission does not find it a suitable area to include in the City's Master Plan for the purpose. It reports that the motion was seconded and carried by a 4-2 vote.

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

In connection with the next item, Councilman Burgener said that people are here. (It has to do with proposed Torrey Pines area golf course).

Mayor Dail said that the Council is going to set a hearing for 2 weeks from this date.

Councilman Kerrigan told of people having called him, and of his having said that the item would be on this docket.

Councilman Curran/people don't know what item (by number) is being referred to. said that

Communication from Planning Commission, signed by Glenn A. Rick, City Planning Director, was read. It says that several years ago the City Planning Department prepared a long-range development plan for improvement of City-owned Pueblo Lands on Torrey Pines Mesa. It reports that one of projects indicated on the plan was municipally-owned golf course. It says that in 1952 the Council authorized preparation of preliminary design by William P. Bell, that a number of conferences followed, including City Manager, Mr. Bell, Park Department and Planning Department. It states that more recently, the Council authorized the Planning Commission to conduct public hearings on advisability of incorporating in City's Master Plan the Torrey Pines Golf Course, and it was publicly announced that the City might develop the course with proceeds from sale of city property in the vicinity. It states that

after holding 2 public hearings, the Planning Commission voted 5 to 1 to include the golf course in the Master Plan. It attaches copy of resolution and copy of golf course plans, together with minutes of the hearings. It recommended that the City Council enact ordinance adopting the plan.

Councilman Schneider moved to hold the hearing July 5.

Councilman Kerrigan said that the item has to be sent to the Attorney, and then the Council hold the hearing.

RESOLUTION 126966, adopting recommendation of the City Planning Commission, filed June 20, 1955 as Document 514623, to include Torrey Pines Golf Course in the Master Plan of the City; requesting City Attorney to prepare and present necessary ordinance for action of the City Council; setting hearing thereon for Tuesday, July 12, 1955, at 10:00 o'clock A.M., was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Planning Director said that the Commission approved the plan, but suggested that the Council might want to request Mr. Bell to redraft the plans.

The City Manager told the Council that has been done.

Communication from Street Superintendent, approved by Asst. City Manager, dated June 15, 1955, was presented. It returns Document 511355, a petition to close portion of Revere Avenue, between Pacific Highway (business route) and Glendora Street, adjacent to Blocks 4 and 5 Stephens Addition. It says that portion of Revere Avenue shown on opening plat 630 was closed by Resolution 88518 February 24, 1948 (W. O. 27155); at time closing was made, Pacific Highway was State Route XI-SD-2-SD, and strip of Revere Avenue 50 feet wide and parallel to northeasterly property line of Pacific Highway was omitted from closing in order to reserve it for future widening of the State Highway. The report states that recently Balboa cutoff was completed, the State Highway routed over new location, and portion of Pacific Highway returned to the City, including intersection at Revere Avenue. Communication says that portion of Revere Avenue proposed to be closed is unimproved, contains no sewers or water mains and is no longer required for future widening of Pacific Highway. It recommends that Revere Avenue be closed as requested, between northeasterly line of Pacific Highway and line 50 feet northeasterly.

RESOLUTION 126967, granting petition for closing portion Revere Avenue, between Pacific Highway (business route) and Glendora Street, adjacent to Blocks 4 and 5 Stephens Addition, as recommended by Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses of the closing, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, approved by Asst. City Manager, dated June 15, 1955, was presented. It returns Document 512059, a petition to close portion Calle Tortuosa, adjacent to Lots 5, 6, 7, 8 Block 4, and Lots 1, 2, 3, 4 Block 5 Tres Lomas, City Engineer's Drawing 5645-B. Closing as shown on attached drawing is required in connection with resubdivision of portion Tres Lomas by Homesites No. 2 (W. O. 24043) as approved by Resolution 123278, it states. The report says that the portion is unimproved and contains no utilities; Homesites No. 2 will provide improved streets and facilities to adequately serve the area. It recommends closing, subject to filing of Final Subdivision Map of Homesites No. 2.

RESOLUTION 126968, adopting recommendation of Street Superintendent, Document 514625, for closing portion Calle Tortuosa; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Harbor Commission, by John Bate, requesting increase of items in the Budget of the Harbor Department for the fiscal year 1955-56, was presented.

RESOLUTION 126969, referring to Budget Conference communication from Port Director requesting increases in Budget of Harbor Department for fiscal year 1955-1956, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



Communication from Alan Firestone, Deputy City Attorney, dated June 16, 1955, was presented. It reports on investigation and consultation, at Council's request, with departments involved concerning amendment of Cabaret Ordinance to permit installation of organ as entertainment in places serving beer and liquors, and meeting held June 14, 1955. It lists departments represented. It speaks of objections by Police Chief and Patrolman Wall to a proposed amendment. At the end of the lengthy communication, it says that conclusion reached at the meeting and the recommendation of all persons attending and of the departments involved is that the problem can be solved on a more practical basis: by adopting more recent Uniform Building Code which shortly will come before the Council upon recommendation of the Director of Building Inspection. It says that the onerous requirements of the present code will be removed by the new code, if adopted.

RESOLUTION 126970, referring to Council Conference communication from Office of City Attorney, re amendment of Cabaret Ordinance, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Copy of communication, from Planning Director, addressed to Clairemont Business Properties Company, c/o Carlos Tavares, partner, 1150 Silverado, P.O. Box 569, La Jolla, dated June 15, 1955, was presented. It states that in the Planning Department's opinion, terms of Resolution 126105, granted by the City Council May 3, 1955, has been violated. It says that in granting the appeal from the decision of Board of Zoning Adjustment, the City Council was very careful in expressing exact conditions upon which proposed prescription pharmacy would be permitted. It states that Item 2 of resolution reads: "That there be no sales of sundries, such as candies, gum, magazines, and similar articles". It reports that an investigation of the property June 13 by member of Planning Department staff revealed that part of floor area is devoted to display and sale of sundry items such as electric razors, cameras, film, writing paper, men's and women's toilet articles, including such things as tooth paste, shaving cream, etc., also candy and gum. It concludes by saying "we trust that this notice will be sufficient to have this violation corrected in the near future". The communication was read to the Council by the Clerk.

Glenn A. Rick, City Planning Director, presented a letter from Mr. Tavares, denying violation. He said that the Council was specific in that it was to be only a prescription pharmacy. The Tavares letter says "we are not selling sundries, such as candies, gum, magazines and similar articles". It says that the principle reason for Item 2 of the Resolution was based on fact that it should not become meeting place for Junior High School students, creating nuisance like in other parts of San Diego. The letter says that the pharmacy, in the writer's opinion, carrying goods that they are now carrying will never become a meeting place for Junior High School students.

The Mayor asked if the City has to authorize the enforcement.

Councilman Burgener said that the lessees possibly should be brought in line (with the resolution, which attaches conditions to the variance).

City Attorney J. F. DuPaul said that if complaint is signed, his office will prosecute.

The Mayor contended that the Planning Department has the regulatory power. Councilman Burgener asked why not refer the matter to the City Attorney to define.

Councilman Schneider said that the protest was regarding "school kids not congregating".

Councilman Kerrigan spoke of having raised the question, regarding the granting, and of City Attorney's authority by resolution to take action if there is non-compliance with the terms of the Council resolution.

Councilman Curran suggested that this is an administrative problem.

Mr. Rick said that Councilmen Wincote and Schneider had said that it would be a prescription pharmacy, only. He read the resolution, containing the conditions.

Councilman Schneider said he remembers the conditions.

Mr. Rick said that he would be glad to follow through, but was not willing to file a complaint unless the Council agrees.

George Orman, Planning Technician, in the Planning Department, told of investigations made by him, as a follow up to the granting.

Councilman Curran moved to refer the item back to Planning. It was seconded by Councilman. The motion carried.

Communication from San Diego Chamber of Commerce, by Robert M. Golden,

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dated June 16, 1955, was presented. It says that Board of Directors recommends restoration of Botanical Building in Balboa Park and removing of adjoining glass exhibition house. It speaks of it having been a great attraction and having brought to this area many visitors interested in horticulture, and that restoration would result in direct dollars and cents effect on the City's tourist business and would pay for itself over the years. It speaks of being aware of estimates submitted on the cost, but urges studies at earliest possible date.

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

Communication from San Diego Chamber of Commerce, dated June 14, 1955, by Robert M. Golden, president, was presented. It makes suggestions that adequate parkway areas be provided in new subdivisions for the planting of trees, and methods of laying them. It mentions interest in various areas in connection with development of list of recommended trees.

RESOLUTION 126971, referring communication from San Diego Chamber of Commerce re parkway width in subdivisions (for tree planting) to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from San Diego Chamber of Commerce, dated June 14, 1955, by Robert M. Golden, present, was presented. It says committees have been studying various phases of proposed golf course development in Camp Callan area, that the Board of Directors is in accord with proposed location of 2 12-hole courses which in part, lie within boundaries of the Torrey Pines Park. It recognizes need for additional golf course facilities, both for use of San Diego citizens and tourists. It requests that prior to development with capital outlay funds the City make effort to obtain private financing, setting forth conditions under which courses would be operated for use by general public, and not become private courses either through design or by imposing higher fees than for municipally operated facilities. It says that if private financing should not be available or feasible, the Board recommends that City proceed immediately with construction and operation of courses as a municipal project. The communication further recommends that the club house and appurtenances be constructed and operated by private interests.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the file on the hearing set July 12, 1955.

Communications from Town and Country Hotel, June 14, 1955, by Charles H. Brown; Hotel & Motel Owners for an annual event, by Charles H. Brown, chairman, dated June 14, 1955; Mrs. Frederick H. Stoye, 604 Rosemont Street, La Jolla, 15 June 1955; Frederick H. Stoye, 604 Rosemont Street, La Jolla, 15 June 1955; Mary Lucille Carothers, La Jolla, May 17, 1955; Marion Sinclair Keys, Box 674 La Jolla, May 16, 1955; Mary G. Marston, 3525 Seventh Avenue, San Diego 3, May 16, 1955; Virginia Gilloon, 4219 Haines St., San Diego 9, May 17, 1955; Carl L. Hubbs, University of California, The Scripps Institution of Oceanography, La Jolla (in his own behalf, and not for the University); Roscoe A. Poland, 5334 Trinidad Way, San Diego 14, 17 May, 1955; The American Plant Life Society, 5804 Camino de la Costa, La Jolla, May 16, 1955, by Hamilton P. Traub, Editor; Karl Kenyon, 454 Ravina, La Jolla, May 16, 1955; Guy L. Fleming, Box 228 La Jolla, May 31, 1955; Natural History Museum, Balboa Park, San Diego, June 14, 1955, by Laurence M. Huey, Secretary to the Fellows, were presented.

Communications were addressed, variously, to the Mayor, to Councilman Burgener, to the Planning Commission, and to the City Council.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, all were referred to the file on the hearing set July 12, 1955.

Communication from North Park Business Club, 4094 Thirtieth Street, San Diego 4, by Arthur F. Butler, president, was presented. It requests the Council, on behalf of citizens, property owners, and merchants of the 30th and University District, known as North Park, for consideration of a direct connecting link between the district and the Alvarado Freeway. It petitions the Council to immediately start necessary procedure to bring about

the connecting link. It asks the City to make a survey on construction and financing of a 2-lane connection with Alvarado Freeway to Adams Avenue at Boundary Street, and that it be reported to the City Council and North Park Business Club at earliest possible date.

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

Communication from W. E. Starke, attorney, 1130 Bank of America Building, San Diego 1, dated June 14, 1955, was presented. It makes reference to his letter of February 24, 1955, regarding purchase of land by the City, referred to City Manager for report. It calls attention to Assessment Roll 2332 which recently bills the City \$3,556.98 for street work, which can be added to purchase price of land. It says it is the Council's privilege to have a report made by proper authorities when such request has been made.

Councilman Kerrigan moved it be referred to Council Conference.

Councilman Williams asked if it is a long letter.

It was read to the Council by the Clerk.

The Mayor referred to report being ready.

The City Manager told the Council that it is on his desk.

RESOLUTION 126972, referring to Council Conference communication from W. E. Starke, Document 514375, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from J. B. Howard, P.O. Box 673, Lakeside, Calif., dated 6/16/55, referring to a beautiful 47-page booklet printed and distributed in January 1949, regarding delinquency prevention, was presented. It says that now, 6 full years later, taxpayers would like a report on what has been accomplished.

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

RESOLUTION 126972, directing notice of filing Assessment 2371 made to cover costs and expenses of work upon paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, Resolution of Intention 119346, was on/Burgener, seconded by Councilman Schneider, adopted.  
motion of

RESOLUTION 126973, directing notice of filing Assessment 2372 made to cover costs and expenses of work upon paving and otherwise improving Grand Avenue, Resolution of Intention 118555, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126974, directing notice of filing Assessment 2373 made to cover costs and expenses of work upon installation of ornamental lighting system in 30th Street, Upas Street, Ray Street and University Avenue, Resolution of Intention 117016, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126975, directing notice of filing Assessment 2374 made to cover costs and expenses of work upon paving and otherwise improving Alleghany Street and Public Right of Way, Resolution of Intention 119499, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 126976, accepting bid of Sim J. Harris Company, a corporation, and awarding contract 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 Burgener,

seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 10.% below the estimate.

RESOLUTION OF AWARD 126977, for paving and otherwise improving Alley Block 80 Pacific Beach - accepting bid of A. R. Kingaard, and awarding contract - was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 16.1% below the estimate.

RESOLUTION OF AWARD 126978, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract, for paving and otherwise improving 29th Street, E Street and 28th Street, Resolution of Intention 123408, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 10.5% below the estimate.

RESOLUTION 126979, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 2 F. T. Scripps Addition to La Jolla Park, Document 513981; approving Plat 2727 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 126980, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 151, Acre Lots 12, 13, 14, 15, 40, 41 and portions of 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, Document 513983; approving Plat 2718 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 126981, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 217 Pacific Beach, Document 513985; approving Plat 2752 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 126982, 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, Resolution of Intention 126201, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 126983, for paving and otherwise improving Frost Street, Resolution of Intention 126202, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 126984, for paving and otherwise improving Roosevelt

Avenue, Resolution of Intention 126203, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126985, for paving and otherwise improving Brooklyn Avenue, Iona Drive and Kenwood Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126986, for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 126987, for paving and otherwise improving Boundary Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126988, for paving and otherwise improving Alley Block 2 F. T. Scripps Addition to La Jolla Park, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126989, for paving and otherwise improving Alley Block 151 Subdivision of Acre Lots 12, 13, 14, 15, 40, 41, portions of 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 126990, for paving and otherwise improving Alley Block 217 Pacific Beach, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126991, ascertaining and declaring wage scale for grading and sidewalking Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126992, ascertaining and declaring wage scale for paving and otherwise improving Tourmaline Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126993, ascertaining and declaring wage scale for paving and otherwise improving Hugo Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126994, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 126995, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley lying easterly of and contiguous to Lots 1 to 24 inclusive Block 1 Tract 1382 Wilshire Place, 43rd Street and Public Right of Way, Resolution of Intention 117677, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126996, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving portion Akron Street, Resolution of Intention 122087 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126997, approving diagram of property affected or benefited by work of improvement to be done on grading and sidewalking Pacific Beach Drive, Resolution of Intention 122089, 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 Schneider, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition for improvement of Hortensia Street, Document 513882, by private contract, under plans and specifications filed as Document 514016, was presented.

RESOLUTION 126998, granting United States Holding Company permission to improve by private contract portions of Guy Street and Hortensia Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 126999, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving portion Wawona Drive, Resolution of Intention 122704, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127000, prohibiting parking of Automobiles between 3:30 P.M. and 6:00 P.M., Sundays excepted:

South side of Grape Street between Pacific Highway and Kettner Boulevard; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127001, authorizing and empowering City Attorney to execute, for and on behalf of The City, a disclaimer in that action filed in United States District Court, Southern District of California, Southern Division 1546-SD, disclaiming any right of The City of San Diego in or to any compensation payable by the United States of America for condemnation and taking of Parcel in said action (portion of Pueblo Lot 265), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127002, authorizing City Manager to accept work on behalf of The City of San Diego in Engelstad's Aztec Manor Unit 1 Subdivision, and execute Notice of Completion and have it recorded (Plans and specifications Document 466652), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution authorizing City Manager to execute agreement with Kenneth Gardner



as Planning Consultant.

Councilman Williams asked for information.

Glenn A. Rick, City Planning Director, said that Mr. Gardner has been on part time for a number of years, and that he is not interested in full time employment. He said the item is included in the budget, and that Mr. Gardner signs a contract. He related 3 days a week throughout the year, and explained the activities.

RESOLUTION 127003, authorizing and empowering City Manager, for and on behalf of The City of San Diego, an extension of agreement between the City and Kenneth Gardner, for employment as Planning Consultant for an additional period of 1 year, to commence July 1, 1955, and terminate June 30, 1956, upon same terms and conditions as otherwise contained in original agreement, Document 453255 on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127004, granting permission to Stadium Racing Association to conduct public display of fireworks at Balboa Stadium, Balboa Park, July 4, 1955, from 10:30 to 11:00 P.M, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127005, granting San Diego Unified School District of San Diego County, Montgomery Junior High School, 4100 Normal Heights, San Diego 3, to install and maintain 10-foot chain link fencing over and across portion of Fulton Street frontage of Lot 1 Block 32 Linda Vista Subdivision Unit 5 (Map 3208), was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127006, granting revocable permit to San Diego Unified School District of San Diego County, Point Loma Senior High School, 4100 Normal Street, San Diego 3, to install and maintain multi-purpose court over and across portion of Zola Street frontage of Lots 7 to 11 Block 210 Roseville, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127007, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 3 locations, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution authorizing 120-day extension for improving Alleys Blocks 199, 220 Pacific Beach, was presented.

Councilman Burgener referred to the proposed 4 months extension, and asked if that is not unusual.

Mayor Dail stated that it is a small contractor.

The City Manager said that work is completed, and that time is needed on account of the assessment roll.

The Mayor said that the City needs to clamp-down on some of the contractors.

City Attorney J. F. DuPaul said that many times it is necessary to grant delays, in that the contractors are sometimes held up by the City. He said that the contract provides 1 year for completion.

The Mayor said that the contractor (John B. Henry) has been sick, and that people have had to wait on the torn up alley.

The City Attorney said that when the contractor is given a year, when he starts, he is in possession of the alley during that period. He declared that he is within his legal right. He added that the City might be too free with time on contracts for small jobs.

The Mayor stated that the City doesn't have trouble on the big jobs.

The City Engineer told of having to accept or reject (requests for extensions) under 1911 proceedings. He said that there is a difference on City (not 1911 Act) contracts. He said that the City can either give the extension, or not accept the job and go to court.

127003 - 127007  
Discussion re Res. auth  
extension of time on a 1911  
Act alley contract.

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Councilman Kerrigan said he (the contractor) has a little club, too, as long as the contract is not completed, in that he can bar use of the street or alley.

The City Attorney said that contractor is in possession as long as work is incomplete, and that he is held responsible for injuries thereon.

The City Engineer said that if the work will not be sped up, there should not be any awards. He said that Mr. Henry has been a good contractor; he was in a jam. He said that Mr. Henry has always been a good performer.

Councilman Kerrigan stated that a better bid is received on a year's contract.

The City Engineer said that it is necessary to write off 4 months - including assessment hearing.

RESOLUTION 127008, authorizing Street Superintendent to grant 120-day extension of time for completion of contract for paving and otherwise improving Alleys Blocks 199, 220 Pacific Beach, under recommendation Document 514540, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127009, granting Mission Beach Amusement Co. permission to conduct public display of fireworks at Miniature Golf Course, on Ocean Front, Mission Beach Amusement Center, July 4, 1955, from 10:00 P.M. to 10:30 P.M., subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127010, approving Change Order 2 dated June 9, 1955, Document 514640, issued in connection with contract between The City of San Diego and Royal Pipeline Construction Co. for installation of small water main replacements, Group 16, contract Document 501782; changes amounting to increase in contract price of \$499.45, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 6554 (New Series), changing name of portion of Harbor Drive to North Harbor Drive, 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.

Ordinance appropriating \$20,000.00 for acquisition of property for 30th Street Bridge Project, was presented.

Councilman Burgener asked if funds are out of current budget.

The City Manager spoke of moving ahead, although project is planned for next year.

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

ORDINANCE 6555 (New Series), appropriating \$20,000.00 from Capital Outlay Fund for acquisition of property for 30th Street Bridge Project, 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.

It was introduced on motion of Councilman Williams, seconded by Councilman Burgener.

127008 - 127010

Discussion re 1911 Act extensions of time on contract

6554 N.S. - 6555 N.S.

Discussion on Ord 6554 N.S.

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 votes of the Council. There was available for consideration of each member of the Council written or printed copy prior to final adoption.

ORDINANCE 6556 (New Series), appropriating \$8,100. from Unappropriated Balance Fund, for providing funds for purchase of portion Pueblo Lot 307 and the buildings thereon, from the Federal Housing Administration, 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.

Proposed Ordinance granting Zoological Society of San Diego right to occupy, maintain and operate zoological gardens in Balboa Park, etc., was presented.

Councilman Schneider said that the fee charging (for admission) departs from the Council, and goes to the City Manager and to the Society. He asked who put that in.

The City Manager replied "whoever drafted the ordinance".

Councilman Schneider spoke of the Council being held accountable.

City Attorney J. F. DuPaul said that the Ordinance could be referred back for a report.

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

The City Manager requested, and was granted, unanimous consent to present the next 2 items, not listed on the agenda:

RESOLUTION 127011, authorizing and directing the Mayor to execute for and on behalf of The City of San Diego, the name of the City on certificate of ownership on Final Map of Linda Vista Unit 4, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127012, authorizing and directing the Mayor to execute for and on behalf of The City of San Diego, the name of the City on certificate of ownership on Final Map of Linda Vista Unit 8, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Before adoption of Resolutions 127011 and 127012, the City Manager stated that the City's execution on certificate of ownership is needed, on account of the City's interest in the property.

Councilman Williams referred to City Auditor's report showing \$50,000. appropriation by Ordinance 6322 N.S. He said that expenditure on the public housing seems like a lot of money.

John McQuilken, City Auditor, said the item includes materials, supplies, and inventory.

The City Manager said the City has in lieu tax.

Next, Councilman Williams asked if it is normal for the City to print brochure for \$5,000, and then pay commission on property sale.

City Attorney DuPaul replied "yes".

Councilman Williams wondered that when the commission is taken, the commission is taken into consideration on sale price.

Councilman Burgener and the City Manager both said "no".

Councilman Williams said he does not like to cut out real estate agents, but hates to see this.

The City Attorney said that the Council can amend the ordinance which permits payment by the City of commissions on sale of City-owned property.

127011-127012 under U.C.  
6556 N.S.

Discussion on Auditor's  
report on Public  
Housing approp., and  
on commission on  
real estate sales

6/21/55

6/23/55

The Mayor said that it has been repealed, but put back on.  
Councilman Kerrigan said that the policy had been put on, on account of the City owning much property, and of there being no effort otherwise to put property back on the tax rolls.

Councilman Williams said that the City pays \$5,000- and commissions on top of that.

Councilman Burgener and the City Manager said it covers legal advertising.

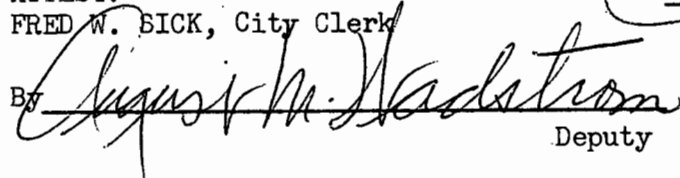
RESOLUTION 127013, referring to Council Conference the matter of commissions on sales of City-owned lands, together with matter of policy thereon, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

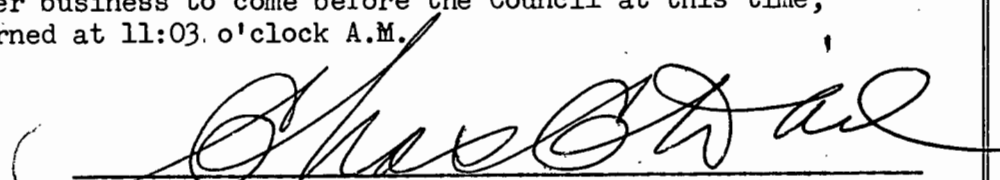
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:03 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California  
Thursday, June 23, 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 97.

Mayor Dail called the meeting to order at 10:03 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing (original hearing held June 9, 1955) on petition of property owners for rezoning about 300 acres of Kearney Mesa land on northwest side of U.S. Highway 395 across from Montgomery Airport, generally under flight pattern of existing northwesterly runway and proposed instrument runway, the Mayor said that it had been held up pending studies by the Council - for decision today.

Letter, signed by Merit-Myers, Inc., Kearney Park Development Corp., et al, as owners of approximately 1,200 acres of real estate in San Diego Industrial Center, ask for opportunity to be heard at this meeting. It states that Charles Decker has been delegated to appear, and it requests that he be heard and the Council postpone action on proposed rezoning until such time as comprehensive zoning and master plan can be developed

127013

Meeting adjourned

Meeting convened

Hearing (which had been cont from June 9)

for the entire area. Also read was communication from Geo. P. Nestor, vice president, and E. E. Asbury, president (company or corporation not identified), was presented. Mr. Nestor and Mr. Asbury who spoke in behalf of the rezoning to M-1A for the purpose of toy manufacture, were not present.

Mr. Decker told the Council that plan, referred to, had just been completed yesterday. He said that it was a master plan for the area, presented to the City Manager. He said that he wants to know from the people who ask for the zoning, if it can be worked into the plan. He asked postponement of the hearing, and filed copy of "Specimen Protective Covenant - San Diego Industrial Center". The Clerk made it a part of the file.

Councilman Schneider asked if those interested own the property outright, and if it is an escrow deal.

The Mayor stated that he thinks they do not own the property.

Councilman Schneider wondered if they had tried to get other M-1 zone property in the area.

George Hatch, who had spoken at the first hearing, requested a postponement, but asked the Council not to kill the project. He said that he was speaking, again, for members of his family. Mr. Hatch said that it will eventually be M zone property.

Councilman Schneider pointed out that Mr. Asbury and Mr. Nestor are not here.

He repeated his question about ownership, and effort to acquire other property.

Councilman Kerrigan said that the Council can take 2 or 3 actions.

RESOLUTION 127014, filing matter of rezoning portion of The Highlands to M-1A Zone, 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 proposed rezoning of Lots 2 to 5 inclusive Block 2 Bay Shore Addition, Talbot and Scott Streets, from R-1 Zone to R-4 Zone, communication from Planning Commission, reporting that Commission had voted to deny the application 6-1, was presented and read. It identifies property as extending along southerly side of Talbot Street from Scott Street to Mean High Tide Line. It says that tidelands, adjoining property on southeast are not zoned, that San Diego Yacht Club leases Tidelands adjacent to foot of Talbot Street, that property on northeast side of Talbot Street is zoned R-4 almost up to Rosecrans Street where zoning is commercial. The report says that property on southwest side of Talbot Street is zoned R-1 up to Rosecrans Street. It says that property proposed to be rezoned is vacant except for 2 small old houses, that adjoining 25-Foot lot is also vacant. It points out that R-4 zone across Talbot Street at northeast is also vacant, and remainder of property in the area is improved. The communication says that answers to questions on petition do not warrant changing zoning; the theme of answers being that land is not suitable for R-1 Zone; there is no evidence offered that it is more suitable for R-4 purposes. It goes into detail about the petition, protest, and recommendation. It reports that practically all of protestants present were opposed to any change in the zoning, but petitioner agreed that R-2 would be satisfactory with him.

Robert Whitney, petitioner, showed the map, and a colored picture of proposed development - regarding a possible R-2 zone. He stated that he wants to change the request from R-4 to R-2 - as a buffer zone. He spoke of large section of land, across the street, not divided.

Councilman Kerrigan said that if there is a request to change to R-2, it would be before the Planning Commission. He said that the Council can re-refer this request, or deny the application.

Councilman Kerrigan moved to re-refer the matter to Planning. Motion was seconded by Councilman Evenson.

Councilman Williams stated that the Council should take action on this request, as contained in the petition.

The motion to re-refer was withdrawn.

Councilman Williams moved to uphold the decision, and deny the R-4 petition. Motion was seconded by Councilman Kerrigan.

The Mayor said that the petition should be denied, regarding protest. He said that the Council is not in a position to modify the request.

Councilman Kerrigan and Councilman Williams said that the request can be pursued further (for request for change to R-2, instead of request to R-4).

RESOLUTION 127015, denying petition for rezoning portion Block 2 Bay Shore

6/23/55

Addition, at Talbot and Scott Streets, from R-1 to R-4, 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 incorporating portion Lot 67 Rancho Mission into R-1A, R-1 and R-4 Zones - ordinance introduced June 16, 1955 - the Clerk reported no protests.

No one appeared to be heard.

Communication from Planning reported that this is for permanent zoning of area annexed in 1954 as "the Steinbaum Tract, and the San Diego State College lands. It says zoning was initiated by Planning Commission, and when adopted, it will replace existing interim zone ordinance. The report says that no protests were received at the hearing, and the Planning Commission voted 6-0 to approve permanent zoning as shown on attached Drawing C-116.

ORDINANCE 6557 (New Series), incorporating portion Lot 67 Rancho Mission into R-1A, R-1 and R-4 Zones as defined by Sections 101.0402, 101.0405 and 101.0408 respectively of San Diego Municipal Code, and repealing Ordinance 6194 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on incorporating portion Block 9 Estudillo & Caprons Addition into RC Zone as defined by the Municipal Code, and repealing conflicting ordinance - the Clerk reported no protests.

No one appeared to be heard.

ORDINANCE 6558 (New Series) incorporating portion Block 9 Estudillo & Caprons Addition into RC Zone as defined by Section 101.0409 of San Diego Municipal Code and repealing Ordinance 190 (New Series) insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

(The ordinance mentions that public hearing was held on zoning of portion of Fleischer's Addition and a portion of Block 9 Estudillo & Caprons Addition).

Petition of property owners requesting the Council and Planning Commission to revoke the building permit issued to Fred R. Cook, 3449 Valemont Street, was presented.

Also was a petition, signed by W. R. Balshe (one of the protestants against the work) saying that the neighbor against whom protest was made has voluntarily agreed to cease building.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, both items were filed.

After other action, Council went back to this item, but all is shown at this point to keep the subject together.

Councilman Kerrigan asked if permit could be revoked.

Glenn A. Rick, City Planning Director, said that the plan objected to had been approved. He stated that Mr. Cook has done the same before, but has then changed plans. He said that nothing could be done, under a legal permit.

Councilman Williams said that the action to change the plan is commendable, and indicates a good neighbor.

Communication from Purchasing Agent, approved by City Manager, submitting Resolution accepting sole bid of O. O. & R. E. Maurer for Glass Covering of Plywood Skiffs at \$107.75 each - total of \$21,119.00 for 196, was presented.

Councilman Schneider asked what the cost would be.

The City Manager said that new boats would cost from \$195.00 to \$221.00 each. He said that the item had been put out to bid before, but bids were thought too high.

Councilman Schneider asked if the income justifies the expense.



The City Manager said the covering makes them usable for 8 to 10 years, and saves upkeep.

Councilman Schneider and Councilman Evenson said that it can wait for a report. They moved and seconded motion to continue the item 1 week (to June 23 '55).

Report of Purchasing Agent, approved by City Manager, on low bid of Edward D. Maltby Company, Inc., for furnishing roller chains and sprockets for Alvarado Filtration Plant - \$5200.00 - 5 bids - was presented.

RESOLUTION 127016, accepting bid of Edward E. Maltby Company, Inc. for furnishing roller chains and sprockets; 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 Williams, seconded by Schneider, adopted.

Resolution authorizing Purchasing Agent to advertise for sale and sell garbage hopper, located on land leased from Harbor Department, was presented.

The City Manager told the Council that it had never been used.

Councilman Schneider informed the new Councilmen that it was down on Anna Street, but was never used and property on which it was to be operated was not rezoned, due to protest made by the University.

RESOLUTION 127017, authorizing and directing Purchasing Agent to advertise for sale and sell garbage hopper belonging to the City, located on land leased from Harbor Department, no longer desirable for use or retention by the City; directing that all expenses in connection with sale be deducted from proceeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution says that Director of Public Works has given notice, in writing, to Purchasing Agent that it is no longer desirable for use or retention by the City.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of College View Estates Unit No. 5, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 127018, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Harmony Homes, a corporation, for installation and completion of unfinished improvements and setting of monuments required for College View Estates Unit 5 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 127019, adopting map of College View Estates Unit 5, being subdivision of portion Lot 67 Partition of Rancho Mission of San Diego; accepting Walsh Way and unnamed easements shown for public purposes on behalf of the public, declaring them to be so dedicated; authorizing and directing Clerk of the City to endorse upon map, as and for act of the 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of South Clair Terrace Unit 1, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 127020, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Southclair Development Company, a limited partnership, for installation and completion of unfinished improvements and setting of monuments required for Southclair Terrace 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 Kerrigan, adopted.

RESOLUTION 127021, adopting map of Southclair Terrace Unit No. 1, being subdivision of portions of Pueblo Lots 1191 and 1195 and portion of unnumbered Pueblo Lot bounded by Pueblo Lots 1194, 1195, 1206 and 1207, unnumbered lot known as Morrow Tract or Fos Addition;

accepting on behalf of the public Cowley Way, Jellett Street, Huxley Street, Field 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 of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, approved by Asst. City Manager, recommending granting petition to close Quince Street between westerly line of Front Street and easterly line of Albatross Street, was presented. It says that Quince Street west of Front Street is unimproved, and is located in deep canyon which drops in excess of 50 feet between Front and Albatross.

RESOLUTION 127022, granting petition for closing Quince Street between westerly line of Front and easterly line of Albatross Streets; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses of the closing, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Application of John W. Brophy and Richard N. Hilton for Class "A" Dine & Dance License and Cabaret at Harlem 400, 200 Market Street, was presented together with recommendations from City departments for approval.

RESOLUTION 127023, granting application of John W. Brophy and Richard N. Hilton for Class "A" license to conduct public dance at "Harlem 400", 202 Market Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127024, granting permission to John W. Brophy and Richard N. Hilton to conduct cabaret with paid entertainment at "Harlem 400", 202 Market Street, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Downtown Association, by Harry Silke, Jr., Secretary to the Board (of Directors), dated June 16, 1955, Councilman Schneider moved that it be referred to Budget Conference.

Councilman Kerrigan, who secured the letter from the Clerk, read it to the Council.

Councilman Schneider withdrew his motion.

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

Communication from Sports Car Club of America, dated June 17, 1955, signed by G. Wm. Fleming, Business Manager, was presented. It refers to destruction of present road racing course in connection with construction of proposed golf courses in Torrey Pines area.

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

Communication from Mark Uselton, dated June 17, 1955, requesting Council to open a parcel of land in the subdivision known as Colony Park for a public street - it refers to land marked on the map as "Reserved for Future Street" on map of Whitefield Street, was presented.

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

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, dated June 20, 1955, signed by Carl P. Staal, president, regarding City's membership fee, the Oil Royalty Fund legislation, etc., was presented.

RESOLUTION 127025, referring communication from Shoreline Planning Association of California, Inc. to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication (copy) addressed to "Voice of the People", San Diego Evening Tribune", dated June 18, 1955 - from Gordon H. Gran, 4014 Falcon Street, was presented. It goes into the subject of taxes, generally, saying "prodded on by screams of irate taxpayers, City Council seeks new sources of revenue", etc.

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

Communication from County of San Diego, by Cletus W. Gardner, Director of Recreation, dated June 20, 1955, stating that San Diego County Historical Markers would like permission to erect historical monument on City property located at Library and Community Building, 3960 Mason Street, Old Town, commemorating establishment of first publicly owned school house in San Diego area, with monument made of native stone with bronze plaque mounted thereon, was presented.

Councilman Williams said that Haering wants to be heard.

Nicholas J. Haering asked for more information.

Councilman Kerrigan moved to refer it to the City Manager for report.

The communication was read - setting out the text to be used on the marker.

Mr. Haering spoke about doing something about demolishing housing in the area, which he said is an eye sore.

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

#### Councilman Burgener entered

Two men, who had appeared at the beginning of this meeting, said that they were waiting for arrival of Councilman Burgener. They were identified as Mr. Greene and Mr. Stevenson (later referred to as Gordon). Both men represented the Clairemont Town Council, and expressed themselves as being grateful for assistance from the City. They spoke of being in dire need of a road from Clairemont to the east. Population of between 25,000 to 30,000 in the Clairemont area was referred to. It was said that situation could be bad, in that they could not get out of the area if necessary. They said that it had been brought before the Council 3/24; the Council ordered a map and a survey.

Mayor Dail said that it is listed as a Capital Outlay item, for construction this year.

Mr. Greene expressed thanks to the City Traffic Engineer for his checking. He said that if the road were available, Sharp Memorial Hospital could be reached in 7 to 8 minutes. He told of finding "200 to 300 using the cow path per day". He said that the Council had asked them to appear, to expedite the project. He wondered if there could be an estimate soon, and of getting the work done before the rains. He related the various organizations which had supported the proposed project. He said that all are sympathetic. Mr. Greene told the Council that a standard highway is not wanted, but it is wanted quick. He said that the item in Capital Outlay would give a quick surfaced road. He spoke of a case where a child was struck, and lay in the road 20 minutes because of being unable to reach.

Councilman Burgener said that the facts have been clearly stated.

Councilman Kerrigan said that Clairemont is well represented before the Council.

There was no action.

Communication from The First Brethren Church, by F. Archer Baum, pastor, 1828 El Cajon, dated June 21, 1955, was presented. It states that Planning Commission on

Communications  
127025  
Verbal presentation re road from Clairemont to the east.

6/23/55

June 1 rejected Tentative Map of Grace Manor, a subdivision of portion of west half Pueblo Lot 1215. It mentions appeal filed, and of rejection of tentative map primarily because petitioner does not desire Atlas Street cut through the property. Appeal is made, again, from the decision of the Planning Commission and hearing is requested for Thursday, June 30.

Councilman Kerrigan spoke of the item having been before the Council, continued, then denied.

Mayor Dail said the Council can have a hearing, and inform the appellants regarding the past decision.

(The pastor of the church appeared before the Council on June 17, 1955, and made the same objections). At that time it was referred back to the Planning Commission. Referring to applicant not having appeared, earlier, the Planning Director told the Council that applicant had chosen not to appear.

RESOLUTION 127026, setting hearing for 10:00 A.M., Thursday, June 30, 1955, to consider Tentative Map of Grace Manor, a subdivision of portion of west half of Pueblo Lot 1215, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution authorizing advertising for sale at public auction of portion Lot 78 Rancho Mission, was presented.

By common consent, the item was held, and considered later after the Council had returned from a recess.

RESOLUTION 127027, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with C. P. Sikes and Garrick O'Bryan, 1145 Rosecrans Street, for portion of Mission Bay Recreation Area known as Quivera Basin, for 50 years, at flat rental or percentage whichever is greater; for developing, operating and maintaining sports fishing headquarters with appurtenant facilities, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127028, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with United States of America, Department of Commerce, Civil Aeronautics Administration, Lot B and portion Lot A of Pueblo Lot 262 according to partition Map in case of Steele vs Steele, Superior Court, San Diego County, Number 5620 for 5 years at rental of \$1.00 per annum; leased for maintenance and operation of radio range station located between Peik's Airport and Pacific Highway, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127029, authorizing and empowering City Manager to execute, for and on behalf of the City, water service contract with General Services Administration, United States Government, covering water service for domestic use at 3755 Sixth Avenue, under terms and conditions set forth in contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127030, authorizing and empowering City Manager to execute, for and on behalf of the City, storm drain maintenance and repair agreement with General Dynamics Corporation, agreement filed as Document 515076, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Agreement has to do with property under lease to Convair, improvement in Moore Street, upon which City agrees to maintain and repair improvement upon completion and acceptance by the City - \$75,000 to be paid by Convair: \$15,000 per year for 5 years.

RESOLUTION 127031, granting E. B. Zink, 605 West Walnut, permission to install 400 feet of 4" cast iron soil pipe from San Diego City sewer located on west side of Curlew to Lots 33 and 34 Inspiration Point, on conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

6/23/55

RESOLUTION 127032, denying claim of William Huff, Document 508253, was on motion Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127033, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against property described as portion Lot 1 Block 2 Berkeley 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 Evenson, adopted.

RESOLUTION 127034, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 14 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127035, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against westerly 10.0 feet of northerly 1/2 of southerly 1/2 of northerly 1/2 Lot 125 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 Evenson, adopted.

RESOLUTION 127036, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against westerly 10.0 feet of southerly 1/2 of northerly 1/2 of westerly 3/4 of northerly 1/2 of Lot 125 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 Evenson, adopted.

RESOLUTION 127037, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 13 Block 111 Morse, Whaley and Dalton's Subdivision; 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 Evenson, adopted.

RESOLUTION 127038, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 16 Block 2 Tres Lomas; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.



RESOLUTION 127039, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 31 Block 10 Tres Lomas; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127040, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Lots 1, 2, 3 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127041, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 1 Block 11 Tres Lomas; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127042, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portions of Pueblo Lots 327, 328 and 329 of Pueblo Lands; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

In connection with the next Resolution, which accepts undivided 1/2 interest in a piece of property, Councilman Williams had a question. He wondered how that is done. Alan Firestone, Deputy City Attorney, said there are 2 partners; the City took 2 deeds.

RESOLUTION 127043, accepting deed of E. A. Winstanley, as administrator of estate of Oreste Pipola, deceased, January 3, 1955, conveying undivided 1/2 interest in and to Lot 9 Block 53 Sellar's Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, together with certified copy of Resolution, was on motion Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127044, accepting grant deed of E. A. Winstanley, administrator of estate of Antonetto Leone Cassana Pipola, also known as Antonetta Leone Cassano Pipola, and as A. Cassano Pipola, deceased, June 9, 1955, conveying undivided one-half interest in and to Lot 9 Block 53 Sellar's Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127045, accepting grant deed of E. A. Winstanley, administrator of estate of Antonetto Leone Cassano Pipola, also known as Antonetta Leone Cassano Pipola, A. Cassano Pipola, deceased, June 9, 1955, conveying Lot 17 Block 3 Electric Line Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder,



together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127046, accepting grant deed of E. A. Winstanley, as administrator of estate of Antonetto Leone Cassano Pipola; also known as Antonetta Leone Cassano Pipola, Antonetta Cassano Pipola, A. Cassano Pipola, deceased, June 9, 1955, conveying Lots 7 and 8 Block 8 Sellar's Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127047, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and The Continental Auxiliary Company, trustee, May 25, 1955, subordinating all their right, title and interest in and to portion Lot 10 Block 2 Homedale, 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 Kerrigan, adopted.

RESOLUTION 127048, accepting subordination agreement, executed by Herman E. Kirk, beneficiary, and Security Title Insurance Company, trustee, May 26, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 9 Block 422 Helphingstine's Addition, 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 Kerrigan, adopted.

RESOLUTION 127049, accepting subordination agreement, executed by Pioneer Mortgage Sales Company, beneficiary, and Security Title Insurance Company, trustee, May 5, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 9 Block 422 Helphingstine's Addition, 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 Kerrigan, adopted.

RESOLUTION 127050, 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, June 15, 1955, subordinating all their right, title and interest in and to portion Lot 24 La Mesa Colony, to right of way and easement for street purposes heretofore conveyed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127051, accepting subordination agreement, executed by Security Trust and Savings Bank of San Diego, beneficiary, and Chula Vista Investment Company, trustee, June 10, 1955, subordinating all their right, title and interest in and to portion of Lot 8 Block D Garden Grove, to right of way and easement for street and public 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127052, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Company, trustee, June 13, 1955, subordinating all their right, title and interest in and to portion of Lot 8 Block 6 Encanto Heights, to right of way and easement for public purposes

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to portion of Block 6 Encanto Heights, right of way and easement for public 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127053, accepting subordination agreement, executed by Perry C. Pollock, beneficiary, and Union Title Insurance and Trust Company, trustee, June 3, 1955, subordinating all their right, title and interest in and to portion Lot 91 Southern Title Guaranty Company's Subdivision of Pueblo Lot 1801 to right of way and easement for public 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127054, accepting subordination agreement, executed by First National Trust & Savings Bank, beneficiary, and First National Trust & Savings Bank, trustee, May 10, 1955, subordinating all their right, title and interest in and to portion of Lot H La Mesa Colony, 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 Evenson, adopted.

RESOLUTION 127055, accepting subordination agreement, executed by First Federal Savings and Loan Association, beneficiary, and Fidelity and Guarantee Company, trustee, June 7, 1955, subordinating all their right, title and interest in and to portion Lot C and H La Mesa Colony, to right of way and easement for sewer 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127056, accepting deed of Henri Viaene and Marie Viaene, May 27, 1955, conveying easement and right of way for public easement purposes in portion Lot 7 Block D Garden Grove; 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 Evenson, adopted.

RESOLUTION 127057, accepting deed of Roy B. Miller and Elmira P. Miller, May 25, 1955, conveying easement and right of way for public purposes in portion Lot 9 Block 6 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127058, accepting deed of Roy B. Miller and Elmira P. Miller, May 25, 1955, conveying easement and right of way for public purposes in portion Lot 8 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127059, accepting deed of Edith Charte, May 31, 1955, conveying easement and right of way for public purposes in portion Lots 6, 7, 8 Block D Garden Grove; 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 Evenson, adopted.

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RESOLUTION 127060, accepting deed of Marion Richard Gilbert and Maxine B. Gilbert, May 25, 1955, conveying easement and right of way for public purposes in portion Lot 8 Block 6 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127061, accepting deed of San Diego Unified School District of San Diego County, June 7, 1955, conveying easement and right of way for alley purposes in portion Lots 11, 12, 13, 14 Block 7 San Diego Land and Town Company's South Chollas 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 Evenson, adopted.

RESOLUTION 127062, accepting deed of McKellar and Wyer, May 23, 1955, conveying easement and right of way for alley purposes in portion Lot 21 Block C 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127063, accepting deed of Marine Development Company, Inc., May 23, 1955, conveying easement and right of way for storm drain purposes in portion Lot 4-1/2 Block H Narragansett 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 Evenson, adopted.

RESOLUTION 127064, accepting deed of Baltazar B. Samano and Emelia A. Samano, March 24, 1955, conveying easement and right of way for storm drain purposes in portion Lot 9 Block 422 Helphingstine's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127065, accepting deed of San Diego Unified School District of San Diego County, June 7, 1955, conveying easement and right of way for storm drain purposes in portion Lot 6 Resubdivision of Pueblo Lot 1207; 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 Evenson, adopted.

RESOLUTION 127066, accepting deed of Shizuo Akiyama and Hidetoschi Akiyama, May 24, 1955, conveying easement and right of way for storm drain purposes in portion Lot 30 Rancho Ex-Mission, Horton's Purchase, Ex-Mission Lands of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127067, accepting deed of Santa Fe Land Improvement Company, May 26, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1224; 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 Evenson, adopted.

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RESOLUTION 127068, accepting deed of John Pfeiler and Violet C. Pfeiler, June 2, 1955, conveying easement and right of way for street purposes in portion Lot 40 Block 13 Floral 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 Evenson; adopted.

RESOLUTION 127069, accepting deed of Edith Charte, May 31, 1955, conveying easement and right of way for Street purposes in portion Lot 8 Block D Garden Grove; 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 Evenson, adopted.

RESOLUTION 127070, accepting deed of James DeMay and Florenza DeMay, March 1, 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 Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127071, accepting deed of Frances S. Lichty and Max M. Lichty, May 26, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1286; 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 127072, accepting deed of William G. Litton and Andrew J. Rock, June 3, 1955, conveying easement and right of way for sewer purposes in portion Mission Bay Recreation Area, known as Dana Basin; 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 127073, accepting deed of Kesling Modern Structures, Inc., May 16, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1287; 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 127074, accepting deed of Paul G. Jacot and Mary Lou Jacot, April 28, 1955, conveying easement and right of way for sewer purposes in portion Block 132 Choate's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127075, accepting deed of Phillip I. Lawrence and Dolores C. Lawrence, April 28, 1955, conveying easement and right of way for sewer purposes in portion Block 132 Choate's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127076, accepting deed of Basset Creek Holding Company, May 9,

1955, conveying easement and right of way for sewer purposes in portion Lot 8 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127077, accepting deed of Mariano Lechunga and Manuela Lechuga, June 8, 1955, conveying Lots 9 to 12 inclusive, Block "A" Week'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.

RESOLUTION 127078, accepting deed of First Presbyterian Church of La Jolla, May 26, 1955, conveying Lot 6 Block 57 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 127079, accepting deed of The First National Trust and Savings Bank of San Diego, May 23, 1955, conveying Lot 9 Block 93 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.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of 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 Council prior to day of final passage written or printed copy of Ordinance.

ORDINANCE 6559 (New Series), authorizing leasing of portions of Pueblo Lots 1293, 1294, 1295, 1322, 1323, 1326, 1327, and 1329, under terms and conditions of Document 515156 - for 5 years commencing February 9, 1955 - grazing of horses or cattle and/or cultivation of dry crops or development of permanent pasture only, 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.

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

On motion of Councilman Williams, seconded by Councilman Burgener, 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 Council prior to day of final passage written or printed copy of Ordinance.

ORDINANCE 6560 (New Series), establishing grade of Alley Block 1 Walker's Addition, between south line of F Street and north line of Market Street, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

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

On motion of Councilman Williams, seconded by Councilman Burgener, 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 Council prior to day of final passage written or printed copy of Ordinance.

ORDINANCE 6561 (New Series), establishing grade of Alley Block 13 La Jolla Park, between line parallel to and distant 325 feet northerly from northerly line of Pearl Street and northerly termination of said alley, was on motion of Councilman Williams, sec-



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ended 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 Williams, seconded by Councilman Burgener, next ordinance was introduced.

On motion of Councilman Williams, seconded by Councilman Burgener, 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 Council prior to day of final passage written or printed copy of Ordinance.

ORDINANCE 6562 (New Series), establishing grade of Josephine Street, between northerly line of Mildred Street and easterly prolongation of northerly line of Lot 6 Block 11 Amended Map of Silver Terrace, 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.

The City Manager told the Council that Resolutions on Final Maps of Linda Vista 4 and 8.

At 10:47 o'clock A.M., the Council took a recess to 11:00 o'clock A.M.

Upon re-convening, at 11:23 o'clock A.M., the roll call showed the following:

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.  
Absent---None  
Clerk----Fred W. Sick

The Council returned to the next item, which had been held up earlier, prior to the recess.

RESOLUTION 127080, authorizing and directing Property Supervisor to advertise for 5 consecutive days in official newspaper, sale at public auction of portion Lot 78 Rancho Mission, according to Partition Map made in action of Juan M. Luco, et al. vs. The Commercial Bank of San Diego, et al - described in the Resolution - upon conditions relative to conditions having to do with the construction of the building, minimum cost of the building, date for starting work, date for completion, and penalty to be paid to the City by purchaser in event building is not completed by the stated date; reason for selling property is that it is no longer needed for City purposes; value as disclosed by appraisal made by qualified real estate appraiser is \$41,400.00; minimum amount Council will consider for sale is \$41,400.00 plus broker's fees, if any, etc.; reserving right of Council to reject any and all bids at public auction, was on motion of Councilman Schneider, seconded by Councilman Burgener, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-Councilman Kerrigan. Absent-None.

The next 2 items, not listed on the agenda, were presented by the City Manager, under unanimous consent granted by the Council.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Linda Vista Unit 4 (Revised, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 127081, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute contract with The United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, under and pursuant to provisions of Lanham Act (42 U.S.C. 11521 et seq.) for installation and completion of unfinished improvements in Linda Vista Unit 4, with provision, however, that City Manager shall not sign contract 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 as required by Document 512103 filed in office of City Clerk May 13, 1955, and Resolution 117659 adopted April 20, 1954 and Resolution 126962 adopted June 21, 1955; directing City Engineer to present ordinance establishing official grades of all streets

127080 - 127081  
6562 N.S.  
Recess taken  
Meeting reconvened



directing City Engineer to present and place as abt sh g order of all within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. It waives faithful performance bond.

RESOLUTION 127082, adopting Map of Linda Vista Unit 4 Subdivision and accepting on behalf of the public Burton Street, Coolidge Street, Ulric Street, Burroughs Street, Westinghouse Street, East Westinghouse Street, Tait Street, Abbe Street, Dunlop Street, West Dunlop Street, Volta Court, alleys, walks, named and unnamed easements, together with any and all abutters' rights of access in and to Linda Vista Road and Tait Street, adjacent and contiguous to Lots 1 to 6 inclusive of Block 59 and to Ulric Street and Tait Street adjacent and contiguous to Lots 1 to 14 inclusive of Block 70 and Lots 1 to 11 inclusive of Block 81, and to Ulric Street adjacent and contiguous to Lots 12 to 14 inclusive Block 59 shown and rejecting dedication for public streets of portions designated "Reserved for Future Street; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that they are accepted as listed, and rejected as shown in the Resolution; directing and authorizing Clerk of the City to endorse upon the map, as and for act of the Council that they are accepted, and rejected; 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 Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Linda Vista Unit 8 (Revised, subject to posting of adequate bond to insure installation of required improvement, and subject to proper notifying being given to all property owners directly affected by proposed Fulton Street closing, was presented.

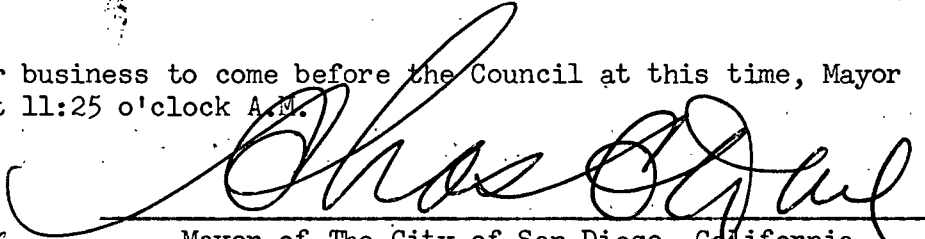
RESOLUTION 127083, waiving portion of San Diego Municipal Code which requires filing of faithful performance bond in favor of City of San Diego; authorizing City Manager to execute, for and on behalf of The City of San Diego, contract with The United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, under and pursuant to Lanham Act (42 U.S.C. 1952l et seq.) for completion of unfinished improvements in Linda Vista Unit 8, with provision that he 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 512487 filed in office of City Clerk, and Resolution 119851 adopted August 24, 1954, Resolution 126835 adopted June 14, 1955 and Resolution 126936 adopted June 21, 1955; 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 127084, adopting Map of Linda Vista Unit 8 Subdivision and accepting on behalf of the public Linda Vista Road, Fulton Street, Eastman Street, Hyatt Street, East Hyatt Street, Gatling Court, West Ingersoll Street, East Ingersoll Street, Judson Street, North Judson Street, Levant Street, Osler Street, Richland Street and Genesee Street, alleys, walkways, named and unnamed easements, together with any and all abutters' rights of access in and to Linda Vista Road, portions of Fulton Street and Levant Street adjacent and contiguous to Lots 1 through 7 inclusive of Block 47; Lots 1, 2, 7 Block 34; Lots 1, 2, 3, 4, 9 Block 35; Lots 1 through 5 inclusive Block 48, and in and to Genesee Street adjacent and contiguous to Lot 8 Block 35; Lots 1, 2, 3, 4, 7 Block 37; and Lots 1 through 6 inclusive of Block 38, and rejecting dedication for public streets of portions designated "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 and rejected; 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 Schneider, adopted.

Mrs. Faye Hartman, special field representative for the Federal Public Housing Administration, expressed her appreciation for the assistance given by various City departments in connection with the Linda Vista subdivisions.

There being no further business to come before the Council at this time, Mayor Dail declared the meeting adjourned at 11:25 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By  Deputy

Communications  
127082 - 127084  
Verbal thanks re Linda  
Vista subdivisions  
Meeting adjourned

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REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, June 28, 1955

Present---Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---None  
Clerk----Fred W. Sick

Resolutions and Ordinances are recorded on Microfilm Roll 97

The Mayor presented Father Joseph N. Stadler, Superintendent of Schools for the Catholic Diocese. He gave the invocation.

Mayor Dail presented service awards to the following City employees, honoring their lengthy service with the City of San Diego:

Fire Lieutenant Winton S. Hancock, in command of "A" division of Engine Company 8 at Washington and Goldfinch Streets - 20 years;

James E. Palmer, in charge of planning and supervising work of custodians in Division of Recreation, as Maintenance and Service Foreman - 25 years.

Minutes of the Regular Council Meetings of Tuesday, June 21, 1955, and of Thursday, June 23, 1955, -were approved without reading - after which they were signed by the Mayor.

Agent

The Purchasing Agent reported in writing that 8 bids had been opened June 24, 1955, on 1911 Act proceedings for installation of sewers in Quince Street, 45th Street, 46th Street, et al.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the Council made a finding that bids had been opened as reported. By the same motion, the Council referred them to the City Manager and City Attorney for recommendation.

The Purchasing Agent reported in writing that 5 bids had been opened June 24, 1955, on 1911 Act proceedings for paving and otherwise improving La Dorna Street, et al.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the Council made a finding that bids had been opened as reported. By the same motion, the Council referred them to the City Manager and City Attorney for recommendation.

The Purchasing Agent reported in writing that 2 bids had been opened June 24, 1955, on 1911 Act proceedings for installation of paving in Alley Block 10 Normal Heights.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the Council made a finding that bids had been opened as reported. By the same motion, the Council referred them 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 126463 for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, the Clerk reported written protests from various property owners, John J. McGrath, Mrs. Lillian Jopling, Irving E. Friedman, which were presented to the Council.

Meeting convened  
Invocation  
Service Awards  
Minutes approved  
Reports on 1911 bids - Ref to Mgr. & Atty.  
Hearing



6/28/55

The Mayor inquired if anyone was present to be heard.

Mrs. Charles Jopling entered a protest. She asked what right the City has to come in and take 5 feet for a bank. She said she could not use the alley.

The City Engineer spoke of the slope, and of needing land.

Mrs. Jopling stated that there is no need for the improvement, and that water would drain into her property.

Councilman Schneider said that if the alley runs completely through (the block) the Engineer would have to fill. He stated that there could be a dead-end alley. He said that Mrs. Jopling, and the alley, would be injured. He said he wants an investigation by the City Engineer regarding the change (to a partial alley).

Mrs. Jopling told the Council that she would lose improvements.

The City Engineer, answering questions put by the Council, referred to the 46.6% protest, and the 63% original petition.

John McGrath was heard, along the lines set out in his written protest, in which he had listed objections, point by point. He said that it is not a through alley - not even graded. He said that portion is semi-canyon, and that the street on the southerly end is not paved. He said that alley should not be paved into an unpaved street. He spoke about changes in ownerships since original petition was signed, and of his owning 45% of the frontage. Mr. McGrath told the Council that portion of the property had already been taken for Nutmeg Street. He said that it has a drop, and can't get water out. He said that the Property Department had approached him for an easement for a drain, which he refused to grant on account of an existing pipe. He said that sewer improvement destroyed the pipe. He protested encroachment and drainage run off. He said that there is no reason to spend \$5600.00.

Councilman Schneider said that he was interested in a way to explore the situation. He moved to continue the hearing 1 week.

V. D. Stewart said he has a lot on 33rd Street, assessment of \$600.; McGrath's is \$300. He told of having been forced to give property regarding the City wanting no dead-end streets. Answering Councilman Schneider, Mr. Stewart said that his property is about 1/2 way down the alley, and of having planned for the alley. He said that his property would not be served adequately if the alley does not go through.

Mayor Dail said that hearings have been conducted on majority protests; there is still a protest.

Councilman Schneider said that as hearings progress, some owners change their minds when they find the assessment will be more than they can afford; then the percentage in favor drops, and proceedings are thrown out. He said that is the reason the City tries to get a large majority on the petition requesting the work.

A man whose name was understood to be Howard W. Graff (although his name does not appear on the Clerk's "search"), said that he has the 4th house from where the alley goes through. He stated that it would be a great benefit if the alley goes in.

Councilman Schneider spoke to Mr. Graff about not going "through".

Guido Prantil had a note, which he handed to Councilman Burgener, who passed it up to the Clerk. It was from R. S. Urrea, addressed to Mr. Vol Dean Stewart. He says in the letter that anything he would sign would be according to what the neighbors decide. Mr. Prantil stated that he is in favor of the paving. He said that a majority of the property owners want the paving which would be improvement for everybody. He said that the sewer has cleaned up a mess.

Mrs. Clyde H. Behnke said that she wants the alley paved; she has the 3rd place from the south; a majority wants it.

Councilman Burgener spoke to Mrs. Behnke.

Mrs. Stewart, who spoke from the audience, instead of from the microphone, said she is in favor; so is her neighbor.

John McGrath contended that the protest is actually in the majority. He spoke of 13 of 24 having signed.

Mrs. Stewart came forward, at the Mayor's request, and told of a garage having been converted to a television<sup>room</sup>, on account of not being able to reach it. Mrs. Stewart spoke of living next to a high school, and the school boys park in the front, so the residents can't park in front of their houses.

Mrs. Jopling asked who is going to pay for the damage, including tearing down. She said that it would be about \$2,000. with the drainage.

City Attorney J. F. DuPaul stated that if the project goes through, the City has to acquire the slope rights, and pay. He said that if the property owners will not give the land, the City would have to go to court.

Mrs. Jopling said she would go to court.

Mrs. John McGrath asked if it is condemned who will pay.

Mr. DuPaul said it would be paid from the City's General Fund.

Councilman Burgener said that is unfortunate; he was almost certain of a majority on each side.

Mayor Dail said that the Council relies on the City Engineer, and feels that his report is correct.

Councilman Schneider said that the only ease would be compensation regarding the 2 end properties. He said that a majority of the people want the alley; the Council has to comply.

Councilman Kerrigan asked if the slope rights are acquired, the property can be assessed.

Mr. DuPaul replied "no". He said if slope rights are acquired, they can be assessed, but if the property owners object at this hearing and the alley is built and sloped on the property, owners are entitled to damages. He said that property acquired under condemnation cannot be assessed against the district; if the charge were made against the district, those people would help pay for damage to their property.

Councilman Burgener said that opinion on the ground would be secondary.

Councilman Kerrigan spoke to Mr. DuPaul. He said that it is presumed that improvement would go to bid, if adopted this morning. He asked what would happen if the City doesn't have the slope rights.

Mr. DuPaul said that property owners can file for damages. He advised acquiring slope rights.

Councilman Evenson asked if the improvement would be done on a change of grade.

The City Engineer replied that it would be to established grade; no change.

Councilman Curran asked if it would be possible to make a change of grade to relieve owners.

The City Engineer said that would not be feasible.

Councilman Schneider spoke to Councilman Curran, regarding hurting or not hurting owners, and about the alley going through.

Councilman Burgener said that the only way is for the Council to overrule the protests.

RESOLUTION 127085, overruling and denying protests of various Property Owners, John J. McGrath, Mrs. Lillian Jopling, Irving E. Friedman against proposed improvement of Alley Block 4 Carmel Heights and Nutmeg Street, Resolution of Intention 126463, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 126464 for paving and otherwise improving Alley Block 72 City Heights, 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 presented.

On motion of Councilman Curran, 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 126465 for paving and otherwise improving Alley Block 34 Ocean Beach, 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 presented.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126631 of Preliminary Determination for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue and 41st 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 127086, determining that paving and otherwise improving of East and West Alley Block 41 City Heights, Central Avenue and 41st Street, Resolution 126631 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 126632 of Preliminary Determination for paving and otherwise improving East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, 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 127087, determining that paving and otherwise improving of East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, Resolution 126632 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 126633 of Preliminary Determination for paving and otherwise improving Gaines 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 127088, determining that paving and otherwise improving Gaines Street, Resolution 126633 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 Curran, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Street Superintendent's Assessment 2367 made to cover costs and expenses of sewers Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, and Alleys in Mission Bay Park Tract, Edwin C. Jeffries, attorney, 1035 Bank of America Building, was heard.

Mr. Jeffries, representing J. F. Nickerson, said that there is merit to the Nickerson contention. He said that Mr. Nickerson owns several pieces of property in Mission Bay Park, and has a lease on other property. He referred to assessment as \$703.00, \$804., and \$802.00 against the leased property. He said that there is assessment of \$401.22 on Lots 11, 12, 13. He said that Mr. Kersey owns 11, 12, 13, on which he built the Fox & Hounds. He asked to have the assessment reviewed. Mr. Jeffries stated that Mr. Nickerson is assessed 100% more than his neighbor. He said that 2 lots are made practically unusable, on account of the installation of Grand Avenue. He said that it makes it almost impossible to get into the 6 lots. He passed around pictures to members of the Council. Mr. Jeffries requested consideration of sewer having been not properly constructed. He said portion of property is unimproved.

Mayor Dail talked to the City Attorney about equitable assessment. He said that if the Council finds it is equitable, the remedy is in court.

Councilman Burgener said that this improvement is not unrelated to item to come in on the Thursday docket, regarding connecting Figueroa Street to Grand Avenue. (Mr. Burgener handed in a petition signed by operators of 4 motels requesting changes in connection with Figueroa Street and portion of Pacific Highway). He said that while it is not directly



related to the sewer assessment, but is somewhat involved. He suggested looking at it. He spoke of that proposition as being feasible, but costly.

Mr. Jeffries said he was appreciative of suggestion.

Councilman Kerrigan asked what would be accomplished by the delay. He said that the Council has to determine if this assessment is equitable, and that it should be resolved today.

The City Engineer showed a map, and explained the property and assessments. He said that the Fox & Hounds (motel) put in a connection at its own expense under the street. He said that request was in relation to building a motel to the north, and of having to sign an agreement which was considered temporary. He said that the signer did protest, that the 3 lots are rather low - about 3 feet below. The Engineer said that the lots, although unimproved, are perfectly good. He said there should be only reference to 3 lots. He said he was not sure about being assessed. Again, he said it was considered a temporary connection, although there was no release. He spoke of assessment being only 1/2 on a portion.

Councilman Burgener spoke to Mr. Nickerson regarding the La Jolla Motel.

Mr. Nickerson said that he knew nothing of the agreement, until the motel was built, and ready to open. He told the Council that the sewer came over a corner of his property. He stated that he had to sign before hooking on. He repeated that sewer is on the edge of the property; he had to sign, the building was completed.

Councilman Kerrigan spoke to Mr. Nickerson about his assumption that there was sewer available.

Mr. Nickerson replied that he did not assume; the sewer was already in.

The Mayor said there are set rules in the Sewer Department; this may be extraneous.

Councilman Burgener pointed out that the neighbor to the south paid all the cost (of the sewer, which had been installed).

Councilman Schneider told Mr. Nickerson that he had received free sewer service for 5 years - except for the connection. He said he felt Mr. Nickerson had not much reason to protest.

Mr. Nickerson said he paid twice to the City; it just got mixed up, and he was charged twice.

Mr. Jeffries stated that the City Engineer had said that the reason for 1/2 assessment to the Fox & Hounds was regarding the payment for the previous sewer.

Mr. Nickerson said that he paid over \$1,000 to drain water away - through his property. He stated that the City did not pay, but the City did hook in. He said he "gave the City the whole works".

Councilman Kerrigan said that there is a different policy regarding drain lines, now.

Councilman Burgener asked if Mr. Nickerson has to hook into the new sewer, now.

Mr. DuPaul answered that if the sewer people find that the sewage backs into the property, Mr. Nickerson will have to connect; what he has now is only a temporary permit (to hook onto another line).

RESOLUTION 127089, overruling and denying appeal of Edwin C. Jeffries, presenting J. F. Nickerson, against Assessment 2367 made to cover costs and expenses of installing sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, Alleys in Blocks 16, 18, 19, 31, Mission Bay Park Tract showing resubdivision of Blocks 16, 18, 19, 28, 29, 30, 31 and Blocks 40 to 11 inclusive, et al; confirming and approving Street Superintendent's Assessment 2367; authorizing and directing City Street Superintendent to attach warrant thereto and issue it 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, time set for hearing on Assessment 2368 made to cover cost and expenses of installation of sewers in Market Street, Pitta Street, J Street and Public Rights of Way, Resolution of Intention, the Clerk reported no written appeals.

The Mayor inquired if anyone was present to be heard.

J. A. Sansone said he had no protest, just a question regarding bond assessment. He said he understood he is to be billed by the contractor.

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Mayor Dail explained the procedure to Mr. Sansone.

Councilman Schneider pointed out that the sewer bonds issued (by vote of the people) had to do with main trunk lines to serve large areas.

Mr. Sansone asked if he ignored the assessment it would be put on the tax bill. He told of representing 3 persons being assessed. He asked if he can let it go on the taxes.

Councilman Burgener replied that no action need be taken; the bond for the improvement assessment is automatic.

Asked if he had a protest, Mr. Sansone replied "no protest".

RESOLUTION 127090, confirming and approving Street Superintendent's Assessment 2368 made to cover cost and expenses of installation of sewers in Market Street, Pitta Street, J Street and Public Rights of Way, Resolution of Intention 120270; 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 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 2369 made to cover costs and expenses of paving and otherwise improving Alley Block 3 La Mesa Colony, Resolution of Intention 121183, the Clerk reported written appeal from Mrs. Estella Peale, which was presented.

Councilman Williams moved to overrule the appeal. Motion was seconded by Councilman Schneider.

The City Engineer reported a 7.8% appeal in which Mrs. Peale had stated there was damage to a fence. He said that inspection revealed no damage, so it must have been fixed up.

RESOLUTION 127091, overruling and denying appeal of Mrs. Estella Peale from Assessment 2369 made to cover costs and expenses of work of paving and otherwise improving Alley Block 3 La Mesa Colony, Resolution of Intention 121183; confirming and approving Street Superintendent's Assessment; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(There were 2 rolls called; 1 on the overruling, 1 on the confirmation).

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Annual Appropriation Ordinance proposed to be adopted for fiscal year 1955-56, Councilman Schneider moved to continue the hearing until this afternoon.

Eugene T. Ageno, Chairman of the City Budget Committee, for San Diego Taxpayers' Association, 526 Spreckels Building, San Diego 1, read a letter from the Association addressed to the Mayor and Council under date of June 28, 1955. It had not been filed with the Clerk, but a mimeographed copy was secured at the end of the hearing.

Mayor Dail said that it was a good letter. He pointed out that the Mayor of Oakland, who had been a recent visitor, had told the Council that the City of Oakland has a \$2.37 tax rate; and Oakland has considerable industry.

Councilman Kerrigan spoke to Mr. Ageno regarding revenue bonds for sewers. He said that all 6th Class cities can issue revenue bonds, but that San Diego is prohibited from doing so - except for the water revenue bonds which had been authorized by a recent Charter amendment.

Mr. Ageno stated that reference made by Councilman Kerrigan is a quickie, which is certainly an understatement.

The Mayor said that he had been corrected by a member of the press, who stated that the Oakland tax rate is \$2.77; not \$2.37, as he had said.

Councilman Burgener said he wondered about increase, regarding employees.

Councilman Kerrigan said he had discussed with Leppert (John Leppert) manager of the San Diego Tax Payers' Association, regarding increase in population.

Mr. Leppert said that there are specific problems regarding growth in the outlying areas. He said that an extreme light budget is needed. He said that tax rates can't be compared, as such. He referred to that as a great injustice. He told the Council that in San Francisco the tax rate exceeds San Diego, but it is the tax valuation which determines the tax base. He said that the San Diego tax rate has been up and down. He said that industrial people who want to locate here, check the tax rates.

Councilman Schneider spoke to Mr. Leppert regarding appropriation for street repairs, which had deteriorated.

Councilman Kerrigan spoke to Mr. Leppert about the rubbish collection in Los Angeles (on account of not burning, due to the smog situation). He pointed out to Mr. Leppert that the rubbish collection in San Diego had been imposed upon the City by the people.

Mr. Leppert said that he will continue to work with the City Manager regarding department operations. He said that it is now June 28, and Councilmen have made comments regarding proposed changes. He said it would be appreciated if hearings were held earlier.

Mayor Dail pointed out that a representative of the San Diego Taxpayers' Association sits in with the Council, year around. He said that sending a representative to the Council conferences is helpful.

Leonard R. McNeal, 1824 Torrence Street, spoke of there being no over-all plan. He said that budget making is complicated. He said that it feasible to know all the phases in budget making. He said to the Council that each department is responsible for budget making. If each is told, he said, that it has to operate from its own funds, ways and means would be found to reduce the budget. He said that the main place is in the individual.

Charles A. Clark II, 3301 Hawk Street, urged the Council to reduce the budget by the contribution proposed to the Symphony Society. He said that the Society has failed in securing contributions. He contended that the City should not subsidize music of any kind.

Nicholas J. Haering, who said he "is representing thousands of voices in the wilderness", was heard. He said that the City has done a wonderful job, has reduced estimates, and it looks as if it is on the right trail. He said that the County is doing part; the School Board doing the least. He said that he had told the Supervisors that the County should reduce its rate 20%. He said the City should reduce. He stated that he is going to keep fighting. He referred to an article that brought out 100 people, to the County hearing, but that 65 of them went home as soon as their pet projects had been considered.

#### Councilman Kerrigan was excused

Mr. Haering said the City should quit looking for new sources of revenue, which he declared means not decreasing taxes. He said if cut and prune.....it is growing too big. Mr. Haering said the Council should start to reduce in the grass roots of San Diego. He said that he noticed that when he passes out cards to City employees they put them in the waste basket, thinking they are going to lose their jobs. He said he is helping to solve the \$64. tax question.

#### Councilman Kerrigan returned

Mr. Haering continued, by saying the City is going to spend \$10.64 every second - and explained how he had figured that, and how it was broken down. He spoke of request for increase for the School Board Superintendent, which he said amounts to \$64.00 per day, and which should be kept down.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, this hearing was closed (there is to be a second hearing June 30, 1955, at 10:00 A.M.).

Petition of residents in the vicinity of Meridian and Lemarand Avenues, complaining of constant standing water in the street - subdivision of Rolando #4, Lots 283 and 284.

Councilman Kerrigan moved to refer the petition to the City Manager. There was no second.

As directed by the Mayor, the Clerk called the roll, and the petition was sent to the City Manager.

Communication from Harbor Department, by John Bate, enclosing form of agreement with George F. Nicholson, consulting engineer, covering services for fiscal year 1955-56, identical to one in effect during past fiscal year - daily compensation of \$50.00 plus traveling expenses - for approximately 50 days during the fiscal year, was presented.

RESOLUTION 127092, authorizing and empowering Harbor Commission to employ George F. Nicholson as Engineer Consultant, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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Communication from Harbor Department, by John Bate, enclosing form of Agreement for Amendment of Tideland Lease, Amendment 1, modifying existing San Diego Speedboat Club lease, was presented. It increases land area by approximately 17,000 square feet and water area by approximately 5,7000 square feet - rental increased in accordance with established policy which places it on same rental basis as other boating clubs. The communication states that amendment conforms in all respects to established Harbor Commission and City Council policy.

RESOLUTION 127093, in all respects ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Document 515162, with San Diego Speedboat Club of California corporation, Lessee, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Harbor Department, by John Bate, attaching form of lease with Tanner Motor Livery, Ltd., covering counter space in Airport Terminal Building, Lindbergh Field - identical in all respects to lease entered into with Hertz Stations, Inc, was presented. It says term is for 4 years with 2 5-year options to renew; term established in order that expiration and rental review dates will coincide with Hertz lease.

RESOLUTION 127094, ratifying, confirming and approving in all respects, lease, Document 515165, with Tanner Motor Livery, Ltd., a California corporation, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Harbor Department, by John Bate, attaching form of lease with United States Navy - 158,820 square feet on Harbor Drive at foot of Pacific Highway - for parking of automobiles belonging to employees of U.S. Naval Air Station, North Island, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued 1 week - to July 5, 1955.

Communication from Harbor Department, by John Bate, attaching form of lease with Floating Society of Christian Endeavor, Inc, Inc., was presented. Lease covers 12,788 square feet in Navy Field, used for non-sectarian religious services to personnel of U.S. Navy - 5 years with no options and replaces a 5-year lease which expired April 30, 1955 - at rental of \$1.00 per year.

RESOLUTION 127095, in all respects ratifying, confirming and approving lease, Document 515171, with Floating Society of Christian Endeavor, Inc., a corporation, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Department, by John Bate, attaching form of sublease between San Diego Lumber Company and Miller-Gresham Accounting Service, was presented. It covers 3 offices at 701 East Harbor Drive, totaling 415 square feet, rental \$80.00 per month - subject to condition that 5% of sublease rental be paid to Harbor Department during time sublease is in effect.

RESOLUTION 127096, ratifying, confirming and approving in all respects, sublease, copy on file in Office of City Clerk as Document 515174 between San Diego Lumber Company, Sub-lessor, and Miller-Gresham Accounting Service, Sublessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of The Dow Chemical Company for furnishing City's requirements of Ferric Chloride for 1 year commencing July 1, 1955 - prices set out in report - was presented.

RESOLUTION 127097, accepting bid of The Dow Chemical Company for furnishing Ferric Chloride for 1 year from July 1, 1955; 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 Schneider, adopted.

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Report of Purchasing Agent, approved by City Manager on low bid of Los Angeles Chemical Company, Inc. for furnishing 20 tons of Copper Sulphate, Snow Crystals @ \$12.93 per cwt., or total of \$5,172.00 plus State Sales Tax - 3 bids - was presented.

RESOLUTION 127098, accepting bid of Los Angeles Chemical Company, Inc. for furnishing 20 tons of Copper Sulphate, Snow Crystals; authorizing and instructing City Manager to enter into and execute contract, pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

\*\* Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Lots 32 & 33 Block 12 Tres Lomas (Millwebb Tract), subject to installation of required improvements, was presented.

RESOLUTION 127099, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 500 tons of Liquid Sodium Silicate for period July 15, 1955 through January 14, 1956, Document 515158, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

\*\* RESOLUTION 127100, authorizing City Manager to execute, for and on behalf of The City of San Diego, contract with Lawrence H. Weber and Ruth B. Weber, Glenn G. Miller and Clara E. Miller, for installation and completion of unfinished improvements and setting of monuments required for Millweb Tract; 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 127101, adopting Map of Millweb Tract, subdivision of Lots 32 and 33 Block 12 Tres Lomas; accepting on behalf of the public unnamed easements, 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 unnamed easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Record of Survey Map of Lot 15 Gardena Home Tract, was presented.

RESOLUTION 127102, approving of filing of Record of Survey Map of Lot 15 Gardena Home Tract, in lieu of Final Subdivision Map, pursuant to provisions of Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

Two communications from the City Planning Commission, relative to Tentative Map of Rodefer Hills, Westward-Ho Division, were presented.

The Clerk told the Council that C. M. Rodefer, the subdivider, had requested a continuance of 2 weeks.

On motion of Councilman Williams, seconded by Councilman Burgener, the items were continued 2 weeks - to July 12, 1955

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Western Hills Unit 2, a 116-lot subdivision of portion of Mission Bay Heights and Pueblo Lots 1178, 1191 and 1192, was presented.

RESOLUTION 127103, suspending Sections 102.12-8 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Western Hills Unit 2, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Western Hills Unit No. 2 for subdivision of portion of Pueblo Lots 1178, 1191 and 1192, located easterly of Western Hills Unit 1, southerly of portion of Clairemont, was presented. It states the Tentative Map is revision of previously approved



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Tentative Map known as Clairemont Terrace area. It recommends 12 conditions for the approval.

RESOLUTION 127104, approving Tentative Map of Western Hills Unit 2, 116-lot subdivision of portion Mission Bay Heights and Pueblo Lots 1178, 1191 and 1192, subject to conditions of the Resolution, was on motion of Councilman Burgener, 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 City Heights, a 2-lot subdivision of Lots 47 and 48 Block 105, was presented.

RESOLUTION 127105, suspending Sections 102.12-4 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of City Heights, a 2-lot subdivision of Lots 47 and 48 Block 105, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lots 47 and 48 Block 105 City Heights, located at northeast corner of Van Dyke and Myrtle Avenue of East San Diego - property in R-4 zone, and owner proposes to divide land into 50ft. x 50 ft. and 50 ft. x 90 ft. In addition to detailed report, it says that in immediate vicinity are a number of similar divisions of corner lots, some considerably smaller in size. It makes recommendation for 5 conditions.

RESOLUTION 127106, approving Tentative Map of City Heights, 2-lot subdivision of Lots 47 and 48 Block 105, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Clairemont Balboa Unit No. 1, a 4-lot resubdivision of Lots 1537 through 1539 of Clairemont Unit No. 8, was presented.

RESOLUTION 127107, suspending Sections 102.07-5 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Balboa Unit 1, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Balboa Unit No. 1, 4-lot resubdivision of Lots 1537 through 1539 inclusive, at northeasterly corner of Clairemont Drive and Balboa Avenue, was presented. It reports property in R-4 zone; petition was approved recently rezoning to C-1A, and service station is proposed on the corner; existing streets are fully improved. It makes recommendation for 5 conditions.

RESOLUTION 127108, approving Tentative Map of Clairemont Balboa Unit No. 1, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for division of portion Pueblo Lot 265 into 2 parcels, on easterly side of Knoxville Street between Nashville and Littlefield Streets in lower portion of Tecolote Canyon area, was presented. It says property fronts on Knoxville Street but is physically separated from that street by drainage channel which is a 50-foot easement. It makes recommendation for 6 conditions.

RESOLUTION 127109, approving Tentative Map of portion Pueblo Lot 265, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



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Communication from Planning Commission, by Harry C. Haelsig, recommending approval of revised tentative map of Delta Heights Annex Unit 3, revision of Tentative Map previously approved, was presented. It says that the number of lots have been reduced. Recommendation for approval is subject to conditions of Resolution 118690.

RESOLUTION 127110, approving revised Tentative Map of Delta Heights Annex Unit 3, subject to conditions contained in Resolution 118690 which approved the original Tentative Map, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, reporting on Tentative Map proposed to divide Lots 1 and 2 Block 159 Pacific Beach into 2 parcels fronting on Dawes Street, was presented. It reports property consists of 2 25 ft. x 125 lots fronting on Diamond Street, on which there is existing residence; property is in R-1 Zone, and division would provide parcels of 3100 square feet, considerably below minimum of 5000 square feet required for R-1 Zone. For the reasons set out in the communication, it recommends denial.

RESOLUTION 127111, denying Tentative Map for division of Lots 1 and 2 Block 159 Pacific Beach, in that it does not conform to development of the area, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from County of San Diego, by the County Clerk and ex officio Clerk of the Board of Supervisors, enclosing copy of County Ordinance 1487 (New Series) adopted June 22, to become effective July 1, 1955, regarding operation of recreational and educational camps and creating a board of recreation commissioners, was presented. It says that ordinance shall become inoperative unless the Council shall adopt a substantially identical ordinance within 10 days from effective date.

RESOLUTION 127112, referring to Council Conference copy of County Ordinance 1487 (New Series, adopted June 22, 1955, regarding operation of recreational and educational camps and creating board of recreation commissioners, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, recommending approval of petition to "close Calle Banco in Tres Lomas, Map No. 2160, as shown on the attached City Engineer's Drawing 5647-B", was presented. It recommends closing, subject to filing of Final Subdivision Map of Homesites No. 2.

RESOLUTION 127113, adopting recommendation of Street Superintendent, Document 515211, for closing Calle Banco in Tres Lomas, Map 2160; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Civil Service Commission, by Wm. P. Elser, president, recommending that the Council adopt, without change, amended Civil Service Rule X in the form submitted, was presented.

RESOLUTION 127114, authorizing and directing City Clerk to publish or cause to be published proposed amendment to Rules of Civil Service Commission in full at least once in official newspaper, at least 10 days prior to hearing to be held by the Council on 21st day of July, 1955, at 10:00 o'clock A.M., Council Chamber in City and County Administration Building, Civic Center; and also cause copy to be posted in three public places at least 10 days to date of hearing - amendment set out in the Resolution - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harry Warburton, 4717 Maple Avenue, La Mesa, dated June 21, 1955, relative to Master Street Plan, and widening of portion of College Avenue, was presented.

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

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referred to City Manager.

\*\* The next Resolution was numbered out of order, although adopted near the end of this meeting.

RESOLUTION 127115, accepting deed of James H. Drumm and Anna E. Drumm, June 14, 1955, conveying Lots 6 and 7 Block 12 American Park Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127116, directing Notice of Filing of Assessment and of time and place of hearing thereof, Assessment 2375, for paving and otherwise improving Olney Street, and Felspar Street, Resolution of Intention 117678, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127117, directing Notice of Filing of Assessment and of time and place of hearing thereof, Assessment 2376, for installation of sewer in 47th Street, Aurora Street, Uvas Street, Market Street and public right of way, Resolution of Intention 121327, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 127118, accepting bid of Griffith Company, a corporation, and awarding contract, for paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street, Balboa Avenue, Resolution of Intention 124573, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 7.6% below estimate.

RESOLUTION OF AWARD 127119, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract 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 Schneider, adopted.

City Engineer reported in writing that low bid is 0.9% above estimate.

RESOLUTION OF AWARD 127120, accepting bid of A. R. Kingaard, and awarding contract 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 Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 15.7% below estimate.

RESOLUTION 127121, approving plans, drawings, typical cross-sections for paving and otherwise improving Alley Block 80 Point Loma Heights; approving Plat 2736 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 127122, for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue, Resolution of Intention 126334, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION ORDERING WORK 127123, for paving and otherwise improving Pyncheon Street and Ocean View Boulevard, Resolution of Intention 126335, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 127124, for paving and otherwise improving Alley Block C Belmont, Resolution of Intention 126332, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 127125, for paving and otherwise improving Alley Block 39 Ocean Beach, Resolution of Intention 126333, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 127126, for furnishing electric current for lighting ornamental street lights located in Collwood Lighting District 1, for 1 year from and including July 1, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127127, for grading and sidewalking Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127128, for paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127129, for paving and otherwise improving Hugo Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127130, for paving and otherwise improving Tourmaline Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127131, for paving and otherwise improving Alley Block 80 Point Loma Heights, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127132, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 241 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127133, ascertaining and declaring wage scale for paving and otherwise improving Quince Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127134, ascertaining and declaring wage scale for paving and

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otherwise improving T Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127135, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Boston Avenue, Resolution of Intention 12231, and to be assessed to pay expenses; was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127136, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission Beach, Resolution of Intention 121326, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127137, approving diagram of property affected or benefited by work of improvement to be done on installing sidewalks in Tipton Street, Rincon Street and Ewing Street, Resolution of Intention 121403, 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 certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127138, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, Resolution of Intention 119500, 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 certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127139, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Long Branch Avenue and Spray Street, Resolution of Intention 119347, 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 certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127140, directing City Engineer to commence proceedings for establishment of lighting district to be known as Pacific Beach Lighting District 2, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127141, authorizing Street Superintendent to grant Chula Vista Electric Company 60/extension of time for completion of contract for installation of ornamental day street lighting system for 30th Street, Upas Street, et al, recommendation Document 515037, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127142, granting E. H. Boyer permission to install sewers in portions of Eureka Street and Ruby Street, by private contract; Document 514808, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127143, granting Benjamin G. Thomas permission to grade and install sewer lines in portion Guy Street by private contract, under Document 514888, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127144, granting Leonard Johnson permission for paving and otherwise improving portions of Mission Gorge Road and Twain Street by private contract, under Document 514889, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127145, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays excepted:

West side of Sixth Avenue between Evans Place and Anderson Place; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127146, establishing parking time limit of 36 minutes, between 8:00 A.M. and 6:00 P.M., Sundays excepted:

South side of C Street between Eleventh and Twelfth Avenues;  
West side of Twelfth Avenue between points 0 and 50 feet south of south line of C Street;  
authorizing installation of necessary signs and markings; rescinding any resolution or portion of Resolution in conflict, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127147, declaring "intersection stops:  
Cedar Street and 31st Street, affecting Cedar Street; and  
Elm Street and 31st Street, affecting 31st Street;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127148, declaring Through Highway:  
Waring Road for its entire length;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There was listed on the agenda, by request, Resolution authorizing endorsement of check to Mission Beach Coaster Co. and City of San Diego.

The proposed Resolution was withdrawn by the City Manager's office, which had requested that it be listed.

Councilman Schneider, seconded by Councilman Kerrigan, that item be referred to City Attorney.

(Item had been withdrawn, and no papers presented to be referred although motion was made and seconded, and roll called).

RESOLUTION 127149, authorizing and directing Property Supervisor to advertise for 5 consecutive days in official newspaper of the City, sale at public auction of portion Pueblo Lots 299 and 300, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that William H. Schmidt, 4562 Euclid Avenue, has petitioned

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Council to put property up for sale, and deposited with Property Supervisor \$100.00 to cover all costs pertaining to sale, including cost of title report, and as guarantee that he will at the sale bid minimum amount fixed by the Council. It states reason for selling property is that same is no longer needed for City purposes; value as disclosed by appraisal is \$55,000.00; Council reserves right to reject any and all bids at public auction.

RESOLUTION 127150, waiving penalty imposed by terms and provisions of contract between The City of San Diego and R. E. Hazard Contracting Co. for widening Alvarado Canyon Road, Document 508941 - contract Document 508941 - for reasons that City Manager reports that contractor was unable to complete contract due to causes beyond its control within time provided, and that failure to so complete the contract should not impose penalty upon the contractor, and that it is in the interests of the City to waive the penalty, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127151, authorizing City Manager to employ Callahan Bros. to remove 95 square feet of paving and replace same with 95 square feet of Portland cement concrete paving at termination of Alley Block 31 University Heights, in Madison - not to exceed \$61.75 payable from funds appropriated by Ordinance 5341 (New Series) - in connection with 1911 Street Improvement Act proceedings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127152, granting Mrs. Hazel Wilson, 344 Copa de Oro Road, Los Angeles 24, revocable permit to install and maintain private underground telephone and power conduit under Spindrift Drive from owner's property: portion P.L. 1285, to San Diego Gas and Electric Company power pole JP 1925, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127153, granting Leon A. Goodman, 806 Turquoise Street, San Diego, revocable permit to install and maintain private 3/4" galvanized iron water main in Ticonderoga Street: Lots 17 and 18 Block 4 American Park, 3529 Princeton Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127154, granting Leon A. Goodman, 806 Turquoise Street, San Diego, revocable permit to install and maintain private 3/4" galvanized iron water line under Brandywine Street from owner's property to water main on Paul Jones Street: Lots 44, 45, 46 Block 9 American Park, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127155, granting Leon E. Goodman, 806 Turquoise Street, San Diego, revocable permit to install and maintain private 3/4" galvanized iron pipe line under alley between Princeton and Ethan Allen Streets to City Water Main in Ticonderoga Street: Lots 28 and 29 Block 8 American Park, 3624 Princeton Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127156, granting John D. Spreckels Masonic Temple Association, 3858 Front Street, San Diego, revocable permit to install and maintain paved parking area and 6" tile sewer lateral - parking lot to be over University Place between Masonic Temple Association property and sewer lateral to run in alley west of property to City sewer at alley and University Place: Cleveland Heights, Block 3, Lots 16, 17, 18 and Florence Heights Addition Block 6 (Portion) Lot 15, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION 127157, granting Joe Shoon School (National Dollar Store, Ltd.) 929 Market Street, San Francisco, 927 Fifth Avenue, San Diego, to install and maintain existing underground basement, elevator and power vault under and across Fifth Avenue in front of store building: S 1/2 Lot D, all Lot E Block 44 Horton's Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127158, granting revocable permit to Thomas Ritchie Newsom, 3635 Reynard Way, San Diego 1, to install and maintain a 1" galvanized water line under and across Curlew Street from owner's to City water line at corner of Palm and Curlew Streets: West portions Lots A, B, C, D Block 320 Horton's Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127160, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, agreement extending contract between City and Clyde H. Bond and Charles J. Sherburne, consultants, dated July 2, 1954, Document 493393 - form of agreement filed with City Clerk as Document 515711, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127161, granting La Jolla Country Club, Inc. permission to conduct public display of fireworks on La Jolla Country Club Grounds, La Jolla, July 4, 1955, from approximately 9:00 P.M. to 10:00 P.M., subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Application of California Rent Car, 507 South Flower Street, Los Angeles 17, by Don K. Hankey, for certificate of necessity to operate 2 U-Drive Automobiles, was presented, together with recommendations from City departments, was presented.

RESOLUTION 127162, granting application of California Rent Car, 507 South Flower Street, Los Angeles, 17, for operation of 2 "U-Drive 6-passenger automobiles from 2521 Pacific Highway, San Diego, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127163, authorizing City Attorney to accept \$10.80 in full settlement of City's claim against Billy Earl Taylor for damage to street barricade, in amount of \$12.26, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127164, approving claim of Wm. J. Adams, Document 514593, in amount of \$5.00; directing City Auditor and Comptroller to draw warrant in favor of Wm. J. Adams, 3736 Bayside Walk, San Diego 8, in full payment, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127165, denying claim of Duane H. Hayes, Document 514376, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127166, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 67 Rancho Mission of San Diego, together with all penalties and other expenses in

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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 Evenson, adopted.

RESOLUTION 127167, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 2 in Subdivision of Pueblo Lot 1209, 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 Evenson, adopted.

RESOLUTION 127168, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 16 Block 2 Tres Lomas; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127169, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 9 Block 7 Berkeley 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 Evenson, adopted.

RESOLUTION 127170, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 9 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 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 Evenson, adopted.

RESOLUTION 127171, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 18 La Mesa Colony; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Evenson, adopted.

RESOLUTION 127172, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 18 La Mesa Colony; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Evenson, adopted.

RESOLUTION 127173, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 18 La Mesa Colony; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Evenson, adopted.

RESOLUTION 127174, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion Lot 9 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 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 Evenson, adopted.

In connection with the next Resolution, the City Manager explained to the Council that it has to do with a 1911 Act proceeding in Rolando.

RESOLUTION 127175, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public roads across portions Lots 20, 21, 23 and 24 La Mesa Colony; and that public interest, convenience and necessity demand acquisition of easements and rights of way through, along and across property to be used by City for construction of public roads; declaring intention of The City of San Diego to acquire easements and rights of way under Eminent Domain Proceedings; directing City Attorney to commence action in Superior Court of The State of California, in and for County of San Diego, for purpose of condemning said property and acquiring easements and rights of way, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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

ORDINANCE 6563 (New Series), establishing grade of Highland Avenue, between southerly line of Olive Street and northerly line of Maple Avenue, was on motion of Councilman Williams, 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 Schneider, seconded by Councilman Williams, Ordinance amending San Diego Municipal Code by adding Section 67.25.1 and repealing Ordinance 6539 (New Series) Regulating Water System, introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:46 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadston*  
Deputy

*Thomas Dail*  
Mayor of The City of San Diego, California

127173 - 127175  
6563 N.S.  
Ord introduced  
Meeting adjourned

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REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Thursday, June 30,  
1955

Present---Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---Councilmen None  
Clerk----Fred W. Sick

Mayor Dail called the meeting to order at 10:01 o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 97.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on continued petition of Associated Restaurants and Cafes of San Diego relative to permits issued to canteen vending trucks, Harry E. Florentine told the Council that opponents have met with Dr. J. B. Askew (Director of Public Health) and Mr. Firestone of the City Attorney's Office.

The Mayor set 15 minutes for presentation on each side.

Ned Kimball, attorney, said that recommendations have been worked out. He said they are acceptable to restaurant owners, with 1 more regulation. He said that the trucks should have identifying mark. He said that Dr. Askew has stated that it is primarily a policing situation. Mr. Kimball spoke of need for day-to-day policing, and proper identification. He said that in other respects, in detail, opponents have no objection - but proponents want this 1 more regulation. He said that 14 are licensed, and that new ones should be only temporary, and should not be transferred. He told the Council that there could be temporary licenses issued for large construction projects, where no food establishments near by. He asked if the memo had been furnished to the Council.

City Attorney DuPaul replied "yes"

(It was not in the Clerk's file, although it may have been distributed to members of the Council in Conference).

Councilman Kerrigan talked to Mr. Kimball.

The proponents closed their case, and the Mayor invited the opponents to be heard.

Robert W. Conyers, attorney, representing Moody's Lunch Service, spoke. He said that as to identification of trucks, there is no objection. He said that Mr. Kimball had talked about transfer of licenses. He said that recommendation or opinion was that there might be a constitutional question regarding there being no transfer. He said he is willing to discuss that, if the ordinance is drawn. Mr. Conyers said that the food venders are engaged in legitimate business; there is nothing to prevent license transfer.

Ed (Edward J.) Schwartz, attorney, representing Speedy Lunch Service, vending trucks, was heard next. He said that his client operates 3 trucks, and vends cold items only; the only hot item is coffee. He contended that they serve a definite community need - especially on construction projects. He said that workers have no means of getting food and coffee breaks, unless they bring lunch and coffee with them. He read letters from Essex Wire Corporation, and from what was understood to be Bolenbacher & Kelton, Inc. in favor of lunch trucks. Mr. Schwartz told the Council that he has petition with 1,398 signatures, in favor of the vending trucks, and another of nearly 5,000 signatures. He filed both with the Clerk.

Councilman Schneider spoke to Mr. Schwartz regarding his statements. He asked if Mr. Schwartz's client serves where there are restaurants near by.

Mr. Schwartz replied that they do so only where restaurants are not near, or where it is not convenient for the employees to go out. He stated that it is not possible to clean up and go out, and return in 10 minutes. He stated that the actual operators can say where they go. He said that competition is the exception.

Meeting convened  
Hearing (on canteen vending trucks)

Councilman Evenson spoke to Mr. Schwartz regarding routes.

Mr. Schwartz answered that they do not go down the street, and stop to seize an opportunity to make a sale. He mentioned others who are in favor of the service.

Mayor Dail said that the Council recognizes the need for the service.

There was discussion between Councilman Burgener and Councilman Schneider regarding comment of Mr. Schneider's that Allied Gardens and Clairemont are remote.

Mr. Schwartz stated that the attorney's office says that the vending trucks can't be outlawed. He made a request that there be not the requirement for installing the small serving slot as had been suggested (apparently by the Health Director). He contended that would be unreasonable. He stated that everything sold is wrapped. He said that under proposed regulations the trucks are going to be refrigerated. He repeated that the slot proposed is too small, and not feasible. Mr. Schwartz told the Council it would be making a monkey and cage arrangement. He said that space in restaurants is different, in that their food is not served wrapped - although passed through an opening. He stated that the trucks serve an average of from 20 to 30; from 200 to 300. Again, he said that the regulation is not feasible, or reasonable. He said that requirement would put the vending trucks out of business, and that those in operation have a quarrel with that point. He said that it is a legitimate business.

The Mayor spoke to Mr. Schwartz about serving other than wrapped items.

Mr. Schwartz said that 2 of the vendors - Moody & Speedy) - already wrap everything.

Arthur Stake, address not given, told the Council that he represents the "independents". He said that there are 5 other outfits, operating the same as Moody and Speedy. He told of having petitions, which he filed. He said that the main issue is the serving slot, which he declared to be a means to eliminate operators from business. He said that the food has always been subject to inspection by the Health Department. He said that hot, or unwrapped food is never served. He contended that there is no decency in attempting to enforce a 180" square slot.

Councilman Kerrigan spoke to Mr. Stake.

Mr. Stake said that the only objection is regarding the slot, and the transfer of licenses or new licenses.

Councilman Schneider spoke to Mr. Stake regarding inspection.

Robert W. Conyers, attorney, stated that where kept over night it is "decaled" by the Health Department. He said that permit can be transferred during work.

Councilman Schneider spoke to Mr. Conyers regarding his understanding, and about who answered his questions.

Mr. Conyers said that there is a legal principle involved; it is not like taxicabs, but the same as restaurants.

Mr. Kimball said that in answer to Mr. Conyers, the question is clear. He said that the Council could cause all to desist, if it is found to be a health problem. He said that it is a police item. He stated that if it is found impossible to police, the Council could limit the licenses. He said Mr. Schwartz spoke of being not close enough to walk. He said that permits could be limited to 6 months. He said it is covered. Mr. Kimball said that if they cannot be conducted consonant to health, they have no right to be in business. He stated that flies, birds, and customers' hands go in. He said that the Council can restrict, if it is a health problem.

Councilman Curran spoke to Mr. Kimball, and asked if there have been any reported cases of poisoning, attributed to the vehicles.

Mr. Kimball said he is not aware of any. Mr. said that Dr. Askew and parties on both sides have gone over the situation. He said it is a health and policing problem. Mr. Kimball said that if there are no cases the lucky stars can be thanked. He contended that it is a Council requirement to protect the people. He said that the slot has been considered in Conference.

Mr. Schwartz said that the restaurant and tavern say that is is a health problem. He told of circulars having been sent out. He filed one. It starts "Danger Danger Yes, Your Business Is In Danger!", and refers to glorified lunch wagons in San Diego (perhaps parked right in front of your place); has a statement regarding Los Angeles; urging attendance at the hearing held by the Council April 21, etc.

Councilman Schneider spoke to Mr. Schwartz regarding wrappings.

Mr. Schwartz replied that it is being done.

Councilman Burgener said that the business is legitimate, or not; a health hazard, or not.

Councilman Kerrigan moved to refer the item to conference for preparation of an ordinance on which hearing will be held.

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Councilman Schneider stated that the Council is not trying to legislate the operators out of business.

Councilman Schender seconded Councilman Kerrigan's motion.

Councilman Williams stated that the Council does not want to 'camp competition; there is only 1 problem - health.

Dr. Askew, asked for a report, told of having met with interested parties, and of having tried to resolve the question. He mentioned having made recommendation to the City Manager's office. He reported a difference of opinion regarding the slot, which might have to be worked out regarding present and new trucks.

Councilman Williams asked Dr. Askew if it will not increase inspection.

Dr. Askew replied that it would be the same type as now. He said that it would be the same as now. He said that equipment will be inside, and spoke of some in containers, not wrapped.

Councilman Williams asked Dr. Askew if there are sufficient penalties, or if he would recommend them, regarding the consumption and the waste around the dispensing trucks.

Dr. Askew said that the Health Department gets calls regarding throwing; trucks do increase debris. He mentioned having pointed out to the City Manager that is not a major problem now, but can be if expanded.

Councilman Williams asked about right to limit.

Dr. Askew said that it is for the Council to determine.

RESOLUTION 127176, referring to Council Conference for preparation of ordinance regulating Canteen Food Vending Trucks, on which hearing is to be held - both sides of the issue to be given copies - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

~~The Mayor left the meeting; Vice Mayor Blair Burgener took the chair.~~

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Tentative Map of Grace Manor (recommendation of Planning Commission for denial of 3-lot subdivision of portion of Pueblo Lot 1214 was adopted June 16, 1955), communication from Planning Commission was read.

F. Archer Baum, pastor, who had spoken on this subject May 17, 1955, appeared. He had Mr. Becker hold up a drawing for the Council to see. Mr. Baum explained, it, passed around another map and pictures of the proposed church. He read a statement in support of the Church's request. He said that Atlas Street is not a vital street, and pointed it out on a map. He said that if it is included in the map, it would still be a dead-end street. He told the Council that there would be adequate streets, from 2 others, and that there are relatively few who would be affected. He told of a development of nearly \$200,000 total. He contended that the street plan is not unique; there are many similar ones in Clairemont. He spoke about being willing on Beagle and Budd. He said there are no plans at the present on Lot 3, which has another owner. Mr. Baum declared that there is no reason to hold up "this map". He told of having made request, and having signatures on the request. He said that the map should be permitted to go ahead. He said that including Atlas as a street, would make it narrow.

Councilman Burgener asked if there are other areas in the city where the grounds are used up.

Harry C. Haelsig, Asst. Planning Director, said that public schools have circulation around them. He said that some in town have short, dead-end streets. He said that this is an area predicated on streets going through. He repeated his statements at the microphone, as requested by the Vice Mayor, because some in the audience had been unable to hear. He told of problems regarding 3 high schools. He said that in the area attempt was made to provide access, and a community plan. He said that there are several community plans.

Councilman Burgener spoke to Mr. Haelsig about Budd Street. He asked if it does not allow circulation.

Mr. Haelsig replied that Budd Street is 56 feet wide, but only 2 blocks long. He said that it is shown on the map posted on the wall - including dedicated streets, proposed streets, and zone variances.

Councilman Schneider spoke to Mr. Haelsig about being in agreement.

Mr. Haelsig replied, "except for Atlas Street; the map on the wall explains regarding the streets, and the subdivision maps". He identified schools, and the National Guard.

Gregory Becker spoke to Mr. Haelsig regarding "tying in".



Mr. Haelsig said that it is outside; another ownership. He told of there being a discrepancy in boundary lines, which will have to be settled in court; the title companies will not issue policies.

Mr. Becker asked if Vista Mesa No. 2 has been approved.

Mr. Haelsig's reply was "no".

Mr. Becker spoke of changes in streets in the plan, adapted to the situation. Councilman Burgener said that it has been suggested that the church find another place. He expressed the belief that the same objection would be found elsewhere. Mr. Haelsig referred to innumerable opportunities.

Mayor Dail left the meeting, and Vice Mayor Clair W. Burgener took the Chair.

Mr. Haelsig said that there are several other parcels, and pointed them out on the map. He said that changes have follow the original plan, so land could be served. He said that errors had been found on the "topo".

Councilman Schneider asked Mr. Baum if the church owns the property.

Mr. Baum's reply was that it does own the property.

Vice Mayor Burgener pointed out that the Planning Commission had objected, also, regarding being a proper place.

Mr. Becker said that in the Planning report it says they should try to seek location elsewhere. He said that City-owned property had been recommended. Mr. Becker told of having applied twice; both times requests were denied. He stated this is the only suitable land available.

Mr. Baum told the Council that there had been favorable reaction from the community; there are only 60 in the 300-foot area; 47 out of 51 are agreeable to the proposal.

Councilman Schneider spoke to Mr. Baum about the Planning people having an obligation to provide for development of undeveloped area. He said that the Council listens to the Planning Commission regarding the entire City - including the future. He said that if petitioners could persuade the Planning Commission, all right. He asked if circulation (of traffic around, and through the property) is vital.

Mr. Haelsig told of having been requested by many for circulation for service, police and fire. He said that such lack has proved costly. He said there have been bitter experiences.

Mr. Becker spoke to Mr. Haelsig regarding use by fire trucks.

Bertrand Comparet, attorney for the church, said that planning is more than a "T square". He stated that planning for the area is incomplete. He said that the church and the school are needed. He declared that they are not the sort of thing that can be banished. He told the Council that churches have to be in area where they belong. He said that cost to the City is going to be small. He said that if the street goes through, it will extend only a slight distance. He spoke of not wanting maximum traffic on every street in a residence area. He said Ashford Street is natural for development. He referred to the Code, regarding subdivisions and streets. He contended that it is not a principal street; not necessary. He said that it is not as beneficial as a church and a school. Mr. Comparet stated that juvenile delinquency has become too big a problem for public schools. He repeated, that the proposal is more important than the street.

Councilman Williams asked if there were any protests at the time of request for variance.

Glenn A. Rick, City Planning Director, said that there was no hearing on a variance. He said that the burden was on the part of setting aside. He said that he does not take the narrow view, that Mr. Comparet would have the Council believe. He spoke of not having tried to set out any property for a street. He said it might be necessary to acquire property to the east. He said he is not arbitrary, or telling the petitioner to go to City property.

Mr. Becker said that it is not the purpose to criticize the Planning Department and Planning Commission, but petitioners are within their rights where there is no serious interference.

Mr. Comparet contended that it is not right, as Mr. Rick says, to pick a site. He said that whatever is picked, there will be objections. He said that part of the plan is that when a site is selected, there is need for variance. He said that it needs to be flexible.

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

Councilman Schneider spoke of being impressed by usefulness and need, and the betterment. He said there are no protests from neighbors.

Councilman Schneider moved to overrule the Planning Commission.

City Attorney J. F. DuPaul pointed out that the Council has acted on this matter once, after having been submitted by the Planning Commission. He said it should be referred back to the Planning Commission.

Councilman Schneider moved to refer the item back to Planning Commission, for re-study and re-submission. Motion was seconded by Councilman Williams.

Vice Mayor Burgener said that he is in sympathy; it is in his district.

Mr. DuPaul said that the proper action is as he suggested, and as motion was made.

Councilman Kerrigan said that it is a question of sustaining the Planning Commission, or approving the map. He said that proper question regarding re-opening of the subdivision is before the Planning Commission.

Mr. Rick pointed out that a Tentative Map is not binding. He said if it is anticipated the Planning Commission is going to go along.....

The roll was called, resulting in

RESOLUTION 127177, referring back to the Planning Commission the Tentative Map of Grace Manor, a subdivision of portion of west half of Pueblo Lot 1215, heretofore denied by the Council on recommendation of the Planning Commission, and on which hearing was held this date, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays--Councilman Kerrigan. Absent--Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of John W. Percival, Dr. Chester D. Tanner & Sidney G. Evans, owners, and Oscars, Inc., lessees, from decision of Board of Zoning Adjustment in denying request to construct sign with zero setback from front property line, where 6-foot setback is required, at 1825 Pacific Highway, Lots 7, 8, 9 Block 284 Middletown, Zone C - the Planning Commission's Finding of Facts was read.

Bob Peterson (Oscar's) said that appeal was denied on basis of there being "no unusual circumstances". He declared that they do exist. He had photographs, and pointed to a building on the corner, and a Budweiser sign. He told the Council that with those, it will be almost impossible to see the proposed sign. He spoke of wanting to put a sign almost opposite the telephone pole. He said it would harm no one, but would help the petitioner. He said that the self service (gasoline station) has a tremendous sign.

Vice Mayor Burgener, and Councilman Williams spoke to Mr. Peterson, who pointed out the sign on a drawing. He said that only opposition was from Robbins and from Vinyard.

Councilman Williams asked Mr. Peterson if he receives approval, he is willing to guarantee to move.

City Attorney J. F. DuPaul spoke of there having been similar agreements, but some are trying to take advantage of their permits. He told of having been required to give notice to some to observe setbacks. He stated that many times when they try to force, they have to go to court.

Mr. Peterson asked if Mr. DuPaul was referring to the property across from the Marine Base.

Mr. DuPaul's reply was that it is the plan to widen the whole thing.

Glenn A. Rick, City Planning Director, said that variances have been granted only on agreements by owner of the sign and owner of the property (to move them at no expense to the City, if required).

Henry Landt, member of the Board of Zoning Adjustment, pointed out on a drawing. He said that building pylon is there now. He contended that the sign can be placed where it will not be obstructed. He asked when it is a sign, and when a structure. He pointed out that this proposed sign is 65 feet high - not a sign; a structure with a sign. He told the Council that a building out to that point would be denied. He stated that he has no complaint, if the sign is set back; there is room on the property where it can be seen.

Mr. Peterson spoke to Mr. Landt about the Kellar variance.

Mr. Landt stated that the contractor made a mistake, so a variance was asked for. He said that Tops (restaurant) post is on the 6-foot line.

Councilman Schneider asked if there is the setback observed, the sign can be erected.

Mr. Rick's reply was "yes".

There was discussion between Mr. Peterson and several regarding size, height, and location.

Mr. Peterson told the Council that the sign was designed by the man who designed the building.

Mr. Peterson said that the Tops sign is close to the sidewalk. He said he paid a man to design "the whole thing".

Councilman Schneider pointed out that there are 100 feet - lots of room.

Councilman Williams said he felt the City is remiss in trying to tell operators what kinds of signs they should have. He said there should not be too much disagreement, if owners agree to remove them when needed. He said that the building on the southeast corner would cause perhaps less interference, if the sign were moved a little away. Mr. Williams said this puts the City in the position of telling the operator he can sell hot dogs, but not hamburgers.

Mr. Peterson stated that he is willing to the signing of an agreement (to move, when necessary).

Councilman Schneider referred to one photograph as having been taken from the center of the street.

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

RESOLUTION 127178, overruling and denying the decision of the Board of Zoning Adjustment in denying application of John W. Percival, Dr. Chester D. Tanner, and Sidney G. Evans, owners, and Oscars, Inc., lessee, to construct a sign with zero setback from the front property line, where a 6-foot setback is required, on Lots 7, 8, 9 Block 284 Middletown, in Zone C - at 1825 Pacific Highway - granting appeal from said denial subject to conditions to be worked out by the City Attorney, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays--Councilman Kerrigan. Absent--Mayor Dail.

Councilman Burgener, addressing several individuals seated in the audience, stated that "dancing is in the budget (in the Park & Recreation), tentatively approved". He said that it will not come up before 2:00 o'clock today.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal from the decision of the Board of Zoning Adjustment in granting condition variance to the Municipal Code - to Walter A. and Velma Crouws - to erect sign on a pole, behind the 6-foot setback line, Lots 3, 4, 5; 6 Block 279 Middletown, 2235 Pacific Highway, in Zone C - Robert L. Jackson (president, Harbor Motors) appeared. Mr. Jackson told the Council that he represented himself and Mr. Grouws.

Councilman Schneider told Mr. Jackson that he is entitled to 5 feet.

Glenn A. Rick, City Planning Director, said that 5 feet is a permissible overhang over public property line. He said the question is regarding the base of the sign.

Councilman Schneider said that only 2'6" encroachment is wanted.

Mr. Jackson showed pictures, and said that he wants to line up with existing signs on his own property. He said he agrees to move, when required. He told the Council that he wants to replace, and move. Then, he showed a large drawing of the proposal.

Councilman Kerrigan pointed out a photograph, and a superimposed picture. He referred to imposing a burden regarding moving, on accounting widening Pacific Highway. Mr. Kerrigan said that the Council is actually imposing a hardship when it grants these requests. He said he is not opposed to signs.

Mr. Jackson said that if Pacific Highway is widened, the sign would still have to be moved if it is 6 feet back.

Councilman Kerrigan and Mr. Rick both said "no".

Mr. Harper (who is with a Neon Sign Co.) asked "why a setback"?

Councilman Schneider replied that it is so the State won't have to buy structures when it widens the highway. He said there are no obstructions.

Mr. Jackson and Mr. Harper both said "yes".

Councilman Williams said that Councilman Kerrigan is confused regarding the location where the picture was taken. He showed other pictures.

Councilman Kerrigan said there is the question of setting down rules; abiding by and breaking them. He stated that the City should say that on Pacific Highway it will grant the setback variances, if those interested agree to remove.

Councilman Williams spoke of trying to induce business into San Diego. He said on that account, maybe the policy should be reviewed.

Councilman Kerrigan spoke to Councilman Williams regarding concern over policy of granting zone variances. He told of past activities regarding zone variances coming to the Council - as today. He spoke of a setup having been made for this purpose, and of powers having been given. Mr. Kerrigan said that the Council is getting back in same old rut. He said that people give time for this purpose, serving without pay. He moved to overrule the appeal.

Councilman Burgener said that this is a subject for Conference. He said it would be proper to review it in conference.

Councilman Schneider moved that the appeal be denied, and that the Council uphold the decision of the Board of Zoning Adjustment.

Councilman Curran said that the Council is in the position of being inconsistent (it had granted the appeal on the hearing just preceding this one). He spoke of having established a pattern, and of having had stipulations. He said the Council should be consistent and grant them all, or put back all of them.

Councilman Schneider disagreed with Councilman Curran. He said that this is a different situation. He said he can't understand why 3'6" would improve business.

Councilman Burgener said that Mr. Jackson can asked for a continuance of 1 week on the hearing. He said it has been indicated that the Council will deny the appeal.

On motion of Councilman Evenson, seconded by Councilman Curran, the hearing was a continuance of one week.

Mr. Jackson asked what would be gained.

Councilman Schneider said it has been indicated that the appeal will be denied.

The roll was called, and the appeal continued 1 week.

Mr. Jackson continued to speak, after action. Others continued with the discussion, also.

On motion of Councilman Williams, seconded by Councilman Schneider, the Council determined to take a recess at 12:30 until 12:00 o'clock P.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Annual Appropriation Ordinance for 1955-1956 - Councilman Williams asked the Chair if a motion would be entertained to recess at 12:30. (It was at this point that the reference to recess that action thereon was taken).

Councilman Burgener, in the Chair as Vice Mayor, said that now is the time to speak.

Dorothy Gering, 2010 Beryl Street, and a delegation favoring dancing in the Recreation Department, appeared.

Councilman Evenson said the women have said that the City should people the Recreation department.

Mrs. Gering stated that rumours had been heard that there would be opposition to the dance program. She said that it should be carried on, with the other program of helping the children. She stated that 3,000 persons are affected in the Recreation department's dance program.

The Vice Mayor asked how long the program has been in effect.

Les Earnest, Budget Officer, said since "before he joined the City".

Councilman Williams asked if there is support for all forms of dancing given by the Recreation department. He said that there has been objection to tap dancing.

Mrs. Gering asked why tap dancing had been objected to.

Councilman Williams referred to it as a specialized form.

Mrs. Gering said they could not teach swimming and tennis.

There was continued discussion between Councilman Williams and Mrs.

Gering.

Councilman Evenson asked Mrs. Gering asked where she would cut swimming off.

Mrs. Gering replied that she would not cut it off.  
Councilman Evenson said there is the problem of a tax rate, and just where to stop.

Councilman Curran asked Mrs. Gering if she knew how much the activity costs.

Mrs. Gering said no; but it is worth what it costs. She spoke of the terrific productions given at the Balboa Bowl.

Councilman Schneider asked how much the Park and Recreation costs. He answered his own question: \$2,510,000.00. He said that some mothers like dancing, some vocal lessons. He said that 100 things should have been done, 10 years ago. He pointed out that the City is not picking on any group.

Mrs. Gering said that curtailing of expense should not be done at the expense of children.

Vice Mayor Burgener said that the general philosophy is to maintain the service of last year.

Councilman Curran said that in June people are in here in behalf of their favorite activities, while in November they come in for cutting taxes.

Mrs. Gering said that recreation is for all; it can't be helped if the people don't take advantage of what is offered.

The Vice Mayor thanked Mrs. Gering for her presentation.

The City Manager said he was informed that other groups were here, but that they had left. He said that when the Council recesses, this hearing should be left open, in case others want to appear.

Nicholaus J. Haering told the Council he has been studying the budget from the taxpayers' point of view. He said he had been told it would require 3 teachers (presumably for the dancing program). He said that small leaks sink big ships. Mr. Haering said that the tax rate, and the City, are in danger. He said that this activity will not stop juvenile delinquency. He contended that the women should help hold down taxes.

The hearing continued, after the recess.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, the Council took a recess at 12:32 o'clock Noon, until 2:00 o'clock P.M.

Upon reassembling, at 2:01 o'clock P.M., the roll call showed the following:

Present--Councilmen Schneider, Curran, Evenson, Mayor Dail  
Absent--Councilmen Burgener, Williams, Kerrigan

The hearing on the Annual Appropriation Ordinance was resumed.

Councilman Burgener entered

Stanford Steinbeck, First Vice President of the Fine Arts Society, read a prepared statement. He told of the building committee working on a \$500,000 wing - of which \$50,000. has been committed with the balance to come soon. He told of plans to build a wing on the other side, and of things to be installed. He said they will be along the same lines of the present building. He showed an idealized drawing, prepared by Wm. Templeton Johnson, the original architect for the existing building.

Councilman Kerrigan entered

Mr. Steinbeck told of having the nucleus of one of the greatest collections west of the Mississippi. He stated that there will be one of the finest buildings in any park. He spoke of the capable director, and capable president. He outlined request for \$7500. for paying of salary of the director, instead of portion as formerly; \$5,004 a year for the Asst. director and curator; new position of secretary to the director and asst. director, \$3924; \$3780 for bookkeeper-accountant; \$2226 for admission attendant, now paid by the Society; \$3306 for Gallery technician, now paid by the Fine Arts Society; \$3552 for custodian, instead of \$3228. The increase requested is \$11,928, according to Mr. Steinbeck. He told the Council that the Fine Arts Society

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pays for some out of its own budget for things not under contract with the City. He related the increased public interest, both in attendance and finances. He said that whatever held is possible will be a real boost. He thanked the City.

Councilman Williams entered during the presentation by Mr. Steinbeck

Mrs. Frank March, president of the Fine Arts Society, thanked the Council and Mr. Steinbeck.

John Leppert, Manager of San Diego Taxpayers' Association, stated that new things had been presented today. He told of being opposed to a stable tax rate theory. He said that it is the function of the City to establish its needs - then let the rate fall where it may.

Mayor Dail told Mr. Leppert that it is not the the policy to have a stable rate.

Mr. Leppert said that an informed public is a public easier to deal with. He said that for some years the rate was \$1.95. He spoke of the City looking to the public if the amount derived was the amount required, or to even off. He said that if taxes must go up, these are tough times regarding growth of the City. He told of the sales tax having gone into Capital Outlay last year; otherwise the rate would have gone up. He said the situation is easier to deal with, if it is known what is needed. He referred to morning discussion about things about which it is not known how they will turn out. He spoke of there may being sewer revenue bonds. Mr. Leppert mentioned being aware of the Harbor bonds raise. He said he can't be sure today how it will affect the City tomorrow. He said it may be poor economy for the future. Mr. said that the Association has endorsed bond issues in the past, and has taken into account that it will take more money. He asked to consider this year the expenditure - instead of for the future. He said an informed public will understand.

Councilman Schneider spoke to Mr. Leppert about having a good case, but that he (Leppert) does not have the telephone calls about up-and-down rates. He said that the City can help taxpayers, if the rate is generally the same - even when others come.

Mr. Leppert discussed with Councilman Schneider calls about tax rates.

There was further discussion between the two.

Councilman Schneider said that the City will never catch up on the Capital Outlay.

Mr. Leppert said that the Council has not discussed if it desires a sales tax for Capital improvement. He said that it is a step in the right direction, taken care of earlier.

Councilman Williams said that Mr. Leppert has presented an intelligent case, but then he became rather inconsistent.

Mr. Leppert spoke to Councilman Williams.

Councilman Williams said that this morning there was a start with plans; several things have to be done. He declared that he did "not come down to raise taxes".

Councilman Burgener spoke to Mr. Leppert regarding severe fluctuations. He said there is no need to put aside necessary projects.

Mr. Leppert spoke to Councilman Burgener regarding the government coming in, etc. He said expenses may change in a year or 2.

Councilman Kerrigan said that if the Council follows through, there would be a fluctuating budget. He said that Mr. Leppert wants to hold it within the ability to pay - and revenues. Mr. Kerrigan said that it may not be ideal, but if the theory had been followed in the past, the City would not have the problems today. He said he is conscious of the citizens expecting more and more good services.

Councilman Evenson said he is not afraid of a fluctuating tax rate.

Nicholas J. Haering said that the Council is on the right track: watching little things, little frills; dancing ladies, and art things. He contended that little items on every page could be taken. He advocated returning government to the people, instead of people to the government. He urged eliminating frills.

The Mayor, after ascertaining that no one else was present to be heard, declared the hearing closed.

Petition of La Jolla Motel, Fox & Hounds Motel, Rancho 101 Hotel, Southward Ho Motel, was presented.

It asks for changes in the present street plan:

1. Figueroa Street, originally planned as 4-lane boulevard equal entrance onto Grand Avenue that is being given to Bond Street;



2. That dividing strip on Pacific Highway from Grand Avenue to Magnolia Street be removed, giving cars opportunity to turn into motels;

3. That left turn into Pacific Highway from Grand Avenue is necessary to give drivers opportunity of getting on Pacific Highway to go north - otherwise traffic going east on Grand Avenue must continue on downtown.

John F. Nickerson (La Jolla Motel), spoke of asking for change in the City street plan.

The petition was read to the Council by the Clerk.

The City Manager said that the matters have been studied, having been brought in by Councilman Burgener. He said the Council will probably want to look at it in Conference, regarding the cost, etc.

Councilman Burgener said that Blom (E. W. Blom, Asst. City Manager) had a study.

The City Manager said it is mostly cost-traffic problem.

Mr. Nickerson said that Figueroa has been proposed to be closed. He contended that would eliminate being able to get to the motels.

Councilman Burgener spoke about Highway 101 having been re-routed; Grand Avenue is under construction. He said that are about a million dollars in motels that can't be reached.

Councilman Kerrigan said the item has to go to Conference.

Councilman Burgener said that time is of the essence.

Al Horton, of Rancho 101 Motel, was heard, next. He said that service station is hurt also. He spoke of need for left-turn at Grand Avenue. He said that when drivers see they don't turn around, and come back. He told of guests rarely staying more than 1 to 3 days. He said that when drivers get to the 101, they can't make a turn. He said that they have to go to town, and won't come back. He said that 40% to 60% go by all the motels, and select what they want. He said now this is serious. Mr. Horton spoke of a \$1,250,000.00 investment in motels alone. He spoke of motels on the east.... 4 motels are practically out of business, with the traffic going south. He said the situation needs to be studied. He agreed that if the cost is too much, it is out of the question.

RESOLUTION 127179, referring to Council Conference petition of Motel Owners along Pacific Highway north of Grand Avenue in Pacific Beach, requesting changes in present street plan, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, with City Manager's approval, for acceptance of bid of O. O. & R. E. Maurer for Glass Covering of Plywood Skiffs @ \$107.75 each - total of \$21,119.00 (sole bid) - continued from June 23, 1955, was presented.

RESOLUTION 127180, accepting bid of O. O. & R. E. Maurer for Glass Covering of Plywood Skiffs; 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 Williams, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of Hudson Equipment Company for furnishing 1 Asplundh Chipper for Public Works Department (addition to Motive Equipment; \$3297.00 plus tax - 4 bids - was presented.

RESOLUTION 127181, accepting bid of Hudson Equipment Company for furnishing 1 Asplundh wood chipper; 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 Williams, adopted.

Report of Purchasing Agent, approved by City Manager, reporting on low bids for furnishing 17,500 Board Feet of Lumber:

- (a) Dixie Lumber & Supply Co. \$1,000.82 plus Sales Tax;
- (b) Frost Hardwood Lumber Co. \$1,689.21 plus Sales Tax;

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- (c) American Products, Inc. \$233.73 plus Sales Tax;
- (d) San Diego Lumber Company 101.85 plus Sales Tax;
- (e) Sullivan Hardwood Lumber Co.  
164.64 plus Sales Tax.

Councilman Evenson announced that he was not voting on Resolutions 127182, 127183, 127184, 127185, 127186 which follow:

RESOLUTION 127182, accepting bid of Dixie Lumber & Supply Company for furnishing lumber (as shown in detail in the Resolution) awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127183, accepting bid of American Products, Inc. for furnishing lumber (as shown in detail in the Resolution) awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127184, accepting bid of San Diego Lumber Company for furnishing lumber (as shown in detail in the Resolution) awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127185, accepting bid of Frost Hardwood Lumber Co. for furnishing lumber (as shown in detail in the Resolution) awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127186, accepting bid of Sullivan Hardwood Lumber Co. for furnishing lumber (as shown in detail in the Resolution) awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to 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 Tele-Fire of California, Inc., for furnishing and installing Fire Detection System in Fine Arts Building, Balboa Park, \$2,698.00 - 3 bids - was presented.

RESOLUTION 127187, accepting bid of Tele-Fire of California, Inc. for furnishing and installing Fire Detection System in Fine Arts Building, Balboa Park; 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.

Report of Purchasing Agent on low bid of Larson Bros. Plastering Co., for repairs to buildings (plastering exterior) in Municipal Frontier Project, alternate proposal \$12,679.00 (33.5% above the estimate) - 2 bids - was presented.

RESOLUTION 127188, accepting bid of Larson Bros. Plastering Co., for repairs to buildings (plastering exterior) in Municipal Frontier Project (on alternate proposal); 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 Williams, adopted.

Report of Purchasing Agent on low bid of National Steel and Shipbuilding Corp., for furnishing 1 - 1800 gallon Water Tank for Public Works, Shops & Equipment Division @ \$1,048.03 including State Sales Tax - 3 bids - was presented.

RESOLUTION 127189, accepting bid of National Steel and Shipbuilding Corpora-

tion; 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 Williams, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Sequoia Landscape Company, Inc. for landscaping and installation of sprinkler system at north end of Kellogg Park - \$11,980.60 - 2 bids, was presented.

RESOLUTION 127190, accepting bid of Sequoia Landscape Company, Inc. for landscaping and installation of sprinkler system at north end of Kellogg Park; 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 Evenson, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent on low bid of H. H. Peterson for construction of sanitary sewer in Winnett Street, closed, Federal Boulevard and Lot 25 Encanto Heights No. 2 - \$1561.80 - 4 bids, was presented.

RESOLUTION 127191, accepting bid of H. H. Peterson for construction of sanitary sewer in Winnett Street, closed, Federal Boulevard and Lot 25 Encanto Heights No. 2; 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 Evenson, adopted.

Report of Purchasing Agent on low bid of Al E. Riley, Inc. for construction of sidewalks on Clairemont Drive, Ute Drive, Waco Street and Dakota Drive - \$10,002.51 - 4 bids, was presented.

RESOLUTION 127192, accepting bid of Al E. Riley, Inc. for construction of sidewalks on Clairemont Drive, Ute Drive, Waco Street and Dakota Drive; 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 Williams, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of Balboa Oldsmobile for furnishing 2 High Speed cars for Police Department @ \$2,082.87 ea., plus \$240.30 per car for extras, plus Sales Tax; and 1 - 4 door Sedan for Chief of Fire Department @ \$2,403.27 plus extras @ \$128.61 plus State Sales Tax, was presented.

RESOLUTION 127193, accepting bid of Balboa Oldsmobile for furnishing 2 patrol cars and 1 4-door sedan - all as per detail in the Resolution - was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of San Diego Burglar Alarm Company for installation of burglar alarm system in Fine Arts Building, Balboa Park - \$1,345.00 - 1 bid, was presented.

RESOLUTION 127194, accepting bid of San Diego Burglar Alarm Company for installation of burglar alarm system in Fine Arts Building Balboa Park; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of Sequoia Landscape Company, Inc. for remodeling and extension of existing sprinkler system at Dana Landing and on Tierra del Fuego - \$6,599.34 - 3 bids, was presented.

RESOLUTION 127195, accepting bid of Sequoia Landscape Company, Inc. for remodeling and extension of existing sprinkler system at Dana Landing and on Tierra del Fuego; 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.

RESOLUTION 127196, 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 intersections of 2nd Avenue at C Street, and at Kettner Boulevard and B Street, Document 515619; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127197, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Sunset Cliffs Boulevard from Adair Street to Hill Street, Document 515618; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 127198, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Los Penasquitos Creek Bridge and approaches, Document 515616; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127199, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in "B" Street between Second Avenue and Tenth Avenue; in Fourth Avenue between "B" Street and Ash Street; in Ash Street between Fourth Avenue and Fifth Avenue, Document 515617; 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 127200, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Ambulance Service for 3 years, beginning August 1, 1955, Document 515651, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127201, authorizing and directing Purchasing Agent to purchase from Automobile Club of Southern California 106 Street Guide Signs installed, at total of \$1,462.35 including State Sales Tax, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item was brought up under unanimous consent, at the end of the meeting, but numbered at this point due to the many departments and individuals who had to be notified.

RESOLUTION 127202, confirming appointment by the City Manager of R. R. Stone as Acting Treasurer of The City of San Diego, to serve until such time as the Treasurer of the City is appointed and qualified, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Riviera Villas, a 2-lot subdivision of Lot 5 Block 5, was presented.

RESOLUTION 127203, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map of Riviera Villas, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for division of Lot 5 Block P Riviera Villas, into 2 parcels fronting on Novara Street and Piedmont Drive, subject to 4 conditions, was presented. It says proposed lots are 6383 and 7002 square feet, respectively, while adjacent lots vary from 8100 to 12,000 square feet in area; adjacent streets of Novara Street and Piedmont Drive are fully improved.

RESOLUTION 127204, approving Tentative Map of Riviera Villas, a 2-lot subdivision of Block P, Lot 5, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending by vote of 4 to 2 that Tentative Map for division of Lot 1 Block 22 North Shore Highlands into 2 parcels - 1 70 ft. x 125 ft. and the other approximately 133 ft. x 125 ft., was presented. Accompanying the file were several City departmental communications and written protest from property owners. The report says that traffic engineer recommended, because of steepness of grade 20.15%, construction of driveway near crest of the hill would create a traffic hazard, and that Loring Street is presently fully improved with a 28-foot pavement. Also was presented request of Florence Riford to continue.

Byron B. Reinemund told the Council that he had been authorized to represent property owners in Block 22 and in the block to the north. He told of having been present before the Planning Commission at time the request to divide the property had been considered, but that Mrs. Riford (who owns the property) was not. The request for continuance had a note on it written by the Clerk that Mrs. Riford had requested a hearing on July 14. Mr. Reinemund told of having agreed to 1 continuance before the Planning Commission. He spoke of having learned yesterday of request to take the item off from today's agenda. He asked that it be disposed of at this time.

Councilman Kerrigan said that if the Council sustains the Planning Commission, there is nothing to prevent the property owner from putting up the proposal again tomorrow.

The Mayor read to the Council the letter from Mrs. Riford.

Mr. Reinemund stated that there are 10 property owners in opposition to Mrs. Riford's proposal, and of already having been put to considerable trouble on account of her request. He mentioned both having been heard before the Planning on June 15.

Councilman Kerrigan pointed out that this is not a hearing.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the item was continued to the meeting of Thursday, July 14, 1955.

Communication from the City Manager reporting on communication and petition regarding improvement of Torrence Street between Keating and Pringle, was presented. It says that although communication indicates that 5 of the 8 property owners on the street are in favor of the improvement, the City Engineer's office advises that it is signed by owners of only 45.8% of the property frontage - 60% minimum established by Council policy, and 51% required by 1911 Improvement Act. It recommends that petition be filed.

RESOLUTION 127205, filing recommendation of City Manager, Document 515655, adopting it, filing petition for improvement of Torrence Street between Keating and Pringle Streets, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Public notice relative to cooperative Beach Erosion Control Report on Survey of Oceanside, Ocean Beach, Imperial Beach, and Coronado, San Diego County - Corps

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of Engineers, U.S. Army, office of Division Engineer, South Pacific Division, 630 Sansome Street, San Francisco 11, California, dated 24 June 1955, was presented. The notice is signed by William F. Cassidy, Colonel, CE, Division of Engineers. Included are 4 plats, known as "Plan of Improv." for the 4 areas.

The City Manager told the Council the item could be referred to him.

On motion of Councilman Burgener, seconded by Councilman Evenson, the papers were referred to the City Manager.

Communication from Mrs. and Mrs. F. A. Lodge, 1944 Chalcedony Street, Pacific Beach, dated June 24, 1955, transmitting copy of article printed in Point Newsweekly, June 9, 1955, was presented. The article referred is entitled "A Home Buyer Speaks: Country Club Park-Lake Park Runaround?" The article relates unhappy experiences in buying a lot, and subsequent events having to do with changed sites, etc. It is "By Lois Lodge".

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

Communication from Raymond N. Harter, 2048 Third Avenue, San Diego, dated June 28, 1955, complaining, and making suggestion for immediate improvement to "our wonderful, but deplorably dirty, beaches", was presented. It relates, particularly, condition caused by dogs running on them.

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

Communication from La Jolla Town Council, Inc., dated June 28, 1955, signed by Millard W. Smith, president, was presented. It puts the Town Council on record favoring development of recreational facilities on Torrey Pines Mesa, and adoption of plans into master plan of the City. It says that they need not encroach on present area of Torrey Pines Park. It favors 2 18-hole golf courses on the Meda, providing Torrey Pines Park can be exempted from any of the development.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to the file of other items set for hearing on July 12, 1955.

Communication from O. W. Cotton, 524 B Street, San Diego 1, June 28, 1955, forwarding copy of his letter to Directors of San Diego Downtown Association, with further statistics and information and some suggestions for additional off-street parking, was presented.

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

RESOLUTION 127206, adopting Budget for improvement of certain Major City Streets in The City of San Diego, and approving Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets, Document 515777, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(Robert Whitson had asked earlier that he be notified when the Washington Street gas tax item comes before the Council. It was included in the Memorandum of Agreement adopted above. As a result, telephone calls were made 6/29/55 by A.M.W., to his son - Mr. Whitson is in the east).

RESOLUTION 127207, extending agreement for maintenance and repair of radio equipment for police and fire protection and public safety generally with Fallbrook Volunteer Fire Department on August 19, 1954, Document 496498 - for 1 year beginning July 1, 1955, schedule of monthly unit charges as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



RESOLUTION 127208, extending agreement for maintenance and repair of radio equipment for police and fire protection and public safety generally with City of Coronado entered into August 19, 1954, Document 496496 - for 1 year beginning July 1, 1955, schedule of monthly unit charges as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127209, extending agreement for maintenance and repair of radio equipment for police and fire protection and public safety generally with City of El Cajon entered into August 19, 1954, Document 496497 - for 1 year beginning July 1, 1955, schedule of monthly unit charges as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127210, extending agreement for maintenance and repair of radio equipment for police and fire protection and public safety generally with City of Chula Vista entered into August 19, 1954, Document 496494 - for 1 year beginning July 1, 1955, schedule of monthly unit charges as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127211, extending agreement for maintenance and repair of radio equipment for police and fire protection and public safety generally with City of National City entered into August 19, 1954, Document 496499 - for 1 year beginning July 1, 1955, schedule of monthly unit charges as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127212, extending agreement for maintenance and repair of radio equipment for police and fire protection and public safety generally with County of San Diego entered into August 19, 1954, Document 496495 - for 1 year beginning July 1, 1955, schedule of monthly unit charges as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127213, granting revocable permit to Mabel Rosso, 4336 University Avenue, San Diego, to install and maintain private 4" sewer lateral and 3/4" water service under University Avenue from owner's property to City water and sewer mains in Alley Block 198 City Heights: East 35' Lots 25, 26, 27, and east 35' of southerly 15' Lot 28 Block 198; subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127214, granting revocable permit to James H. Porter and Irene M. Porter, P.O. Box 576 Old San Diego Station, San Diego 1, to install and maintain private 1" galvanized water line under Orange Avenue and owner's property from State Highway #395: easterly 301' of southerly 144.06' Lot 48 Highlands Kearney Mesa, except southerly 5'; subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127215, granting revocable permit to D. P. Asquith, 4006 University Avenue, San Diego 5, to install and maintain temporary asphalt cement drive over and across Mission George Road in front of owner's property: southerly 100' Lot 1 Block 46 Grantville and out lots; subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 127216, granting revocable permit to L. D. Kennedy, 1086 Archer Street, San Diego 9, to install and maintain a retaining wall and steps over and across Archer Street in front of 1086 Archer Street, San Diego: Lots 25 and 26 Block 10 Monte Villa; subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 127217, granting revocable permit to Elmer James Colborn and German Struiksma, 3865 Delta Street, San Diego, to install and maintain private 1" galv. water line over, under and across Eta Street from owners' property to water main in 42nd Street and Eta Street: Lots 11 and 12 Block 6 Nordica Heights No. 2; subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 127218, granting revocable permit to John F. Kolb, 3143 Russell Street, San Diego 6, to install and maintain cleared area for automobile turnaround over and across Russell Street in front of owner's property: Lot 12 and North 20' Lot 11 Block 147 Roseville; subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 127219, granting revocable permit to Allied Properties, David L. White, Executive Vice President, 420 Taylor Street, San Francisco 2, California, (care Paderewski, Mitchell & Dean, architects, 521 B Street, San Diego 1) to install and maintain underground power conduit under and across Alley Block 224 back of owner's property: Lots 10, 11, 12 Block 224 Pacific Beach; subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 127220, granting revocable permit to C. M. Rodefer, San Diego, to install and maintain fill between Blocks 537 and 546 Old San Diego, over and across Hortensia Street north of Cul de Sac on Hortensia Street; subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 127221, approving Change Order 1, May 13, 1955, Document 515675, issued in connection with contract between The City of San Diego and E. P. Watson for construction of drain at Rosecrans and Evergreen Streets, contract Document 513205; changes amounting to increase in contract price of \$135.00, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Proposed Resolution authorizing City Manager to execute lease with Edward Ohler, Edward Lowell Ohler, and William G. Ohler, for concessions for sale of refreshments and other articles of merchandise at locations within parks or recreation centers under terms and conditions set out in form of lease, was presented.

On motion of Councilman Schneider, seconded by Councilman Williams, it was continued 1 week - to July 7, 1955.

RESOLUTION 127222, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Willis M. Allen of portion of Pueblo Lot 1280 easterly of Torrey Pines Road, for 5 years beginning July 19, 1955, rental \$50.00 per year, for grazing of horses and/or cattle only; terms and conditions set forth in Document 515798; real property has value of \$1,500.00 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 Williams, seconded by Councilman Burgener, adopted.

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RESOLUTION 127223, authorizing City Attorney to settle the \$50.00 claim of F. H. Ward, Document 514666 for \$25.00; authorizing and directing City Auditor and Comptroller to draw warrant in favor of F. H. Ward in amount of \$25.00 in full settlement of the claim, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 127224, authorizing Paul Beermann, Director of Water Department of The City of San Diego, to attend meeting of California Flood Control Conference, in Sacramento, California, Thursday, June 30, 1955, also meeting of State Board of Water Resources, Sacramento, Friday, July 1, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

The next item was numbered out of order, by request:

RESOLUTION 127225, accepting deed of F. L. McMechen and C. Bell McMechen, June 14, 1955, conveying portion of Park Addition, Blocks 1, 2, 3 and 29th Street (Closed); 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.

The next item was numbered out of order by request:

RESOLUTION 127226, accepting deed of Betty Gene Mathews, June 14, 1955, conveying Lots 3, 4, 45, 46, 47 Block 1 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127227, accepting Quitclaim Deed executed 10th day of June, 1955, by Tooley Hotels, Inc., a corporation, (Care Albert Steinbaum, San Diego Hotel, San Diego) quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named College View Estates Unit No. 2, being subdivision of portion Lot 67 Partition of Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 127228, accepting subordination agreement, executed by Gene L. Moser and Gwyndoline Moser, beneficiaries, and Union Title Insurance and Trust Company, trustee, June 18, 1955, subordinating all their right, title and interest in and to portion Block "N" Burlingame, 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 Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 127229, 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, June 14, 1955, subordinating all right, title and interest in and to portion Lot 33 Block 1 Walker's Addition, 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 Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 127230, accepting subordination agreement, executed by The Prudential Insurance Company of America, beneficiaries, and Union Title Insurance & Trust Company, trustee, April 26, 1955, subordinating all their right, title and interest in and to portion Lot 7 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 Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 127231, accepting deed of K.C.B.Q., March 30, 1955, conveying easement and right of way for street purposes in portion Lot 18 La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127232, accepting deed of Ethel C. Boyd, June 13, 1955, conveying easement and right of way for street purposes in portion Lot 8 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 Curran, adopted.

RESOLUTION 127233, accepting deed of Timothy D. Parkman and Elizabeth Ann R. Parkman, March 30, 1955, conveying easement and right of way for street purposes in portion Lot 18 La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127234, accepting deed of Timothy D. Parkman and Elizabeth Ann R. Parkman, March 30, 1955, conveying easement and right of way for street purposes in portion Lot 8 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 Curran, adopted.

RESOLUTION 127235, accepting deed of J. C. Vandiver and Lois M. Vandiver, May 7, 1955, conveying easement and right of way for street purposes in portion Lot 7 Block 99 Roseville; 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 Curran, adopted.

RESOLUTION 127236, accepting deed of K.C.B.Q., March 30, 1955, conveying easement and right of way for street purposes in portion Lot 8 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 Curran, adopted.

RESOLUTION 127237, accepting deed of Robert H. Van Kirk, June 23, 1955, conveying easement and right of way for sewer purposes in portion of Lot 19 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127238, accepting deed of Edward J. Balcer and Frances S. Balcer, William M. Loeltz and Luetta M. Loeltz, June 20, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1775; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127239, accepting deed of Thomas H. Messer, June 23, 1955, conveying easement and right of way for sewer purposes in portion Lot 23 La Jolla Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127240, accepting deed of Grady A. Thompson and Joyce L. Thompson, May 10, 1955, conveying easement and right of way for sewer purposes in portion Block 85 Villa Tract, La Jolla Park; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127241, accepting deed of Gilbert S. Hardie and Isabel Hardie, June 21, 1955, conveying easement and right of way for storm drain purposes in portion Lots 38 and 39 Block 21 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 Curran, adopted.

RESOLUTION 127242, accepting deed of Irving W. Frye and Joyce Caseman Frye, June 10, 1955, conveying easement and right of way for storm drain purposes in portion Lot 33 Block 1 Walker's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127243, accepting deed of Frederick W. Braubach, Jr., May 27, 1955, conveying easement and right of way for storm drain purposes in portion Lots 22 and 23 Block 10 Middletown 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 Curran, adopted.

RESOLUTION 127244, accepting deed of Albert Henry Wotton, April 27, 1955, conveying easement and right of way for storm drain purposes in portion Lots 6, 7, 8 Block 205 Middletown; 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 127245, accepting deed of Union Title Insurance and Trust Company, June 7, 1955, conveying easement and right of way for storm drain in portion Lot 8 Block 205 Middletown; 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 127246, accepting deed of Harold R. Mosley and Florence E. Mosley,

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and Florence E. Mosley, May 2, 1955, conveying easement and right of way for earth fill purposes in portion Block "N" of Burlingame; 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 127247, accepting deed of Lulu May Hauser, May 3, 1955, conveying portion Lots 6, 7, 8 Block 205 Middletown; 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 127248, accepting deed of Narmco, Inc., May 24, 1955, conveying portion Pueblo Lot 1199; 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.

Deeds from McMechen and from Mathews were numbered out of order, and are shown earlier in minutes for this meeting.

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

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

ORDINANCE 6564, appropriating \$13,200.00 from Capital Outlay Fund, for landscaping and installing sprinkler system in Kellogg Park, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

ORDINANCE 6565 (New Series), appropriating \$11,000.00 from Capital Outlay Fund of The City of San Diego, for construction of sidewalks on Clairemont Drive, Ute Drive, Waco Street and Dakota Drive, 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 Williams, seconded by Councilman Burgener, it was introduced.

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

On motion of Councilman Curran, seconded by Councilman Evenson, the next ordinance was introduced.

On motion of Councilman Curran, seconded by Councilman Evenson, reading in full was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of passage, a written copy.

ORDINANCE 6566 (New Series), appropriating \$1,800.00 from Capital Outlay Fund for construction of sanitary sewer in Federal Boulevard at Winnett Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, 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 Burgener, Ordinance amending Section 83.01.1 of San Diego Municipal Code concerning Pedestrian Use of Wabash Boulevard between Thirty-Second Street and Landis Street, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

RESOLUTION 127249, approving rules and regulations proposed by Administration Building Control Committee of The City of San Diego and the County of San Diego, under date of June 21, 1955, for parking on the north and south lots of the Civic Center by officers and employees of The City of San Diego and of the County of San Diego, Document 515880 on file in office of City Clerk; authorizing and directing each and every department head of The City of San Diego to take such steps as may be necessary to have such rules and regulations fully enforced; provided, however, that Resolution shall be of no binding effect or force unless similar action with respect to same rules and regulations has been taken by Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Resolution says that Administration Building Control Committee of The City and The County has drafted proposed rules and regulations; the Council is of the opinion that in interest of people of The City of San Diego it is advisable to approve and adopt such rules and regulations with concurrent consent and approval of Board of Supervisors of County of San Diego.

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

RESOLUTION 127250, authorizing a member of the Civil Service staff to go to Sacramento, California, for conducting oral examination for Associate Civil Engineer; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

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

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

ORDINANCE 6567 (New Series), amending Article 6 Chapter II of San Diego Municipal Code by amending Sections 26.60 through 26.71 Creating and establishing regulations for the San Diego City-County Camp Commission, and repealing Ordinances 2639 (New Series) 2759 (New Series) and 2988 (New Series), 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.

The Mayor declared the meeting adjourned, at 2:57 o'clock P.M. He announced the Council would go into Conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Thomas C. Dail*  
Mayor of The City of San Diego, California

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## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, July 5,  
1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilman Burgener  
Clerk---Fred W. Sick

At the request of the Mayor all stood for the invocation given by the Reverend Arthur V. Huntley, Trinity Church, the new president of San Diego County Ministerial Association.

Minutes of the Regular Meetings of Tuesday, June 28, 1955, and of Thursday, June 30, 1955, were presented.

On motion of Councilman Williams, seconded by Councilman Kerrigan, they were approved without reading. They were signed by the Mayor.

Resolutions and Ordinances are recorded on Microfilm Roll 97

The Purchasing Agent reported in writing on bids received Friday, July 1, 1955 from 5 bidders for improvement of Calle Del Oro and La Jolla Shores Drive, under 1911 Act.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed annexation of territory described as "Rancho Hills South", the Clerk reported no written protests.

The City Manager explained the history, and said "it is all right".

The Mayor inquired if anyone was present to protest

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance approving annexation to The City of San Diego of certain uninhabited territory in the County of San Diego, State of California, known and designated as "Rancho Hills South", and which territory shall be added to The San Diego Unified School District, was introduced by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 126626 for paving and otherwise improving Alley Block 332 Choate's Addition, and 32nd 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.

On motion of Councilman Kerrigan, seconded by Councilman Williams, proceedings were referred to the 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 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, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

Meeting convened  
Minutes approved  
Report on 1911 Act bids  
Hearings

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

On motion of Councilman Williams, seconded by Councilman Evenson, proceedings were referred to the 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 126628 for paving and otherwise improving Delta 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 written protests were presented.

On motion of Councilman Curran, 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, time set for hearing on Resolution of Intention 126629 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.

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

(Later in the meeting action was reconsidered. All is shown here, to keep the item together).

A man, who did not identify himself, asked about the grade.

The previous action was reconsidered, on motion of Councilman Curran, seconded by Councilman Williams.

The City Engineer told the man who asked the question, that those details can be ascertained in his office.

No protest was made.

RESOLUTION 127251, continuing hearing on proposed improvement of Morrell Street, between southerly line of Pacific Beach Drive and southerly line of Grand Avenue - Resolution of Intention 126629 - until 10:00 A.M., Tuesday, July 12, 1955 - was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 126728 for paving and otherwise improving Alley Block 6 Ocean Beach, 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 127252, determining that paving and otherwise improving Alley Block 6 Ocean Beach, Resolution 126728 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 126729 for paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street, Akron 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.

On motion of Councilman Williams, seconded by Councilman Evenson, Resolution of Feasibility was adopted. (It was not numbered, inasmuch as there was a subsequent reconsideration).

R. R. Farmer appeared, and asked to be heard.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, action was reconsidered.

Mr. Farmer, 3363 Trumbull, told of having signed the petition for the paving. He said that since having built, erosion has undermined a stone wall on Lots 16 and 17. He

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told of having looked at the Engineer's plans, and that proposal had been explained to him. He said that neighbors to the back and to the sides had hoped the City would bring the alley up to grade.

The Engineer asked Mr. Farmer to go to his office for details on the grade.

Councilman Kerrigan asked if there is a grade change.

The City Engineer replied that there is not.

Councilman Kerrigan said that if there is a change of grade it would cost the City about \$300.00.

The City Engineer said that the contractor "can scratch around a little".

Mr. Farmer continued, saying the lot is now about grade. He spoke of being in favor of the improvement, but does not want to have to use a ramp to get into his property.

Councilman Kerrigan said there could be a majority protest, based on the information Mr. Farmer seeks.

Councilman Williams said this gentleman (Mr. Farmer) has taken the time to come down and ascertain the grade. He said that to protest later (on the Resolution of Intention hearing) would be more costly.

RESOLUTION 127253, continuing hearing on proposed improvement of Alley Block 7 Roseville Heights, Bangor Street and Akron Street, Resolution of Preliminary Determination 126729, until 10:00 o'clock A.M., Tuesday, July 12, 1955, 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 furnishing electric current for lighting ornamental street lights in San Diego Lighting District No. 1, for 11 months and 6 days from and including June 15, 1955, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

RESOLUTION 127254, confirming and approving as a whole Engineer's Report and Assessment for San Diego Lighting District No. 1, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager on proposed rental of dozer from outside vendor, was presented. It says that Sanitation Division via Director of Public Works, has 5 heavy dozers assigned to it for use on sanitary fills, and that in order to meet minimum requirements there can be operation for short periods with 4 machines, that on occasion when 2 machines are broken down it is necessary to rent 1 or more.

A question was asked if rental includes operator.

The City Manager replied "just the machine; rental machine is used only when there is a breakdown".

RESOLUTION 127255, authorizing and directing Purchasing Agent to occasionally rent for various periods of time, as needed, until September 30, 1955, a heavy dozer at \$50.00 per day, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Kozy Heights, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION 127256, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego contract with Harold W. Kositzky and Jessie M. Kositzky, husband and wife, Alex B. Antonette and Geraldine Antonette, husband and wife and Arthur P. Chappelle and Doris Audrey Chappelle, husband and wife, subdividers, for installation and completion of unfinished improvements and setting of monuments required for Kozy Heights 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 127257, adopting Map of Kozy Heights Subdivision; a subdivision of portion of South 408.20 feet of Block 4 Larchmont; accepting on behalf of the public portion of 60th Street and portion of Iona Drive and unnamed easements shown for public purposes;

declaring them to be 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 the Council that they are accepted on behalf of the Council; directing City Clerk to transmit map to Clerk of Board of Supervisors of the 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 Judkins Estate, a 2-lot subdivision of portion Block 2 Amalfi, was presented.

RESOLUTION 127258, suspending Sections 102.07-2, 102.07-5, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Judkins Estate, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Judkins Estate, 2-lot subdivision of portion of Block 2 Amalfi, with provisions for future street and subsequent development of remaining parcel into 3 lots, subject to 6 conditions, was presented.

RESOLUTION 127259, approving Tentative Map of Judkins Estate, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map for Soledad Terrace, a 2-lot subdivision of portion Lot 23, was presented.

RESOLUTION 127260, suspending Sections 102.18, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Soledad Terrace, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Soledad Terrace, portion of Lot 23, subject to 8 conditions, was presented. It reports that approximately a year ago a community plan was adopted, and area rezoned to provide for 10,000 sq. ft. lots. It says Tentative Map is in essential compliance with zoning and Community Plan, excepting that 5-foot widening will be required for Los Altos Road, and the lots will be deficient by 500 square feet in area.

RESOLUTION 127261, approving Tentative Map of Soledad Terrace, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. (It covers Lot 23).

Communication from Board of Architectural Review, by Glenn A. Rick, requesting joint meeting with the Council to discuss the sign ordinance with reference to the work of the Board, was presented. It says that several weeks ago the Board made some suggestions which were taken up with representatives of the sign industry. It says that the Board recommended that study be made of possibility of changes in procedure regarding application for construction of signs in "D" and "M" zones. It reports that after considering the matter several weeks, Mr. Harper (S.D. Neon) reported the sign industry was opposed to placing limit on size of signs, no matter how large, and that Board of Architectural Review should be abandoned. It states that after receiving Mr. Harper's comments, the Board is still of the opinion that its original recommendation should be discussed with the Council.

On motion of Councilman Schneider, seconded by Councilman Williams, it was referred to Vice Mayor Burgener.

Communication from Harbor Commission, by John Bate, submitting lease with United States Navy (which had been continued) for 158,820 square feet on Harbor Drive at Foot

of Pacific Highway - for parking of automobiles belonging to employees of U.S. Naval Air Station, North Island - was presented again.

On motion of Councilman Schneider, seconded by Councilman Williams, it was continued another week - to July 12, 1955.

Communication from Planning Commission, by P. Q. Burton, reporting on petition requesting 5-foot setback on south side of Sterne Street between Willow and Evergreen Streets, was presented. It granted petition requesting filing of the original request.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the papers were filed.

RESOLUTION 127262, filing petition of Bessie E. Peery and J. June Perry, re setback, was adopted.

Application of Mary E. Chadwick, 1290 Upas Street, for Cabaret License at Chadwick's Dining Room 2970 Market, was presented together with recommendations from interested City departments for granting.

RESOLUTION 127263, granting permission to Mary E. Chadwick to conduct cabaret with paid entertainment at "Chadwick's Dining Room", 2970 Market Street, where liquor is sold; subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127264, directing notice of filing of Assessment 2377 and of time and place of hearing thereof, for installation of sewers in Alley Block 16 La Mesa Colony, 73rd Street, Public Right of Way in Lot 40 La Mesa Colony, Resolution of Intention 121772, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127265, directing notice of filing of Assessment 2378 and of time and place of hearing thereof, for paving and otherwise improving Alleys Blocks 199 and 220 Pacific Beach, Resolution of Intention 116718, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127266, directing notice of filing of Assessment 2379 and of time and place of hearing thereof, for paving and otherwise improving 53rd Street, Santa Margarita Street, and San Jacinto Drive, Resolution of Intention 118486, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 127267, accepting bid of T. B. Penick & Sons, and awarding contract for paving and otherwise improving Alley Block 10 Normal Heights, and Arthur Avenue, Resolution of Intention 125824, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 1.4% below the estimate.

RESOLUTION OF AWARD 127268, accepting bid of Taylor-Sloan, Inc., and awarding contract, for sewers in Quince Street, 45th Street, 46th Street, Menlo Avenue, 47th Street, Home Avenue, other streets, and various alleys, Resolution of Intention 125826, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 29.3% below the estimate

RESOLUTION OF AWARD 127269, accepting bid of M. H. Golden Construction Co., and awarding contract 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 Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 10.2% below the estimate

RESOLUTION ORDERING WORK 127270, for paving and otherwise improving Alley Block 72 City Heights, Resolution of Intention 126464, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 127271, for paving and otherwise improving Alley Block 34 Ocean Beach, Resolution of Intention 126465, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 127272, for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, Resolution of Intention 126463, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127273, directing notice inviting sealed proposals for furnishing electric current for lighting Collwood Lighting District No. 1, for 1 year from and including June 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 127274, for paving and otherwise improving Alley Block 241 Pacific Beach, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 127275, for paving and otherwise improving Quince Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 127276, for paving and otherwise improving T Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127277, ascertaining and declaring wage scale for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue, and 41st Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127278, ascertaining and declaring wage scale for paving and otherwise improving Gaines Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 127279, ascertaining and declaring wage scale 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127280, approving diagram of property affected or benefited by

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work of improvement to be done on paving and otherwise improving Alley Block 255 Pacific Beach, Resolution of Intention 121325, 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 certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127281, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 69th Street, Resolution of Intention 121532, 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 certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127282, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Soto Street and Castelar Street, Resolution of Intention 120008, 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 certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127283, authorizing and empowering Harbor Commission to enter into contract, for and on behalf of The City of San Diego, with Willis L. Lipscomb as Consulting Engineer, to prepare necessary and detailed plans and specifications for electrical work of constructing new marine terminal on tidelands at foot of Tenth Avenue, Document 515919, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127284, authorizing and empowering City Manager to enter into agreement with Leigh Fischer and Associates for Airport study, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next Resolution, Councilman Williams said he had a question. He asked if it would interfere with the lease.

The City Manager replied that it is an accomplished fact - the Lessees walked out.

RESOLUTION 127285, ratifying oral permission given by City Manager to Automatik Catering, Inc., for installation and operation of food and beverage vending machines for period May 5, 1955 through June 20, 1955, and accepts \$8.39 for rental covering the period; ratifying oral permission given by City Manager for installation and operation of ice-cream-bar vending machine for period May 27, 1955, through June 23, 1955, and accepts \$1.43 for rental covering the period, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127286, authorizing City Attorney to accept \$4,600.00 in full settlement of City's invoice 11694 dated April 13, 1954, in amount of \$9,331.80, covering audit of San Diego Yellow Cabs, Inc. operation of limousine service at Lindbergh Field from June 1, 1947 to and including October 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127287, authorizing and empowering City Manager, for and on behalf of the City, to execute lease agreement with John G. Simons of easterly wing of Montgomery Airport Administration Building, shown on Property Division Drawing 141, for operation of restaurant, for 5 years at flat rental or percentage, whichever is greater; property has

value of \$15,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, under terms and conditions set out in Document 515921, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127288, approving request of Rogers Construction Company, June 27, 1955, Change Order 5, for extension of 30 days to and including July 30, 1955, filed with City Clerk as Document 515828, in which to complete contract for construction of San Vicente Aqueduct Connection, contract Document 502828; extending completion time to July 30, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127289, approving Change Order 1, June 27, 1955, filed with City Clerk as Document 515830, issued in connection with contract between The City of San Diego and H. W. Grizzle for construction of Linda Vista Recreation Center, contract Document 511035; changes amounting to increase in contract price of approximately \$139.38; approving request dated June 27, 1955, in Change Order 1, for extension of 15 days to and including October 3, 1955, in which to complete contract, and extending time of completion to October 3, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127290, approving request of Fred J. Early, Jr. Co., Inc., dated June 20, 1955, Change Order 10, for extension of 30 days to and including July 15, 1955, filed with City Clerk as Document 515832, in which to complete contract for construction of Sewage Treatment Plant alterations, contract Document 500820; extending time of completion to July 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127291, authorizing and empowering City Manager to do all work in connection with replacement and installation of water mains in Achilles Drive and 38th Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127292, granting revocable permit to John Sedlack, 4400 Hilltop Drive, San Diego 2, to install and maintain private 3/4" water line in Brunner Hill from owner's property: Lots 24 and 25 Block 7 American Park, to meter at Trenton and Ticonderoga, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

In connection with the next 3 Resolutions, Councilman Kerrigan asked if they were on "regular property".

The City Manager replied that 2 are corner cutoffs; 1 is for Wabaska, near DeFalco's.

RESOLUTION 127293, 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 98 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 Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127294, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes

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against portion Lot 32 Block 16 First Addition to Ashers Clover Leaf Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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 Williams, adopted.

RESOLUTION 127295, 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 32 Block 16 First Addition to Aschers Clover Leaf Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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 Williams, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, 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 written or printed copy, prior to day of adoption.

ORDINANCE 6568 (New Series), amending The San Diego Municipal Code by adding thereto a new Section to be known as and numbered Section 67.25.1 and repealing Ordinance No. 6539 passed and adopted June 14, 1955 - Regulating the Water System - was on motion of Councilman Kerrigan, seconded by Councilman Evenson adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

Ordinance having to do with the annual fiscal budget for 1955-1956 was presented.

Also filed was communication from the City Manager, July 5, 1955, requesting increases in budget for fiscal year 1955-56 over amounts proposed in preliminary budget submitted May 3, 1955, was presented.

They had to do with City-County Administration Bldg., \$2,083; Police \$49,397; Fire, \$37,228; Health, \$1,767; Public Works, \$100,000; Advertising and Publicity \$3,000; Zoological Exhibits, \$1,067; for reasons set out in the communication.

Councilman Schneider moved to approve the City Manager's request and recommendation.

Councilman Williams referred to his being a little new here.

The letter was read by the Clerk to the Council.

Councilman Schneider asked about the increase for advertising.

Mayor Dail said that it was in the budget.

Councilman Williams seconded the motion.

The roll was called, and the request of the City Manager was approved.

On motion of Councilman Kerrigan, seconded by Councilman Williams, Ord- adopting and approving annual fiscal budget for fiscal year 1955-1956, approving amounts therein estimated for needs of the City of San Diego and various departments thereof, and appropriating out of the Treasury the necessary moneys to carry on the City and the operation of the various departments for said fiscal year, reading was dispensed with. There was available for consideration of each member of the Council prior to day of adoption, a written or printed copy.

ORDINANCE 6569 (New Series) - as shown in the preceding paragraph - was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

The ordinance was declared to take effect immediately upon its passage.

In connection with the next ordinance, Councilman Schneider asked for comments in Conference (The City Manager's secretary was advised by telephone - by A.M.W. -

of Mr. Schneider's request).

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

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

ORDINANCE 6570 (New Series), appropriating \$10,000.00 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 Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

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

ORDINANCE 6571 (New Series), appropriating \$19,200.00 from Unappropriated Balance Fund, for providing funds to cover cost of economic study of San Diego Air Transportation and Aeronautical Activity to be made by the firm of Leigh Fisher & Associates, of South Bend, Indiana, in accordance with agreement to be entered into between the City and said firm, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

On motion of Councilman Williams, 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 written or printed copy prior to day of passage.

ORDINANCE 6572 (New Series), establishing grade of Alleys in Block 21 Kensington Park (1) East and West Alley between easterly line of Kensington Drive and westerly line of Marlborough Drive (2) North and South Alley between south line of East and West Alley and north line of Madison Avenue, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

On motion of Councilman Kerrigan, 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 written or printed copy prior to day of passage.

ORDINANCE 6573 (New Series), establishing grade of Altadena Avenue, between its southerly termination and a radial line bearing N 14° 18' 30" W from intersection of southerly line of Altadena Avenue with easterly line of Landis Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

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



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

ORDINANCE 6574 (New Series), establishing grade of Sterling Court (1) between west termination in Oak Park Annex and westerly line of Altadena Avenue (2) between easterly line of Altadena Avenue and westerly line of Lemona Avenue, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

On motion of Councilman Evenson, 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 written or printed copy prior to day of passage.

ORDINANCE 6575 (New Series), establishing grade of 50th Street, between north line of Sterling Court and north termination of 50th Street in Oak Park Annex, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Williams, seconded by Councilman Evenson, the next ordinance was introduced.

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

ORDINANCE 6576 (New Series), establishing grade of 51st Street, between south line of Sterling Court and southerly termination of 51st Street in Oak Park Annex, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

As a result of note from Conference that "Air Traffic Problem, La Jolla Town Council communication" be stricken from the agenda, the Clerk filed the communication signed by H. Bailey Gallison, executive manager.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstein*  
Deputy

*Charles O. Dail*  
Mayor of The City of San Diego, California



## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, July 7, 1955

Present---Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---Councilman Burgener  
Clerk---Fred W. Sick

Ordinances and Resolutions are recorded on Microfilm Roll 98

Mayor Dail 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 rezoning of Blocks 183 and 202 Pacific Beach - from R-4 and C Zones to Zone C-1A - including the closed Alleys and a portion of Felspar Street closed, communication from Planning Commission, signed by P. Q. Burton, was presented. It identifies property as being between Ingraham and Jewell Streets and between Garnet and Emerald Streets. It gives a detailed report on the property, and says that petitioners presented no plans for development, by representative of Safeway Stores stated that they hope to enlarge the Safeway store building, or build a new building, and to enlarge the parking facilities. It states that he reported that Safeway is proposing to purchase all of the land to be rezoned that is now owned by Brown Military Academy, except 100x125' parcel at southwest corner of Emerald and Jewell Streets. The report says that no protests were received, but 2 property owners on Emerald called the Planning Department by telephone and expressed the hope that the commercial zoning would not extend up to their street. The communication states that the Planning Commission voted 6-0 to recommend rezoning of Lots 21 through 40 Block 183 and all Block 202 Pacific Beach Subdivision from R-4 and C to C-1A, on condition that resubdivision map be filed of record so that street improvement can be required on Ingraham and Jewell Streets. It says property is now zoned R-4 under Ordinance 119 N.S., and it suggests forwarding to City Attorney's office for drafting of proper ordinance.

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

The Clerk reported no protest. When the Mayor inquired if anyone was present to protest, there was no response.

Councilman Curran asked if closings referred are for closings to be made.

Councilman Schneider said that there are 25-foot lots involved.

A. N. Sapp, representing Safeway, told the Council that the alleys have already been closed.

The roll was called, resulting in

RESOLUTION 127296, requesting City Attorney to prepare and present necessary ordinance for rezoning portion Blocks 183 and 202 Pacific Beach, in accordance with Planning Department recommendation in Document 514806, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-Councilman Curran. Absent-Councilman Burgener.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of Walter A. Grouws and Velma Grouws from decision of Board of Zoning Adjustment granting permission (subject to conditions) for sign behind the 6-foot setback line on Lots 3, 4, 5, 6 Block 279 Middletown, 2235 Pacific Highway in Zone C, Councilman Williams moved to grant the appeal and overrule the action of the Board.

Councilman Kerrigan said "6 members (of the Council) are here".

An unofficial poll was taken by the Council.

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RESOLUTION 127297, granting appeal of Walter A. Grouws and Velma Grouws, 2235 Pacific Highway, from Board of Adjustment's Resolution 8970, Application 14168, granting permission to erect sign, pole to be located behind 6-foot setback line, on Lots 3, 4, 5, 6 Block 279 Middletown, at 2235 Pacific Highway, Zone C, subject to condition that agreement be signed and made of record to effect that sign will be removed at no expense to the City if and when the City requires it for street-widening purposes; overruling the action of the Board of Zoning Adjustment, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-Councilman Kerrigan, Absent-Councilman Burgener.

Councilman Burgener entered

Councilman Kerrigan said that the Council should take action on Pacific Highway, and should advise the Planning Commission that the Council is not going to observe the 6-foot setback.

There was discussion between several members of the Council regarding hearings, previous actions of the Planning Commission and City Council on hearings.

Councilman Kerrigan said that it is unfair to the person who abides by the rules.

There was continued discussion regarding the procedure.

Councilman Burgener moved to refer the item to Council Conference. At first he asked for consideration immediately following this meeting, and then amended the suggestion "to await its turn".

RESOLUTION 127298, referring to a luncheon conference between members of the City Council and the City Planning Commission, the matter of setback and variances on Pacific Highway, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, approved by the City Manager, recommending that the City accept a minimum of 38-foot right of way for proposed street on the east side of Lots 64, 65, 66, 67 and 69 Arnold Knolls; and on the west side of Block 132 Choate's Addition; subject to conditions, City Planning Director Glenn A. Rick told the Council that he was not too familiar with the situation.

Councilman Schneider spoke to Mr. Rick.

The Planning letter was read to the Council by the Clerk.

Councilman Kerrigan asked if the map is here.

Councilman Schneider and Mr. Rick both said it is rough country.

Councilman Kerrigan asked if it is not true that the State law prohibits the County from accepting a street with less than a 40-foot right of way.

Mr. Rick pointed out on a plat, and explained the situation. He said all he knows is what is said in the Haelsig letter, regarding the number of lots.

There was discussion between members of the Council and Mr. Rick over a plat.

Councilman Curran moved to continue the item 1 week. Motion was seconded by Councilman Schneider.

Councilman Kerrigan asked if anyone would be hurt by the delay.

Mr. Rick answered not that he knows of. He said he could have Mr. Haelsig up to talk to the Council.

The hearing was held up, awaiting Mr. Haelsig's arrival.

Communication from Lt. Bert A. Allen Post No. 2415 Veterans of Foreign Wars, requesting that a resident of Ocean Beach be appointed on the Mission Bay Reorganization Committee, was presented.

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

Communication from City of Jackson, Michigan, dated July 1, 1955, signed by Traffic Analyst, asking for a "loaner Copy" of the City's study and proposals for a one-way street system, etc., was presented.

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

Communication from the Controller of the State of California, dated June 28, 1955, signed by Floyd Clouse, Chief, Division of Accounting, was presented. It relates to annual apportionment of unrefunded motor vehicle fuel tax on Aviation Gasoline.

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

Communication from Mrs. Ateva M. Vaughn, 6092 Fulmar Street, San Diego 14, dated June 30, 1955, requesting the moving of chicken business conducted at 6230 Tooley Street by "Mr. Butts", was presented. Accompanying the letter was a large petition making the same request, for various reasons stated therein.

By request of Councilman Williams the letter was read.

Mayor Dail said that the item should be referred to the City Manager and to the City Attorney.

Councilman Kerrigan asked if they would report back. He pointed out that the individuals making the objection to the business "can sign a complaint".

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

RESOLUTION 127299, prohibiting parking of automobiles at all times:

Both sides of California Street, between G Street and Market Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127300, establishing parking time limit of 1 hour, between 8:00 A.M. and 6:00 P.M., Sundays excepted:

East side of Ninth Avenue between points 0 and 246 feet south of south line of Broadway;

West side of Ninth Avenue between points 0 and 140 feet south of south line of Broadway;

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 points 0 and 54 feet north of north line of E Street;

West side of Ninth Avenue between points 0 and 160 feet north of north line of E Street;

authorizing City Manager to install necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127301, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays excepted:

Both sides of Second Avenue between G Street and Market Street; establishing parking meter zone; authorizing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

In connection with the next Resolution, Councilman Williams said he had a question for the City Manager to answer. He asked if agreement is to cover all expenses.

The City Manager replied that the County pays all costs, computed on the basis of actual costs.

John McQuilken, City Auditor, said he thinks it includes all costs.

The City Manager and Councilman Williams exchanged comments.

Mr. McQuilken said that locations are specified in each agreement.

RESOLUTION 127302, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with County of San Diego for maintenance of traffic

signals and lighting units at various locations listed in agreement filed under Document 516023, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127303, authorizing City Manager to execute agreement with The State of California, Division of Highways, to provide for joint participation in cost of Storm Drain Project in Pacific Highway, form of agreement filed as Document 516024, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Council returned to the communication from Planning Commission re rights of way in Arnold Knolls and Choate's Addition, inasmuch as Mr. Haelsig had arrived. Councilman Kerrigan spoke to Mr. Haelsig about area to be developed beyond the point being considered.

Mr. Haelsig told the Council that it is an old subdivision, and a resub-division. He spoke of there being possibly 4 building sites. He said that the City owns a portion. He said that a road can't be continued down, on account of the canyon. He said there is another street on a parcel below. He repeated that the area had been subdivided long ago.

RESOLUTION 127304, adopting recommendation of the City Planning Commission, Document 515924 for acceptance by the City of minimum 38-foot right of way adjacent to Lots 64, 65, 66, 67, 69 Arnold Knolls, and area adjacent easterly in Block-132 Choate's Addition, on conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilman Williams. Absent--None.

RESOLUTION 127305, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Helen M. Bowles of about 1040 acres of land in unflooded portion of San Vicente Reservoir basin, shown on City Engineering Department drawing 2095 1/2B, for 10 years under terms and conditions set out in Document 516027, for grazing of horses and/or cattle only; property has value of \$20,800.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City, in consideration for granting lease shall be deeded by Lessee the NW 1/4 of SE 1/4 of Section 36 Township 14 South Range 1 West S.B.B.M., was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The next item had been continued from meeting of June 30, 1955.

Councilman Burgener asked Councilman Curran if there was someone to bid.

Councilman Curran replied that it had been delayed a week; the individual who had contacted him did not call back.

RESOLUTION 127306, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Edward Ohler, Edward Lowell Ohler, and William G. Ohler, for operating and maintaining concession for sale of refreshments and other articles of merchandise at locations within parks or recreation centers of the City and under terms and conditions set forth in form of lease, Document 516028, was on motion of Councilman Schneider, seconded by Councilman Burgener, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays--Councilman Curran. Absent--None.

RESOLUTION 127307, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Security Title Insurance Company, trustee, June 24, 1955, subordinating all their right, title and interest in and to portion of Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion, to right of way and easement for public 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 Burgener, adopted.



RESOLUTION 127308, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Security Title Insurance Company, trustee, June 24, 1955, subordinating all right, title and interest in and to portion of Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127309, accepting subordination agreement, executed by Bessie E. Perry and J. June Perry, beneficiaries, and Union Title Insurance and Trust Company, trustee, June 27, 1955, subordinating all right, title and interest in and to portion of Lots 2 and 11 Block 122 Roseville, to right of way and easement for public 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 Burgener, adopted.

RESOLUTION 127310, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Security Title Insurance Company, trustee, June 20, 1955, subordinating all right, title and interest in and to portion Lot 161 Redwood Village Unit 2, to right of way and easement for water main purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127311, accepting deed of United States of America, acting through Housing and Home Finance Agency, Public Housing Administration, June 29, 1955, conveying portion of Pueblo Lot 307 in Project No. CAL-4094; 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 127312, accepting deed of The United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, June 29, 1955, conveying portion Pueblo Lot 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127313, accepting deed of Fetz-All Enterprises, Inc., April 15, 1955, conveying portion Parcel "00" Lot 19 Rancho Mission 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127314, accepting deed of Robert Emmett Dagwell and Gladys R. Dagwell, June 2, 1955, conveying portion Lot 161 Redwood Village 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 Burgener, adopted.

RESOLUTION 127315, accepting deed of Pete Diaz and Adeline Diaz, June 21,

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1955, conveying Lots 1, 2, 3, 4, 5 Block "B" Week'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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127315, accepting deed of Pete Diaz and Adeline Diaz, June 21, 1955, conveying Lots 1, 2, 3, 4, 5 Block "B" Week'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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127316, accepting deed of Donald J. Marnella and L. Adele Marnelle, June 17, 1955, conveying easement and right of way for street purposes in portion of Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127317, accepting deed of William D. Peterson and Delores V. Peterson, June 17, 1955, conveying easement and right of way for street purposes in portion of Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127318, accepting deed of Joseph J. Keough and Annie Lee Keough, June 29, 1955, conveying easement and right of way for earth fill purposes in portion Lots 23, 24, 25 Block 1 S. Gurwell 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 127319, accepting bid of William Vatter and Ida A. Vatter, June 29, 1955, conveying easement and right of way for earth fill purposes in portion Lots 23, 24, 25 Block 1 S. Gurwell 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 127320, accepting deed of Truette Lester Bengé and Louis A. Bengé, June 24, 1955, conveying easement and right of way for general purposes in portion Lot 37 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 Burgener, adopted.

RESOLUTION 127321, accepting deed of Donald J. Marnella and L. Adele Marnella, June 17, 1955, conveying easement and right of way for public purposes in portion Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION 127322, accepting deed of John H. Murphy, Jr., Claire B. Murphy, Ada L. Murphy, and Harriett Anne Andersen, June 27, 1955, conveying easement and right of way for public purposes in portion Lots 22 and 11 Block 131 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.

RESOLUTION 127323, accepting deed of William D. Peterson and Delores V. Peterson, June 17, 1955, conveying easement and right of way for public purposes in portion Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127324, accepting deed of Garold W. Spitler, June 21, 1955, conveying easement and right of way for public purposes in portion Lots 2 and 11 Block 122 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.

RESOLUTION 127325, accepting deed of Valentine Putman and Alice Putman, June 27, 1955, conveying easement and right of way for sewer purposes in portion Lot 5 of 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127326, accepting deed of Valentine Putman and Alice Putman, May 18, 1955, conveying easement and right of way for sewer purposes in portion Lot 5 of 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127327, accepting deed of San Diego Unified School District of San Diego County, April 5, 1955, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1262; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127328, accepting deed of Clifford O. Boren Contracting Company, Inc., May 31, 1955, conveying easement and right of way for water main purposes in portion Lot 28 Waterville Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

ORDINANCE 6577 (New Series), amending Section 83.01.1 of San Diego

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Municipal Code concerning Pedestrian Use of Wabash Boulevard between Thirty-Second Street and Landis Street, was on motion of Councilman Burgener, 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 Schneider, seconded by Councilman Williams, Ordinance changing name of portion of Huxley Street to Clairemont Drive, and dedicating portion of Lot 1 Block 84 Morena, for portion of public street and naming same Clairemont Drive, was introduced ~~on motion of Councilman Schneider, seconded by Councilman Williams,~~ 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 Evenson, Ordinance changing name of portions of Harbor Drive on the Municipal Tidelands and Harbor Street to North Harbor Drive, 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 Williams, Ordinance changing name of Soria Drive in the Rolando area to Marraco Way, was introduced by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:30 o'clock A.M.  
The Mayor announced that the Council would go into Conference.

ATTEST:  
FRED W. SICK, City Clerk

By August M. Hadston  
Deputy

Chas Dail  
Mayor of The City of San Diego, California

Ordinances introduced  
Meeting adjourned

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, July 12,  
1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---None  
Clerk---Fred W. Sick

Rabbi Morton J. Cohen, Temple Beth Israel, was presented by Mayor Dail.  
Rabbi Cohen gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Burgener,  
Minutes of the Regular Meetings of Tuesday, July 5, 1955, and of Thursday, July 7, 1955,  
were approved without reading - after which they were signed by the Mayor.

The Purchasing Agent reported in writing that 1911 Act bids had been  
opened July 8, 1955, for improvement of Alleys in Blocks 22 and 23 La Jolla Park - from  
3 bidders.

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

The Purchasing Agent reported in writing that 1911 Act bids had been  
opened July 8, 1955, for improvement of 53rd Street - from 5 bidders.

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

The hour of 10:00 o'clock A.M. having arrived, time set for receiving  
bids for official advertising for the City of San Diego for period of 2 years, the  
Clerk reported 1 bid - from Union-Tribune Publishing Company - for The San Diego Union.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued  
hearing on Resolution of Intention for paving Morrell Street - No. 126629 - the City  
Engineer told the Council that it had been continued so a man who had been present last  
week could check regarding the grade. He said that the man (who had not identified him-  
self) was satisfied.

RESOLUTION 127329, overruling and denying protests on proposed improvement  
of Morrell Street, Resolution of Intention 126629, was on motion of Councilman Kerrigan,  
seconded by Councilman Burgener, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, proceed-  
ings were referred to City Attorney.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on  
Resolution of Intention 126726, for paving and otherwise improving Alley Block 247 Pacific  
Beach, and Public Right of Way in Lot 26, the Clerk reported no protests.

Meeting convened  
Invocation  
Minutes approved  
Report on 1911 Bids  
Bids for official  
Advertising

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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 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 126727 for paving and otherwise improving 37th Street, Logan  
 Avenue, Newton Avenue, Z Street, Boston Avenue, the Clerk reported written protests from  
 E. V. Kinnell, Ethel Shaw, Mrs. Lucy P. Johnson, J. B. and Anena Swanson.

When the Mayor asked if anyone was present to be heard, 4 persons stood.  
 They did not speak.

The protests were read

Councilman Kerrigan was excused

The City Engineer said that protest is on basis of 1-1/2%.

Councilman Burgener spoke to the people, interested, in the audience -  
 regarding payment.

Councilman Kerrigan returned.

RESOLUTION 127330, overruling and denying protests of E. V. Kinnell, Ethel  
 Shaw, Mrs. Lucy P. Johnson, J. B. and Anena Swanson, against improvement of 37th Street,  
 Logan Avenue, Newton Avenue, Z Street and Boston Avenue, under Resolution of Intention  
 126726, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, pro-  
 ceedings 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  
 continued hearing, Resolution of Preliminary Determination 126729, the City Engineer recommend-  
 ed that proceedings be sent back for revision of the grade.

RESOLUTION NO. 127331, abandoning proceedings heretofore taken for improve-  
 ment of Alley Block 7 Roseville Heights, Bangor Street and Akron Street, Resolution of Pre-  
 liminary Determination 126729, 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 126856 of Preliminary Determination for paving and otherwise improving Garnet  
 Street, and storm drain and appurtenances in Pendleton Street northerly of Garnet Street,  
 the Clerk reported no protests. There were no protests, written or verbal.

RESOLUTION 127332, determining that proposed improvement of Garnet Street  
 and Pendleton Street, Resolution No. 126856 of Preliminary Determination is feasible and  
 that lands to be assessed therefor will be able to carry burden of proposed assessments,  
 also finding and determining that public convenience and necessity require proposed improve-  
 ments, 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 126857 of Preliminary Determination for paving and otherwise improving La Jolla  
 Shores Drive, 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 127333, determining that improvement of La Jolla Shores Drive,  
 Resolution 126857 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 pub-  
 lic convenience and necessity require proposed improvements, and that Special Assessment  
 Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion  
 of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126858 of Preliminary Determination for sewers in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, 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 127334, determining that Resolution 126858 of Preliminary Determination for installation of sewers in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, 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 Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2370 made to cover costs and expenses of paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, Resolution of Intention 118276, the Clerk reported written appeals from McKinley Goehring, Gordon B. Simpson, Russell Segel.

The Mayor inquired if anyone was present to be heard.

Claude D. McColtin told the Council that he lives on 68th Street, and that there are 2 petitions. He said he is in favor of a street, instead of an alley.

The Mayor said the work has been completed; this hearing is on the assessment.

Mr. McColtin said he thought it was for paving. He spoke of having a petition for a 50-foot street, and does not want a 33-foot street.

The Mayor repeated that the work is already in; this is the assessment hearing; work has been completed.

The City Engineer stated that 68th Street is paved between existing curbs - widths were not changed.

Councilman Burgener said that Mr. McColtin evidently lives on a different part of the street, and that he needs a petition for having it improved.

Mr. McColtin replied that he has 2 petitions.

The City Engineer pointed out that is a separate job.

The Mayor suggested that Mr. McColtin check with the City Engineer on details.

Russell Segel said he has 2 parcels of ground on 67th Street. He contended he is paying \$700. too much. He said that assessment is 2½ times more on the street than anybody else's.

The City Engineer stated that Mr. Olson of his office has been over the matter with Mr. Segel at length. He pointed out the assessment, and said that it is at the same rate. He said Mr. Segel has large lots, and explained it in detail.

Mr. Segel said he has \$3,781. assessment.

Mr. Olson said that a portion was annexed, and explained from assessment plat.

The Mayor said that the Council examines the diagram and the assessment. He said that if it is thought to be inequitable, the assessment can be attached in court.

Mr. Segel said that he would have to pay \$1,000 to connect; across the street it is 1/4; he said it is not fair.

The City Engineer said that assessment is not based on area; it is frontage for the sewer. He said "the stuff in the back has no effect".

Mr. Olson said that Bowman sewer is assessed.

Mr. Segel continued, and Mr. Olson answered the discussion.

Next, Mr. Segel said he is paying \$800. too much.

The City Engineer stated there is a 12.6% protest.

Councilman Schneider stated that the City Engineer says the Segel property is not overassessed.

RESOLUTION 127335, overruling and denying appeals of McKinley Goehring, Gordon B. Simpson, Russell Segel from Street Superintendent's Assessment 2370 made to cover costs and expenses of paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, Resolution of Intention 118276; denying and overruling all other appeals; confirming and approving Assessment 2370, authoriz-

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ing 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed ordinance adopting a "Torrey Pines Golf Course, Park and Recreation Plan" as part of the Master Plan of The City of San Diego, affecting area in Pueblo Lots 1323, 1324, 1325, 1326, 1330, 1331, 1332, 1333, 1336 and 1337, the Mayor said that there were many people here, interested. He proposed that hearing be limited to 45 minutes - 1/2 hour to the opposition.

Neil Nettleship asked if time for the hearing should not be set at a 50 - 50 basis.

Mayor Dail stated that the Council is cognizant of the need; it wants to pin down the needs.

Councilman Kerrigan said that the subject matter is if this should be included in the master plan.

The Mayor announced that 20 minutes would be granted to each side. He called on opponents of the proposal to be heard first.

Guy L. Fleming, president of the Torrey Pines Association, was heard first. He told of having come to California in 1909, and 6 years later having made his first visit to the Torrey Pines. He related his interest in the Torrey Pines and the native shrubs. He spoke of having prevailed on the San Diego Natural History Association and the Floral Society to take action. Mr. Fleming said he had been appointed to head the association. He told of his association with people who prevailed upon the Council to set aside Torrey Pines Park in 1899. He told of acquisition of land by Miss Ellen Browning Scripps, and of his having been made custodian over 2 areas. He said that during his association with Miss Scripps he carried out her wishes for the Torrey Pines Lodge, and for the Torrey Pines Park. He mentioned the setting aside of pueblo lands, including cliffs and canyons. He said he did not realize in 1916 that he would still be fighting for the Torrey Pines. He said that the Association has submitted a brief, with copies to the City Manager and to the Councilmen. Mr. Fleming pointed out that the Torrey Pines Association does not oppose golf courses in Camp Callan, but does oppose them in the Park.

Councilman Schneider spoke to Mr. Fleming about having read the brief, and he wondered if Mr. Fleming considered that a golf course would make water available.

Mr. Fleming replied that has been taken into consideration. He said that the last fire was in 1920, and that most of the native shrubbery will regenerate. He said that if someone goes in and cleans and scrapes away it will destroy for all time the cover. He declared that building a golf course will not help.

Mr. Fleming called Dr. R. D. Harwood, of State College.

Dr. Harwood said that most people look on the area as common chapparel. He stated that there are unique wild plants that cannot be domesticated. He said that a golf course against the area would create unnatural situation. He stated that some will die as result of too much water, at the wrong time. He spoke of need for a buffer, and time to protect the growth. Dr. Harwood told of plans to develop a nature school to take advantage of the facilities. He said he wants to keep Torrey Pines Park intact - as it is. He said there would be much greater value to future generations. He spoke of most people enjoying Yosemite, of efforts to get commercial activities in there, but of the present natural area.

Dr. A. H. Gallup, of State College, was called next.

Dr. Gallup said that he was speaking as an educator. He said that as the city grows, it is losing study areas. He said that there should not be destroyed "an area created for us". He told of relying more on Balboa Park. Dr. Gallup contended that plants in Torrey Pines are unique, and cannot be duplicated. He said that the area south must be maintained for their protection. He urged retention of the chapparel area.

Clair Christie, of La Jolla spoke next, as a golfer. He said he does not see why, with all the acreage it is necessary to have this area - which encroaches on Torrey Pines. He said that possibly 5% or 10% of the new residents play golf. This is unique, he declared. Mr. Christie said golfers don't see why it has to be laid out "this way". He said it does not have to be in a particular spot. Also, he said he does not know why the club house has to be in a particular spot. He said the road is on the easterly extremity. He said that the lay out of the course should be established where the club house is to be. Mr. Christie said that the course should be laid out so as not to encroach on valuable property, when there is so much available area. He asked "why not move the course?" He said "young Bell will find a way to lay out a good, championship course, and not encroach".



Mayor Dail said there was time for 2 more speakers - 2 minutes each.

Garry Tolley said that not all views of the opposition had been reflected. He said discussion on both sides should be heard.

The Mayor said this has been heard by the Planning Commission, and that the Council has studied the testimony. He said the Council is going to take into consideration all phases.

Harriet Snyder told the Council that there is great need for areas of the sort that exists, for youth. She said that would save delinquency taxation. She said the area is used a great deal as a day camp. She said that both the children and the parents benefit.

Mrs. Hudnull identified herself as being from La Jolla. She said she has 2 boys, and the area is wonderful for children. She spoke of being used, even when Callan Mesa. She declared that soon there will be nothing left.

John Cole pointed out on a plat, with the Mesa being planned as residential. He said 1 golf course would be sufficient. He said that the north golf area should be for other recreational use.

Proponents were invited by the Mayor to be heard.

Neil Nettleship told of having just completed a 5,000 mile trip. He said that small towns have golf courses for their own use - not for tourists. He asked what has been done since 1899. He spoke of being entitled to opinions. He told the Council that there was opposition to the building of the new (existing) Torrey Pines Road. He wondered if the opposition would be willing to go back to the old road. He said there are 300 acres of natural land left. He spoke of juvenile delinquency being eliminated at Mission Valley golf course, but that many can't afford to belong. He stated that State College is even giving a course (in golf). He said there is need for 2 more courses; the City has 1-1/2 now. He said that it will still leave a large area. Mr. Nettleship said there is to be an 18-hole and a 9-hole course. He said that if the club house were moved, it would eliminate its use by a portion. He said that Bell, Jr. is one of the top golf course architects. Mr. Nettleship said that if he says "it should go there", it should. He said the City should carry out the recommendation.

Calvin H. Flynn, immediate past president of the Junior Chamber of Commerce, said that proposed golf course may interfere with road races. He asked for further study for road racing and for golfing. He said that is being done in Pebble Beach. He said that the Yellow Tail derby, sponsored by the Junior Chamber of Commerce, is important. It brought 65,000 people. He said that at Torrey Pines road races last Sunday there were 20,000 to 25,000 - most from out of the city, and drivers from out of the state. He said that as a result, local business is enjoying the profits from the road races. He said that on ticket sales the income to the City was more than \$5,000.00. He spoke of the improvements that had been added. He said it was the first national road race - known nationally and internationally. Mr. Flynn said that one car was flown in from New York. He spoke of money spent on amateur road races. He told about television company requests to televise the event. He said that television wants to put on the races on the same basis as Akron. He said that in Watkins Glen, N.Y. where races had been staged, there was a big income to the village. He presented copies of "1st National Torrey Pines Sports Car Races, sponsored by The San Diego Jr. Chamber of Commerce - July 9-10, 1955", to each member of the Council and for the file. He presented a petition requesting an amended plan for development of Torrey Pines recreation area, which will include retention of existing Torrey Pines Sports Car Race Course. He exhibited a write-up in Japan of the event staged at Torrey Pines.

Mayor Dail said that the last presentation was in a class by itself, and that time should be added, on account of it.

Councilman Burgener said that Mr. Flynn should be invited into Conference

RESOLUTION 127336, referring to Council Conference the subject of Sports Car Races at Torrey Pines - as presented this date by Calvin H. Flynn, immediate past president of the Junior Chamber of Commerce - was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Mr. Campbell, who did not give his first name or initials, said to the Council that the population has been outgrowing the golf courses. He said that "what is best for the most is the best". He said that more San Diego people would use the golf courses than use the area in its present state. He said that would apply to visitors.

O. W. Todd, Jr. said he and his family came to San Diego in 1908. He said he knows the recreational needs. He said Bell, Sr. was the greatest golf architect, and that when he studied this area he declared it would rival Pebble Beach and any in the U.S. He said this would be offering to the public in the United States a great opportunity to come

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to San Diego to play. He said that many would come for an opening opportunity. He told of having met with leaders representing 50,000 people. He said that a golf course is the greatest need. He stated that many have had to put away their golf equipment. He said the need is here, and the City has the thinking of the finest people in the field. Mr. Todd contended there is nothing more attractive than a golf course where it is a part of a park. He said that one of the first things seen now is the devastated area where housing has been taken out. He said that with a golf course it would be an attractive area. He said he cannot understand how a golf course would affect the Torrey Pines. He said that only 3 trees would be affected; they would be used, and there would be an improvement. He said that the proposed golf courses should be added to the master plan.

Beverly Rimbach told the Council that he was born in San Diego; his mother and father were born in San Diego; his grandparents were pioneers. Mr. Rimbach said he would like to see something done for the people of San Diego. He said this should be included as a part of the master plan. He said working people's interests are limited. He said that on Saturday and Sunday at "Muni" one has to get up early on Monday to secure a starting time for Saturday. He said that the Municipal course does have an operating fund. He said that people of the city benefit from its income, and that it helps curb juvenile delinquency in that it provides money for playgrounds.

\*\*\*\*\* Mayor Dail introduced a guest from Oklahoma at this point. He said she had brought a student speaker to a contest. He asked her - whom he then identified as Una Voight, his sister, from Enid, Oklahoma, to stand.

After the introduction, the Council returned to the hearing.

McArthur Gorton, Jr., of the San Diego Chamber of Commerce, was heard. He told the Council that the Chamber had been interested in the project 4 years. He declared this to be the finest spot, where the golf course is proposed. Mr. Gorton said that many in La Jolla used the Torrey Pines Lodge, which is now the caretaker's residence. He said a golf course would enhance the city. He asked for it to be added to the master plan.

Joseph McDonald, who lives in La Jolla Shores, said San Diego does not have a first class golf course. He said there should be no compromise.

Gordon Morris, publicity director, Convention & Tourist Bureau, was heard next. He said that the Bureau recommends the golf courses.

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

Councilman Schneider moved to refer the subject to the City Attorney for an Ordinance.

Glenn A. Rick, City Planning Director, stated that the Ordinance has been prepared (it was in the hearing file).

\* On motion of Councilman Williams, seconded by Councilman Schneider, Ordinance adopting a "Torrey Pines Golf Course, Park and Recreation Plan" as part of the Master Plan of The City of San Diego, particularly affecting area lying in Pueblo Lots 1323, 1324, 1325, 1326, 1330, 1331, 1332, 1333, 1336 and 1337 of The Pueblo Lands of The City of San Diego, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

Councilman Burgener said that the action should not be construed as damage to the Torrey Pines. He spoke to Mr. Rick.

Mr. Rick said that there are approximately 1,000 acres - including the beach. He said it leaves around 900 acres, not on the beach. Mr. Rick told the Council that only a small percentage at the northerly end - approximately 67 acres of the golf course extends into the Park.

\*Rick

The Mayor asked Leo Calland, Park and Recreation Director to come to the microphone. He spoke to Mr. Calland about laying out the golf course, and the assistance of Mr. Bell.

Mr. Calland replied that he made many trips with Mr. Bell, who laid out 36 holes, although he was paid for only 18. He said that on the Municipal court (in Balboa Park) No. 9 is about 2 miles from the Clubhouse. He stated that if the Clubhouse were moved south, it could not be brought back. He spoke of the large mesa in front of the Clubhouse. Mr. Calland told of trying to keep out of Torrey Pines. He said it will be 1/2 mile from the fence to the Lodge. He stated that the golf course will not go down into the canyons.

Councilman Burgener spoke to Mr. Fleming about having done a fine job. He said that this is a matter of judgment, and the Council is carrying out the trust.

\* It was at this point that roll was called on the ordinance introduction, which is shown at the point where motion.

RESOLUTION 127336, referring to Council Conference the matter of auto

Hearing (Torrey Pines Golf Course in Master Plan)  
Mayor's sister, Mrs. Una Voight, introduced  
Ordinance re Golf Course in Master Plan, introduced

road racing, being conducted in the Torrey Pines area, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

At 11:27 o'clock A.M. the Council took a recess for 2 minutes - to clear the Council Chambers, and for members of the Council to meet Mrs. Voight.

Upon reconvening, at 11:33 o'clock A.M., the roll call showed all members of the Council present.

Report of the Purchasing Agent, approved by City Manager, on low bid of William H. Clint for construction of storm drain in Lots 38 and 39 Block 21 Fairmount Addition - 4 bids - was presented.

RESOLUTION 127337, accepting bid of William H. Clint for construction of storm drain in Lots 38 and 39 Block 21 Fairmount Addition for \$1366.00; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

John Leppert, Manager of San Diego Taxpayers' Association, had attempted to speak just prior to the recess. He was asked to wait until the Council reconvened.

Mr. Leppert said that there are 2 steps in the plan for the golf course. He said that the Association requests investigation of 2 methods: 1 - the possibility of rules and regulations by the City which could be enforced by private interests; 2 - if private capital is available. He stated that before Capital Outlay Funds are spent, a study should be made.

RESOLUTION 127338, referring to Conference for study, suggestions made by John Leppert, manager of San Diego Taxpayers' Association: 1 - possibility of rules and regulations written by the City which could be enforced by private interests; 2 - availability of private capital before Capital Outlay Funds are spent - in connection with Golf Course in Torrey Pines area, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

An unidentified man told the Council that he likes to shoot. He said he landed in Dulzura Creek, that last Sunday he went to Gilesple Club which is privately owned and that he would have to join in order to shoot there. He said he wants a rifle range in the City.

The Mayor suggested to the man that he has the Police.

Councilman Schneider said that the City is trying to work out such a project down by the Flood Control Channel. He referred the man to Glenn A. Rick, City Planning Director.

The Council took no action.

Report of Purchasing Agent, approved by City Manager, on low bid of Daley Corporation for furnishing rental of Dump Trucks for 1 year beginning July 1, 1955 - 2 bids - was presented.

RESOLUTION 127339, accepting bid of Daley Corporation and awarding contract for furnishing rental of Dump Trucks for 1 year from July 1, 1955, as set out in Resolution; 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 Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Daley

Meeting recessed  
Meeting re-convened  
Purchasing Reports  
127337 - 127339

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Corporation for furnishing Asphaltic Plant Mix Surfacing Material, for 1 year beginning July 1, 1955 - 4 bids - was presented.

RESOLUTION 127340, accepting bid of Daley Corporation for furnishing City's requirements of Asphaltic Plant Mix Surfacing Material for 1 year from July 1, 1955 - set out in detail in the Resolution- awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Rogers Construction Company for construction of Chollas Pumping Plant and Chollas-Redwood Village Pipe Line; \$109,255.22 - 4 bids - was presented.

RESOLUTION 127341, accepting bid of Rogers Construction Company for construction of Chollas Pumping Plant and Chollas-Redwood Village Pipe Line; 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 Evenson, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on sole bid of National Publications Company for furnishing Library Subscriptions for newspapers and magazines for 1 year beginning September 1, 1955 - \$4,782.68 - was presented.

RESOLUTION 127342, accepting bid of National Publications Company for furnishing Library Subscriptions for newspapers and magazines, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on sole bid of Pre-Mixed Concrete Company for furnishing City's requirements of ready-mixed concrete for 1 year beginning July 1, 1955, according to schedule, was presented.

RESOLUTION 127343, accepting bid of Pre-Mixed Concrete Company for furnishing requirements of ready-mixed concrete for 1 year; 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 Williams, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on low bid of Tops Chemical Co., of Duarte, California, for furnishing City's requirements of Liquid Chlorine for 1 year beginning July 1, 1955 at \$110.00 per ton, was presented. 3 bids.

RESOLUTION 127344, accepting bid of Tops Chemical Co. for furnishing requirements of Liquid Chlorine for 1 year; 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 Schneider, seconded by Councilman Curran, adopted.

Report of Purchasing on low bid of Standard Oil Company for furnishing City's requirements of Automotive Lubricating Oil for 1 year beginning July 1, was presented. There were 6 bids. It says The Texas Company bid was nine hundredths of a cent below that of Standard Oil Company, but bid failed to furnish bond and rejection is mandatory.

RESOLUTION 127345, accepting bid of Standard Oil Company of California for furnishing requirements of Automotive Lubricating Oil for 1 year, at prices stated 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 Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent recommending rejecting bids for construction of addition to Boat House on Santa Clara Point, for use as Sail Boat Storage, was presented. It states 2 bids were received; low bid of Al E. Riley, Inc., at \$3,398.00 is 59.3% above estimate.

RESOLUTION 127346, rejecting all bids received May 13, 1955 for construction of addition to Boat House on Santa Clara Point, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127347, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Firewall in San Diego Municipal Warehouse No. 2, 1265 North Harbor Drive, Document 516144; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 127348, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Sanitary Sewers in Talbot Street between Leroy Street and 350' southerly of Scott Street, Document 516145; 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 127349, 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 22, Document 516097; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127350, 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 Ash Street between 9th Avenue and Kettner Boulevard, Document 516149; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Gardena Home Tract, 2-lot subdivision for resubdivision of southeasterly 120 feet Lot 8 Gardena Home Tract, located on Gardena Avenue in Tecolote Valley area, subject to 5 conditions, was presented.

RESOLUTION 127351, approving Tentative Map of Gardena Home Tract, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Ozaki Heights, 1-lot subdivision of portion Lot 16 Cave and McHatton's Subdivision, was presented.

RESOLUTION 127352, suspending Section 102.17-c of San Diego Municipal Code, in connection with Tentative Map for Ozaki Heights, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Ozaki Heights, subject to 2 conditions, was presented.



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RESOLUTION 127353, approving Tentative Map of Ozaki Heights, 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 portion Pueblo Lot 105 - known as Parcels 1 and 8 of Record of Survey Map 1844 - was presented.

RESOLUTION 127354, suspending Sections 102.12-1, 102.02.1, 102.11-2 of San Diego Municipal Code in connection with Tentative Map for Portion of Pueblo Lot 105, portion of land known as Parcels 1 and 8 of Record of Survey Map 1844, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for subdivision of portion Pueblo Lot 105, por of land known as Parcels 1 and 8 of Record of Survey 1844, located on east slope of Point Loma, westerly of Silver Gate Avenue and adjacent areas all developed as 1-acre lots, was presented. It makes approval subject to 4 conditions.

RESOLUTION 127355, approving Tentative Map of Portion of Pueblo Lot 105, portion of land known as Parcels 1 and 8 of Record of Survey Map 1844, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communications from Planning Commission, accompanied by Resolutions in connection with Westward Ho Division of Rodefer Hills - continued from meeting of July 12, 1955 - were presented, together with petition of C. M. Rodefer requesting continuance to July 26, were presented.

On motion of Councilman Schneider, seconded by Councilman Williams, they were continued to July 26, 1955.

Communication from Daniel Allen, registered civil engineer and surveyor, 3743 Fifth Avenue, San Diego 3, requesting acceptance of Record of Survey on SW $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 104 Rancho De La Nacion, was presented. It says he has just been informed by Harry Haelsig that Record of Survey should have been a subdivision; he had been informed by one of employees of Planning Department that record of survey would be satisfactory, and he proceeded to make out proper "B" sheet for obtaining easement and widening of Mariposa Place, which was checked by Engineering Dept. and processed thru Property Dept.

On motion of Councilman Schneider, seconded by Councilman Williams, it was referred to Planning.

Communication from Charles W. Christenson for Freeland, Peterson & Evenson, civil engineers and land surveyors, requesting reconsideration of and clarification of Resolution 125810 adopted April 19, 1955, approving Tentative Map of "Canyon View", a 6-lot subdivision of portion of Pueblo Lot 1256, City Attorney J. F. DuPaul said that Louis Karp, attorney, asks for a 1-week continuance.

On motion of Councilman Burgener, seconded by Councilman Evenson, it was continued 1 week - to July 19, 1955.

Petition of Property Owners requesting installation of Street Name Signs in Fleetridge Units 1 and 2, was presented.

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

RESOLUTION 127356, directing notice of filing assessment and time and place of hearing thereof, for paving and otherwise improving Alley Block 88 Ocean Beach Extension



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No. 2, Alley Block 76 Ocean Beach, Bacon Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127357, directing notice of assessment and of time and place of hearing thereon - No. 2380 - for paving and otherwise improving Dudley Street, Resolution of Intention 120267, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD 127358, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Calle Del Oro and La Jolla Shores Drive, Resolution of Intention 125944, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 12.5% below estimate.

RESOLUTION 127359, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Saranac Street and 67th Street; approving Plat 2691 showing exterior boundaries of district to be included in assessment for work and improving upon said streets; 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 127360, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Thomas Avenue; approving Plat 2747 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127361, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Valley Avenue; approving Plat 2743 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 upon passage of Resolution of Intention, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127362, for paving and otherwise improving Alley Block 332 Choate's Addition, and 32nd Street, Resolution of Intention 126626, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127363, 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, Resolution of Intention 126627, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127364, for paving and otherwise improving Delta Street, Resolution of Intention 126628, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

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RESOLUTION ORDERING WORK 127365, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District 1, for 11 months and 16 days from and including June 15, 1955, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 127366, for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue, and 41st Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 127367, 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 Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 127368, for paving and otherwise improving Gaines Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 127369, for furnishing electric current in Logan Avenue Lighting District Number One, for 11 months and 16 days from and including November 16, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 127370, for furnishing electric current in Pacific Highway Lighting District Number One, for 11 months and 27 days from and including November 5, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127371, for paving and otherwise improving Saranac Street and 67th Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127372, for paving and otherwise improving Thomas Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127373, for paving and otherwise improving Valley Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127374, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in Loma Portal Lighting District 1, for 11 months and 4 days from and including June 28, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127375, ascertaining and declaring wage scale for paving Alley Block 6 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127376, approving diagram of property affected or benefited by paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, Resolution of Intention 120784; 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 Schneider, adopted.

RESOLUTION 127377, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving Alley Block 19 North Shore Highlands, Resolution of Intention 122840, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127378, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alley Block 9 Ocean Beach Park, Resolution of Intention 122929, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127379, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving Alcott Street, Resolution of Intention 122930, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127380, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Guy Street, Resolution of Intention 123157, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127381, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving Linwood Street, Resolution of Intention 122841, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127382, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving 70th Street, Resolution of Intention 122842, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127383, adopting recommendation of City Engineer, Document 515874; authorizing City Engineer to amend proceedings for improvement of Alley Block 274 Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127384, adopting recommendation of City Engineer, Document 515922; authorizing City Engineer to amend proceedings for improvement of American Park Addition, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127385, adopting recommendation of City Engineer, Document 515873; authorizing City Engineer to amend proceedings for improvement of portions of Commercial Street and Hensley Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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RESOLUTION 127386, adopting recommendation of City Engineer, Document 515923; authorizing City Engineer to amend proceedings for improvement of portions of Gregory Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127387, granting permission to Harmony Homes to install safety lights in Remington Road in College View Estates Unit 2, under Document 514294, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Commission, by John Bate, continued from meetings of July 5, 1955, for approval of lease with United States Navy - 158,820 square feet on Harbor Drive at foot of Pacific Highway, for parking of automobiles belonging to employees of U.S. Naval Air Station, North Island, was presented.

On motion of Councilman Burgener, seconded by Councilman Williams, it was continued another week - to meeting of July 19, 1955.

Communication from Harbor Commission, by John Bate, submitting for approval of the Council form of assignment of Norman L. Darling lease to limited partnership composed of Norman L. Darling, general partner, and Dougal D. MacKay, limited partner, doing business under name and style of Point Loma Seafoods - for seafood market adjacent to sportfishing pier - was presented.

RESOLUTION 127388, ratifying, confirming and approving Agreement for Assignment, Document 516558, entered into between Norman L. Darling, Assignor, and Norman L. Darling, general partner and Dougal D. MacKay, limited partner, doing business under name and style of Point Loma Seafoods, Assigness, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127389, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Ivy Street between 5th and 6th Avenues; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127390, authorizing and directing San Diego Gas & Electric Company to install 6000 lumen overhead street light at Ginna Place, north of Logan Avenue, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution authorizing and empowering City Manager to execute, for and behalf of The City of San Diego, agreement with Charles Shatto for services as organist at Spreckels Organ in Balboa Park, for fiscal year 1955-56, was presented.

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

RESOLUTION 127391, authorizing City Manager to employ H. C. Dennis to remove and replace curb on Boston Avenue, as shown on Drawings 11691-L and 11692-L, not to exceed \$329.30 payable from Ordinance 5341 (New Series) - in connection with 1911 Street Improvement Act proceeding, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127392, authorizing City Manager to employ A. W. Thorpe to do all work described in Drawing 11374-L in Alleys Blocks 222 through 233 and 235, 236 Mission

Communications  
127386 - 127392  
Proposed Res ref back to Mgr

Beach, and in Mission Boulevard, not to exceed \$278.81 payable from Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127393, approving Change Order 1 dated June 30, Document 516319, issued in connection with contract between The City of San Diego and Cameron Brothers for construction of storm drain in Midway Drive and Ventura Place, Contract Document 514809, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127394, 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 3 and 4 Block 10 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 Burgener, adopted.

RESOLUTION 127395, 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 1 and 2 Block 10 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 Burgener, adopted.

RESOLUTION 127396, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 6 and 7 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127397, 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 1 Block 8 Homeland Villas; portions of Lots 11 and 12 Block 10 American Park Addition; portion Lot 5 Block 11 Homeland Villas; Lots 1 through 5 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127398, granting permission to Dolores H. Carter, 3060 Polk Avenue, San Diego, to use existing sewer line on property inasmuch as there is no sewer in the street: portions Lots 23 and 24 Block 156 University Heights Addition, subject to the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127399, granting revocable permit to Mrs. Julian D. Ratcliff, 3633 Landis Street, San Diego, to install and maintain private 4" sewer lateral under Landis

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Street from owner's property to City sewer main in alley: east 100 feet of Lots 47 and 48 Block 84 City Heights, subject to the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127400, granting revocable permit to Henry J. Theuner, 1020 Madison Avenue, San Diego 16, to install and maintain private power and communication conduit at Copeland Avenue and El Cajon Boulevard from property described as Lot 1 Block 23 Resub. Blocks K and L Teralta, from Pole 4235, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127401, authorizing 20 city officials, to be hereafter designated, to attend the annual conference of the League of California Cities, to be held in San Francisco, California, September 18 through September 21, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127402, authorizing and empowering City Manager to do all work in connection with replacement and installation of water mains on 33rd Street, south of Steele Street, by appropriate City forces, in accordance with recommendation of the City Manager, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127403, directing Director of Water Department to contribute out of Water Department Fund, appropriated unallocated reserve, \$5,000.00 for use and benefit of Feather River Association, and issue necessary requisitions to accomplish the purpose, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Resolution says that the Council is of the opinion that The City of San Diego should do everything reasonably necessary to secure development of additional supply of water for use of the City, that San Diego has become a member of the association, and that it is now engaged actively in supporting the Feather River Project.

RESOLUTION 127404, approving claim of Leo E. Carreau, Document 515012 in amount of \$46.65; directing City Auditor and Comptroller to issue warrant in favor of Leo E. Carreau, 3862 Tomahawk Lane, San Diego, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127405, approving claim of John Brunetto, Document 514591, in sum of \$14.62; directing City Auditor and Comptroller to draw warrant in favor of John Brunetto, 2526 Horton Avenue, San Diego, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127406, approving claim of Harold Roman, Document 514100, in amount of \$120.88; directing City Auditor and Comptroller to issue warrant in favor of Harold Roman, 2330 San Diego Avenue, San Diego 10, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127407, approving claim of Eva A. Smith, Document 514570 in amount of \$9.00; directing City Auditor and Comptroller to draw warrant in favor of Eva A. Smith, 3216 Bayside Walk, San Diego 8, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.



RESOLUTION 127408, approving claim of Edwin G. Swann, Document 514099, in amount of \$85.65; directing City Auditor and Comptroller to draw warrant in favor of Edwin G. Swann, 5034 Bristol Rd., San Diego 16, was on motion of Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127409, approving claim of Chester A. Toerner, Document 513479, in amount of \$15.00; directing City Auditor and Comptroller to draw warrant in favor of Chester A. Toerner (address not shown), was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127410, denying claim of Emilio P. Adams, Document 514582, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127411, denying claim of John Burnham & Company, Document 514487, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127412, denying claim of John Gerald Driscoll, Jr., Document 515009, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127413, denying claim of Mrs. L. Hippe, Document 515917, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127414, denying claim of Ruth H. Secombe, Document 515454, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127415, directing City Attorney to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against Lot 18 Block 14 Electric Line Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to the State for delinquent taxes be cancelled; authorizing and directing to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127416, vacating easement in portions Southeast Quarter Lot 43 Ex-Mission Lands of San Diego, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Resolution said that The City of San Diego heretofore constructed and installed cathodic protection anodes across the property, that they were abandoned by the City and have not been used for more than 5 consecutive years preceding this resolution, that at time of construction and installation of the anodes the City was owner of the property which has since been conveyed to other others.

RESOLUTION 127417, accepting quitclaim deed executed on 27th day of June, 1955, by Maxson Corporation, a corporation, Bonwood Corporation, a corporation, and Fineview Corporation, a corporation, 2223 El Cajon Boulevard, San Diego 4, 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 "Allied

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Gardens Unit No. 3", being subdivision of portion Lot 66 Rancho Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

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

ORDINANCE 6578 (New Series), approving Annexation to The City of San Diego of certain uninhabited territory in The County of San Diego, State of California, known and designated as "Rancho Hills-South", which territory shall be added to The San Diego Unified School District, was on motion of Councilman Schneider, seconded by Councilman Evenson, 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, Ordinance which follows, 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. Written or printed copy was available for consideration of each member of the Council prior to day of final passage.

ORDINANCE 6579 (New Series), appropriating \$23,000.00 from Capital Outlay Fund, for purpose of providing funds for appraisal and purchase of necessary property for interchange at Genesee Street and access road to U. S. Highway 395, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilman Burgener, 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 Schneider, seconded by Councilman Burgener, Ordinance which follows, was introduced.

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

ORDINANCE 6580 (New Series), appropriating \$5,000.00 from Unappropriated Balance Fund, for purpose of providing funds to be used by Property Division for acquisition of miscellaneous small parcels of land for City use, was on motion of Councilman Schneider, 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 Williams, seconded by Councilman Schneider, Ordinance incorporating portion Block 183 and all Block 202 Pacific Beach into C-1A Zone, as defined by Section 101.0411.1 of San Diego Municipal Code, repealing Ordinance 119 (New Series) adopted January 3, 1955 insofar as it conflicts, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

The City Manager stated that report on Property is to come, and that Resolution will be before the Council Thursday. (It is assumed that the City Manager referred to real estate which had been put up for action).

There was no action.

6578 N.S. - 6580 N.S.

Ord introduced

City Manager's statement that report  
and Resolution are to come on Property

Councilman Kerrigan told of 2 meetings to be held on July 22: regarding water and highway.

There was no action.

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

RESOLUTION 127418, ratifying and approving expenses incurred by Paul Beer-mann, Director of Water Department, in making trip to Fresno, California July 5, 1955, in connection with grant to The City of San Diego by Wild Life Conservation Board for expanding recreation facilities at the City reservoirs, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

As a result of Minutes from Council Conference, the Clerk filed:

Communication from the City Attorney, Document 514536, dated June 16, re amendment of Cabaret Ordinance;

Communication from County Clerk relative to adoption of County Ordinance 1487 (New Series, for operation of recreational and educational camps and creating board of recreation commissioners.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:45 o'clock A.M.

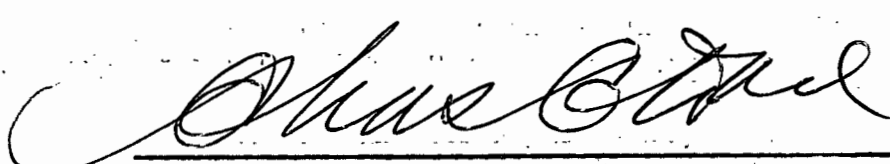
He announced that Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

  
Mayor of The City of San Diego, California

Announcement of meetings  
127418 (U.C.)  
Items filed, as result of action  
reported in Conference minutes  
Meeting adjourned.

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## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, July 14, 1955

Present---Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---Councilman Burgener  
Clerk---Fred W. Sick

Ordinances and Resolutions are recorded on Microfilm Roll 98

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed rezoning of Lots A and B Block 357, Lots K and L Block 358, Lots G to L inclusive, Block; Lots A through F Block 385; Lots A through F Block 388; Lots G through L Block 89 - in Horton's Addition - from Zone R-4 to RC, report from Planning Commission signed by P. Q. Burton, was read to the Council.

Report makes a detailed report on the property on both sides of Fourth Avenue between Spruce and Upas Streets, and 4 lots on Fourth Avenue south of Spruce Street - and states the Commission voted 6-0 to recommend petition be denied.

The Mayor inquired if anyone was present to be heard.

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

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

RESOLUTION 127419, adopting recommendation of City Planning Commission to deny petition for rezoning of various properties in Blocks 357, 358, 384, 385, 388, 389 Horton's Addition from R-4 to R-C Zone; denying said petition for the change, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed rezoning portion Lot 142 Morena, at Clairemont Drive and Burgener Boulevard, also portions of Lots 143 and 144 Morena, from R-1 Zone to C-1A Zone, report of Planning Commission signed by P. Q. Burton, was read to the Council.

Report identifies property at Clairemont Drive and Burgener Boulevard, across street from Clairemont South Shopping Center. It states that Commission and owner agreed on a revised plan, and that the Commission voted 5-0 to approve rezoning to C-1A, RC-1A and CP as shown on Planning Department Drawing B-645.1. It suggests forwarding to City Attorney's office for drafting ordinance.

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 Williams, seconded by Councilman Evenson, hearing was closed.

RESOLUTION 127420, requesting City Attorney to prepare and present ordinance for rezoning portions Lots 142, 143 and 144 Morena, in accordance with Planning Commission recommendation under Document 515017, 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 proposed rezoning of Northeasterly 250 feet of Southeasterly 255 feet Pueblo Lot 239, westerly corner of Rosecrans Street and Midway Drive, from R-4 Zone to C Zone, Planning Commission report was read.

In addition to a detailed report, the communication states that the Commission voted 6-0 to recommend that property be rezoned to C-1A and that ordinance rezoning property be not effective until final subdivision map has been filed of record on the property.

Councilman Kerrigan asked if it is possible to do as recommended.

City Attorney J. F. DuPaul said that the City does it all the time.

Councilman Schneider spoke to Harry C. Haelsig, Asst. Planning Director.

Mr. Haelsig said that it is a small area, now occupied by a drive-in. He said it would not prejudice the City's interest, answering Councilman Schneider. He pointed out the property to Councilman Curran on a map.

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 Evenson, the hearing was closed.

Councilman Williams spoke to the City Attorney regarding the property, and property to the South.

The City Attorney replied that Councilman Williams "has no interest in the property; the Council is under some misapprehension regarding voting, not voting, and being absent" (in connection with items on which they may be affected). He said that Mr. Cosgrove (one-time City Attorney, and currently City's counsel on water matters) had said one "has to be a man or a mouse, but not a monkey".

RESOLUTION 127421, requesting City Attorney to prepare and present necessary ordinance for rezoning portion Pueblo Lot 239, in accordance with Planning Commission recommendation under Document 515016, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Atlas Chemical & Mfg. Co. for furnishing Liquid Sodium Silicate for 6 months beginning July 15, 1955, at \$1.263 per cwt - 5 bids - was presented.

RESOLUTION 127422, accepting bid of Atlas Chemical & Mfg. Co. for furnishing approximately 500 tons Liquid Sodium Silicate for 6 months; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of W. G. Ehmcke Sheet Metal Works for furnishing and installing Metal Partitions, Metal Grille Panels and Baffles at Main Library for \$1,472.50 plus applicable taxes - 2 bids - was presented.

RESOLUTION 127423, accepting bid of W. G. Ehmcke Sheet Metal Works for furnishing and installing Metal Partitions, Metal Grille Panels and Baffles, at Main Library; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to 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 Schafer & Stovers for furnishing and installing Small Water Main Replacements, Group 21 - 3 bids - \$41,959.10, was presented.

RESOLUTION 127424, accepting bid of Schafer & Stovers for furnishing and installing Small Water Main Replacements, Group 21; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent recommending acceptance of bids for purchase of cars and trucks for Police Department, Fire Department, and Public Works Department - listed in the report - 7 bids, was presented.

On motion of Councilman Schneider, seconded by Councilman Williams, it was continued 1 week - to July 21, 1955.

Report of Purchasing Agent recommending rejection of bids for improvement of walk between Blocks P and Q Fairmount Park - 2 bids (low bid 150.5% above estimate) - was presented.

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RESOLUTION 127425, rejecting all bids received by Purchasing Agent May 6, 1955, for improvement of walk between Blocks P and Q Fairmount Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127426, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Gate Valves, in accordance with Document 516561, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next item, Councilman Kerrigan said that it has to do with the proposed resolution which was held up (authorizing acceptance of bids for purchase of automobiles and trucks for various departments).

The City Manager said that this is old equipment which the City proposes to sell.

Councilman Kerrigan said there will be another Resolution, to sell them.

RESOLUTION 127427, authorizing and directing Purchasing Agent to advertise for sale and sell automotive equipment (listed in the Resolution), which is no longer desirable for use or retention by the City - all costs in connection with sale shall be deducted from proceeds - was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending denial of request for Tentative Map of North Shore Highlands for division of Lot 1 Block 22 into 2 parcels: one 70 ft x 125 ft in size; the other approximately 133 x 125 ft., was presented. The report tells of the protests against the division of the property, the steep grade of a driveway near crest of the hill which would create a traffic street, the 28-foot pavement on Loring Street.

The report was read.

Harry C. Haelsig, Asst. Planning Director, showed members of the Council maps from the file. He explained the property, as he pointed it out on the plat. He explained nearby properties. He said that petitioners and protestants are here.

Councilman Schneider spoke to Mr. Haelsig about the Traffic Engineer's report about the problem.

The Mayor invited interested persons to be heard.

Robert Tyler, realtor from Pacific Beach, told the Council that he is representing the owner. He described the property as a semi-remote area in Pacific Beach. He contended that Loring is not a heavily travelled street. He said that builders want to develop. He contended that the property is not usable - on account of its size. He told the Council that there is no interest in placing the driveway on the crest of the hill. He said it could be placed anywhere. Mr. Tyler spoke of wanting to place 1 drive on the lowest portion of the grade. He said each lot would have at least 10,000 sq. ft. He said driveway would provide off-street parking, and there would be no traffic hazard. Mr. Tyler said there are 11 lots across the street - only 2 protests out of 11; other protests are from owners of smaller properties. He spoke of the fine view lots. He said there is no intent to circumvent the zoning, or the Municipal Code. He said there is no traffic hazard on account of drive at the bottom of the hill. He said petition (of protest) was brought about by 1 individual in the Traffic Engineer's office.

Councilman Kerrigan pointed out that if there is a subdivision, there is no regulation where drive is to be put.

Byron B. Reinemund told the Council that he was authorized to represent owners in Block 22 and the block to the north. He said that another lot should be shown on the plat as being in opposition; signature was secured after report was made. He read a prepared report. He said that the only 1 not opposed to this split is the owner of a lot which is for sale. Mr. Reinemund stated that large lots are the rule, not the exception. He said that 5 of 11 lots are in the title of the Federal Government, accounting for there being no opposition from them. He told of the various large lots in the area. He declared that property is not suitable for 2 houses. He said that it is on one of the steepest grades in the city; 2 trucks have turned over, and many cars are stalled. He spoke of traffic having doubled on Loring Street. He mentioned having been in the Traffic Engineering office 14 years. He said that recommendation from the Traffic Engineer was not based upon his working in the office. He referred to lot prices, and to assessments. He said that lots had been



purchased for taxes. He said that the asking price is out of line with the assessment.

Otto Langer, owner of Lot 9 Block 2 spoke as one of the 2 owners across the street from the proposed lot split. He spoke of another driveway, with another property split. He said his living room overlooks the hill, where he sees many people stalled. He said it is the only paved street providing access to the Soledad area. Mr. Langer told the Council that there are as high as 50 cars an hour during the peak. He said it is a hazard, even now. He said that when he first purchased the lot he went to the Planning office and asked if he could split it. He was told that it would be out of the question, and the Planning Department would oppose such an attempt before the Planning Commission. He said he found out by accident that the lot in question was proposed to be split; he was not contacted. He said that it seems funny where anyone else tries to split a lot, he has to get signatures. Mr. Langer said that his lot is 12% larger than the lot proposed to be split. He said that if this is permitted, others would split. He told the Council that he has built his house so that he can't split his property.

Councilman Kerrigan asked what the zone is.

Mr. Haelsig replied that it is R-1.

Councilman Kerrigan asked if it could be re-zoned for 10,000 square feet.

Mr. Haelsig said that it would not qualify for R-1C. He stated that it is an old subdivision, with lots of varying sizes.

Councilman Schneider said he had taken the trouble to compute the size of protesting lots - 7 are smaller; 9 and 10 are larger. He said that owners have right to use of their property.

Councilman Schneider moved to overrule the Planning Commission, and permit the division.

Mr. Tyler said that to his knowledge there had not been any statement regarding price. He said the property is not for sale; it has been held. He said he had a letter from the Planning Commission recommending acceptance. He said that the Traffic Engineer was influenced. Mr. Tyler stated that Mr. VanCleave (of the Planning Department) wrote a letter that the map should be approved.

Mr. Haelsig said it would be exceptional if it were approved on such a steep grade.

Councilman Williams spoke to Mr. Haelsig regarding Pringle Street, California Street, and Juan Street.

Mr. Haelsig said this is steeper - about the same as Harbor View.

Mr. Langer said that frontage on the hill, and agrees on sizes of 3 lots. He said that the most desirable were built on first. He said that the lot beyond borders on a canyon. He said his is smaller, on account of it being the best building site. He said that he and others went up and built homes; now request is made to make money. He said Mrs. Riford has said that she wants \$8,000.

Councilman Evenson spoke to Mr. Langer regarding request for division.

Mr. Langer said that the Planning Department opposed it.

Councilman Curran seconded the motion to overrule the Planning Commission.

RESOLUTION 127428, overruling and denying decision of the Planning Commission in denying a Tentative Map; approving Tentative Map of North Shore Highlands, for division of Lot 1 Block 22 ~~141/1~~, subject to various conditions, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending denial of Tentative Map of Angel Subdivision, because of inadequacy of plan, improper design for property immediately north of Jennings Street, an inadequate street system for area in question, and adverse effects on remaining portion of the whole parcel due to lack of plan of development, was presented.

RESOLUTION 127429, denying Tentative Map of Angel Subdivision, 2-lot subdivision of portion Pueblo Lot 183, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending modification to Condition 1 of Resolution 119769 dated August 17, 1954, to provide altered gutter design on Crowley Way, was presented.

RESOLUTION 127430, amending Condition 1 of Resolution 119769 which approved Tentative Map of Clairemont Plaza Unit 3, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

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Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, in connection with Tentative Map of Alhambra Park, Block 7, Lots 17 and 18, was presented.

RESOLUTION 127431, suspending Sections 102.06-1, 102.12-4, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Alhambra Park, Block 7, Lots 17 and 18, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Alhambra Park, subdivision of Lots 17 and 18 Alhambra Park into 2 parcels fronting on Monroe Avenue just easterly of 52nd Street - land consists of 2 25 foot lots, 50 ft x 125 ft in R-4 zone, on 5 conditions, was presented.

RESOLUTION 127432, approving Tentative Map of Alhambra Park Block 7, Lots 17 and 18, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map for Beach Club Terrace, a 3-lot division of portion Pueblo Lots 1281 and 1285, was presented.

RESOLUTION 127433, suspending Section 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Beach Club Terrace, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Beach Club Terrace, a 3-lot subdivision of portion Pueblo Lots 1281 and 1285 located on Paseo Dorado opposite the La Jolla Beach and Tennis Club, subject to 6 conditions, was presented.

RESOLUTION 127434, approving Tentative Map of Beach Club Terrace, subject to conditions of the Resolution, 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 Cedar Heights, was presented.

RESOLUTION 127435, suspending Sections 102.09-1, 102.18, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Cedar Heights, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Cedar Heights, a 58-lot resubdivision of portion of Choates Addition, located easterly of Wabash Boulevard and northerly of Federal Boulevard, in south-westerly corner of Fairmount Park, subject to 13 conditions, was presented.

RESOLUTION 127436, approving Tentative Map of Cedar Heights, a 58-lot resubdivision of portion Choates Addition, subject to 13 conditions, 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, was presented; Tent Map por P/L 178.

RESOLUTION 127437, suspending Sections 102.07-2, 102.09-1 & 2, 102.14, 102.17-c of San Diego Municipal Code, in connection with Tentative Map for portion of Pueblo Lot 178, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending

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approval of Tentative Map of portion Pueblo Lot 178, on west side of Rosecrans Street, southerly of Amada Place - a 4-lot subdivision - subject to 10 conditions, was presented.

RESOLUTION 127438, approving Tentative Map of portion Pueblo Lot 178, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of Basil R. McAfee, president of Hidden Harbor Corporation, for Class "B" Dine and Dance License at Secret Harbor, 2604 Fifth Avenue, San Diego, was presented, together with recommendation for approval from interested City Departments.

RESOLUTION 127439, granting application of Basil R. McAfee for Class "B" license to conduct public dance at Secret Harbor, 2604 5th Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent, approved by City Manager and Assistant City Manager, on petition from San Diego Unified School District of San Diego to close all that portion of Evergreen Street lying southeasterly of Rosecrans Street and to close all of Rolando Place, was presented. It reports that streets are adjacent to or within Dewey Elementary School site, which the School Board has acquired from the U.S. Navy, which have not been used as public streets for about 15 years. It says that although portion of the proposed street closing is used by the Navy for an access road called "Sellers Drive", it was constructed and is maintained by the Navy, and would apparently revert to the Navy. It recommends closing as requested in petition and in supplementary letter of April 22, 1955.

RESOLUTION 127440, granting petition for closing portion Evergreen Street as recommended by Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses of the closing, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Milton Fredman, attorney, Suite 321 Bank of America Building, 6th and Broadway, San Diego 1, dated July 12, 1955, was presented. It calls to the Council's attention Ordinance 6536 passed 9th day of June, 1955, amending Section 33.1106 of San Diego Municipal Code (re Pawnbrokers and 2nd hand dealers). It says that Norris Bloomfield, of the Mutual Jewelry & Loan of San Diego, feels that\*detrimental to best\*it is interests of his business and it is causing such economic hardship that it may require him to go out of business. (Regulation referred to, on closing time, was established following request by petition of all pawnbrokers in San Diego except Mr. Bloomfield). The communication requests opportunity to be heard for the purpose of repealing the amendment and reinstatement of Section 33.1106, as previously adopted.

Mr. Fredman, representing a pawnshop owner on 4th Avenue, was heard about the Council's recent action. He referred to his client as being a new comer. He said that the business is 40% between 6:00 P.M. and 8:00 P.M., and comes from the Navy. He contended that the ordinance provision will force the operator to go out of business. He said that operation should be permitted without government interference. He agreed that the government does have some rights. Mr. Fredman said that the regulation had been brought about by other pawnbrokers in the City, and referred to it is a matter of competition. He said that it is a dangerous precedent. He said that the closing time did not come about as requests by the Police or Health Departments. He said it would be the same as other occupations asking for closing, just because they don't want to stay open. He said that there is no rhyme or reason to the requirement. Mr. Fredman said there is no point in later hours, because of other earlier closing.

Mayor Dail read the petition upon which the earlier closing had been established.

Mr. Fredman told the Council that a group of pawnbrokers are trying to set up regulations.

Mayor Dail said that sometimes the City has regulations, that request for the closing had come from all except one (Mr. Bloomfield).

Mr. Fredman said that it should be for the good of, and not for the regulation of business. He maintained that the public is not served by closing at 6:30 instead of 8:00. He said that it is only the matter of competition.

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Communications  
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Councilman Curran said that the Police advocated the earlier closing hour. Mr. Fredman stated that the Police Department doesn't particularly care. He said they come in and check in the morning, from the night before. He said that if this regulation is just for the convenience of the Police, maybe more of them are needed.

Mayor Dail left the meeting, since he was going out to make a speech at the Bastille Day ceremonies to be held in front of the Civic Center.

Councilman Schneider was asked by the Mayor to take the Chair, in the absence of the Vice Mayor.

Mr. Fredman said that barber shops wanted regulation for an earlier closing, but that request was held unconstitutional.

The Chairman held a discussion with Mr. Fredman.

Councilman Kerrigan discussed the question with Mr. Fredman, and said that it should be taken to Conference.

Mr. Fredman said that he would appreciate consideration in Conference, and that the item should be referred to the City Attorney.

Sam Addleson (a pawnbroker) said that the statement was one of misfacts. He contended that it is not a matter of competition; it is for the betterment of the type of business. He said he knows the Council passes ordinances for the majority; many minorities think regulations are discriminatory. He said that reason was for the purpose of Police supervision. Mr. Addleson said that the competition (Mr. Bloomfield) is not a newcomer. He said that the regulation is for a decent way of life, and for decent hours. Mr. Addleson contended that for 1 man to disrupt the thing, on account of greed, is not American. He said that he then does a little more business when the others are closed. He pointed out that there was help given in Mr. Bloomfield's effort to secure license.

Councilman Schneider said that the issue would be decided on, upon advice of the Attorney - including public service. He said that there is no reason to go into the industry.

Mr. Addleson said that 90% want the 6:30 closing; the Ordinance should stand.

Councilman Kerrigan moved to refer the Fredman communication to Conference.

Mr. Fredman said that the president of the Pawnbrokers just admitted that it is for the convenience and regulation of competition. He said that if that is so, the Council should pass an ordinance that all (in addition to pawnbrokers; chainstores, etc.) should close at 6:30 o'clock P.M.

RESOLUTION 127441, referring to Council Conference the matter of the ordinance regulating pawnbrokers, second-hand dealers under Section 33.1106 of San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Golden West Hotel, dated July 11, 1955, signed by I. A. Tourville, Assistant Manager, was presented. It refers to excellent maintenance on a half City block, and of wanting to paint it. It asks repair of the sidewalks, first, with cement - although the City has agreed to repair with asphalt or have the hotel engage cement contractor to do the work.

On motion of Councilman Curran, seconded by Councilman Williams, it was referred to the City Manager.

Communication from Robert J. McPherson, president, Industrial Development Council, 2644 Teresita Way, San Diego 4, California, dated July 7, 1955 - entitled "Report to Mayor and City Council", was presented.

It speaks of the organization having come into existence largely because of a serious vacuum described as an unstable economy locally. It refers to need for stopping dragging our feet, and additional economy to this area. It speaks of one large clothing manufacturer having gone elsewhere because of delaying tactics of the Planning Commission, and efforts of a group of businessmen having tried to locate a toy plant on Kearny Mesa. It deals with the conversion of seawater, and of waste reclamation rather than dumping sewage in the bay or ocean. The communication refers to work for adequate low level highway to the east. It also invites the Council to a meeting July 8 at 928 Broadway to hear a talk on South American trade (date for that meeting had passed before the letter arrived).

On motion of Councilman Evenson, seconded by Councilman Williams, it was referred to the Mayor.

Communication from Steve Liptay, 1335 J-Street, San Diego 2, dated July 7, 1955, regarding abuse by the police, was presented.

(A letter on the same subject was received recently, and referred by the Council to the City Manager. The Police Department made a report).

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

Communication from The Music Makers, dated July 2, 1955, signed by Milton Urner, president, and Fred Rigby, Jr., Secretary, quoting resolution expressing need for an adequate auditorium to accommodate music, ballet and drama in San Diego, was presented.

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

Communication from residents of Imperial Beach, protesting suggested plans regarding placement of a sewage plant in or about the corner of 19th and Leon Streets in the South Bay area, was presented. It cites the development, contamination, and the hampering of development.

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

Copy of letter from San Diego Hotel Association, dated July 11, 1955, signed by M. Yrigoyen, secretary-treasurer, was presented. Addressed to the Mission Bay Advisory Committee, it encloses a resolution. The Resolution expresses vital interest in development of all projects in San Diego and particularly in Mission Bay, says that proper and early development of the potentially great aquatic playground can do much to provide entertainment for San Diegans and bolster the area's tourist industry. It discourages creation of additional lodging, food and beverage businesses that restrict use of Mission Bay Park Land for maximum recreational purposes and tends to provide unrealistic competition for existing facilities and those planned on tax-sustaining private properties.

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

Communication from County and Municipal Employees, Local 127, AFL, signed by Otto W. Hahn, business representative; Municipal Employees' Association, signed by Mary E. Harvey, Executive Secy., was presented.

RESOLUTION 127442, referring to Council Conference communication from County and Municipal Employees Local 127 AFL, and Municipal Employees, re coordinating Social Security benefits with City Employees Retirement System - for consideration today - was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127443, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Valves for Alvarado Second Reservoir, Murray Second Pipe Line, and Polk Street Connection Pipe Line, Document 516562, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127444, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted. It covers Lots 2, 3, 25 and portions of Lots 24 and 26 Block 1 El Cerrito Heights.

RESOLUTION 127445, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman



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Kerrigan, seconded by Councilman Curran, adopted. It covers Easterly 130' of Lot 3 C. M. Doty's Addition to San Diego Map No. 1933.

RESOLUTION 127446, authorizing City Manager to accept work on behalf of The City of San Diego in Allied Gardens Unit 3 subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127447, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Dass Construction Company, a corporation, 5837 El Cajon Boulevard, San Diego, subdividers of Martin Terrace, providing for installation of mains and appurtenances larger than necessary for the subdivision, made at request of City for reimbursement by the City of \$1200.00 for difference in cost of installation of mains requested by the City, and mains large enough to serve the subdivision, upon execution and delivery to the City of quitclaim deed conveying all right, title and interest of subdividers in and to water distribution system in Martin Terrace, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127448, authorizing and empowering City Manager to enter into contract with Feather River Project Association, providing that on the City contributing \$5,000.00 for the purpose of assisting the Association in furthering Feather River Project for the State of California, the Association will keep the City fully advised as to all of the programs, projects, plans, specifications, etc., being considered by the Association in connection with the project, and assist in exchanging ideas of various organizations throughout the State, including public corporations, in furtherance of the project, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127449, authorizing City Manager to sign Statement of Understanding between local Civil Defense Administration and San Diego County Chapter of American Red Cross and its branches relating to natural and war caused disaster operation, Document 516702, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127450, authorizing and empowering City Manager to enter into agreement with Leonard L. Dowling to keep and maintain Spreckels organ in Balboa Park in proper operating operation, and pay \$164.00 per month, effective July 1, 1955, Document 516703, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Prior to adoption of the Resolution, Councilman Curran asked if it was a continuance of existing contract.

The City Manager's reply was "yes".

RESOLUTION 127451, authorizing and empowering City Manager to execute, for and on behalf of the City, a Use and Occupancy Agreement with Pacific Power Boat Club, a corporation, of portion of San Diego River floodway, for promotion, sponsorship and conduct of power boat racing, for 6 months, Document 516704, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 127452, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in official newspaper of the City, sale at public auction of portion Lot 151 Morena, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Resolution states that City is owner of the property (also known as Northeast Quarter of Pueblo Lot 1193) - containing approximately 35 acres of land; that The Rand



Construction Company, 1426 La Brea Avenue, Los Angeles, California, has petitioned the Council to put the property up for sale, and has deposited with Property Supervisor \$100.00 to cover costs of sale, including cost of title report, and as guarantee that depositor will at the sale bid the minimum amount fixed by the Council. It states that City Manager has recommended property be sold, that reason for selling is that same is no longer needed for City purposes. Value as disclosed by appraisal made by qualified real estate appraiser is \$70,000.00; minimum amount Council will consider for sale is \$70,000.00; Council reserves right to reject any and all bids at the auction.

RESOLUTION 127453, granting request of V. R. Dennis Construction Co., Change Order 1, for extension of 31 days to and including August 11, 1955, Document 516600, in which to complete contract for construction of storm groin west of Cape May Avenue, contract Document 512106; extending time of completion to August 11, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127454, granting request of M. H. Golden Construction Company, Change Order 2, for extension of 15 days to and including July 15, 1955, Document 516602, in which to complete contract for improvement of Brookline, Elm, Marilou, et al., contract Document 509834; extending time of completion to July 15, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127455, granting permission to San Diego Union (Paula Kent, Promotional Director) to conduct public display of fireworks at Derby Downs, Collier Park, Ocean Beach, July 16, 1955, 9:00 P.M. to 10:00 P.M., upon conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Williams.

(The display is in connection with the Soapbox Derby).

RESOLUTION 127456, granting revocable permit to Jean Hervey Brown, Executrix of Estate of Edna H. Taylor, deceased, 3432 University Avenue, San Diego, to install and maintain 3/4" inch water line under University Avenue from owner's property to City water main in alley Block 198: East 35 feet of West 70 feet Lots 25 and 27 Block 198 City Heights, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127457, granting permission to Riemland's Drug Store, 1603 Garnet, Pacific Beach, to install loop vent for island prescription sink, subject to the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127458, authorizing City Attorney to settle claim of Herbert L. Burrow, Document 514530, for \$25.04; directing City Auditor & Comptroller to draw warrant in full settlement, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 127459, authorizing City Attorney to settle \$65.00 claim of Melvin J. Grisby, Document 511495 in sum of \$500.00; directing City Auditor & Comptroller to draw warrant in full settlement, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 127460, approving claim of John W. Bryant, Document 515933; directing City Auditor & Comptroller to draw warrant in sum of \$50.86 in full payment, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 127461, denying claim of Ed Burkholder and Robert Burkholder, Document 507685, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 127462, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of the City, quitclaim deed quitclaiming to Magnatron Company of North America, Incorporated, portion Lot 78 Rancho Mission of San Diego, deed to contain terms and conditions; 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, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution states that bids were received at public auction July 11, 1955, that the company bid the minimum amount fixed by the corporation (\$41,400.00) and the City Manager recommended bid be accepted. It accepts the bid, and sells the property at the price stated, plus broker's fees, if any, advertising costs, escrow fees and title costs, and any other incidental expenses in connection with the sale.

RESOLUTION 127463, accepting on behalf of the public street shown on subdivision map of Whitefield, Map 2923, being resubdivision of portion La Mesa Colony, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Resolution says that by Resolution 108920 the Council rejected dedication for public street of land shown as "Reserved for Future Street", that The City now desires to accept dedication. It directs City Clerk to transmit certified copy of Resolution to Clerk of Board of Supervisors of County of San Diego, for recordation in office of County Recorder of the County.

RESOLUTION 127464, accepting quitclaim deed executed 5th day of July, 1955, by Dass Construction Company, a corporation, 5837 El Cajon Boulevard, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use within or without subdivision named Martin Terrace, being portion of Southwest Quarter Lot 51, of portion Ex-Mission Lands of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127465, accepting subordination agreement, executed by Sidney L. Davis and Elinore N. Davis, beneficiaries, and Land Title Insurance Company, trustee, July 6, 1955, subordinating all their right, title and interest in and to portion Pueblo Lot 264, 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 Williams, adopted.

RESOLUTION 127466, accepting deed of Cherry Carcano, July 6, 1955, conveying portion Lot 74 Las Alturas Villa Sites; 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 Williams, adopted.

RESOLUTION 127467, accepting deed of Ed Fletcher Company, June 9, 1955, conveying Lots 4 and 5 Section 6 Township 13 South, Range 1 West, San Bernardino Base and Meridian, in County of San Diego, according to U. S. Government Survey and portion of Oaks Tract in Rancho San Bernardino; 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 Williams, adopted.

RESOLUTION 127468, accepting deed of Jerry J. McGrath and Florence S. McGrath, July 5, 1955, conveying Lot 7 Block 19 Campo Del Dios; 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 Williams, adopted.

RESOLUTION 127469, accepting deed of San-Diego Gas & Electric Company, May 17, 1955, conveying portion Lots 1 and 2 Block 3 Haffenden's Sunnydale 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 Williams, adopted.

RESOLUTION 127470, accepting deed of The United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, June 28, 1955, conveying easement and right of way for alley purposes in portion Block 34 Linda Vista Unit 5; 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 Williams, adopted.

RESOLUTION 127471, accepting deed of M. Hall Company, July 6, 1955, conveying easement and right of way for street purposes in portion Lot 1 Block 28 Bird Rock 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 Williams, adopted.

RESOLUTION 127472, accepting deed of Lawrence O'Connell and Marelle Jean O'Connell, June 22, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 264; 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 Williams, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Curran, reading of the next Ordinance was dispensed with by 4 members of the Council. There was available for consideration of each member of the Council before day of final passage, written or printed copy.

ORDINANCE 6581, changing name of portion of Huxley Street to Clairemont Drive, Dedicating portion Lot 1 Block 84 Morena for portion of public street and naming it Clairemont Drive, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Burgener, Mayor Dail.

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. There was available for consideration of each member of the Council before day of final passage, written or printed copy.

ORDINANCE 6582 (New Series), changing name of portions of Harbor Drive on Municipal Tidelands and Harbor Street, to North Harbor Drive, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Burgener, Mayor Dail.

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On motion of Councilman Evenson, 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 before day of final passage, written or printed copy.

ORDINANCE 6583 (New Series), changing name of Soria Drive in Rolando Area to Marraco Way, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Burgener, Mayor Dail.

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 vote of not less than 4 members of the Council. There was available for consideration of each member of the Council before day of final passage, written or printed copy.

ORDINANCE 6584 (New Series), appropriating \$5,000.00 from Capital Outlay Fund, for providing funds for acquisition of property for Seminole Drive, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Burgener, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Evenson, the next Ordinance was introduced.

On motion of Councilman Williams, seconded by Councilman Evenson, 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 before day of final passage, written or printed copy.

ORDINANCE 6585 (New Series), appropriating \$1,500.00 from Unappropriated Balance Fund, for providing funds to pay City's share of cost of economic study of Midway Commercial Area, to be conducted by firm of Frank Hope and Richard Wheeler, Associated Architects, total cost of project to be \$5,000.00, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Burgener, Mayor Dail.

There being no further business to come before the Council at this time, Councilman Chester E. Schneider, chairman, declared the meeting adjourned at 11:13 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, July 19, 1955

Present---Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.  
Absent---Councilman Burgener

The Meeting was called to order at 10:02 o'clock A.M.

At the request of the Mayor, all arose for the invocation delivered by Rev. Charles D. Clark, of the First Methodist Church.

Resolutions and ordinances are recorded on Microfilm Roll 98

Members of the Hoover High School Civics Class - James Greig, teacher - were welcomed to the meeting by the Mayor. At the Mayor's request, they stood to receive the applause of the Council and others present.

Councilman Burgener entered during the next item.

Awards, honoring long-time service with the City of San Diego were made by the Mayor to:

Dr. Olive B. Cordua, Maternal and Child Health Supervisor - 30-year pin, and scroll;  
Charles A. Newman, Sanitation Crewman II, Sanitation Division of Public Works Dept. - 30-year emblem and scroll  
Andrew Clarence Olson, Inspector in the Sanitation Section of the Building Inspection Dept. - 20 years;  
John A. Carlson, Electrician, working out of the City Shops - 20 years

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Regular Council Meetings of Tuesday, July 12, 1955, and of Thursday, July 14, 1955, were approved without reading - after which they were signed by the Mayor.

The Purchasing Agent reported in writing that 4 bids had been opened July 15, 1955, on 1911 Act proceedings, for Alleys Blocks C & D Sterlingworth; Block B Teralta; Block 37 Resubdivision of H & I Teralta.

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

The Purchasing Agent reported in writing that 5 bids had been opened July 15, 1955, on 1911 Act proceedings, for Frost Street.

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

The Purchasing Agent reported in writing that 6 bids had been opened July 15, 1955, on 1911 Act proceedings, for Roosevelt Street.

On motion of Councilman Burgener, seconded by Councilman Schneider, a finding was made by the Council that bids were opened as reported, and proceedings referred to

Meeting convened  
Visitors  
Purchasing reports  
on 1911 proceedings

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finding was made by the Council that bids were open for part of the work, and the City Manager and City Attorney for recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 126850 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, 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 filed.

On motion of Councilman Curran, 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 126851 for paving and otherwise improving Macaulay Street and Willow Street, 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 filed.

On motion of Councilman Curran, seconded by Councilman Williams, 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 126852, 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), the Clerk reported a letter from the City Engineer.

The letter says that Resolution of Intention was incorrect in that although it gave the limits for the modified grade, it did not state that grade was to be modified for certain portions. It recommends that job be referred to City Attorney's office so that Resolution of Intention can be rescinded and a new Resolution of Intention be prepared, or that whatever action necessary may be taken.

RESOLUTION 127473, adopting recommendation of City Engineer, Document 516406, that proceedings for improvement of Ozark Street, Imperial Avenue, et al, be referred to City Attorney for preparation of new Resolution of Intention and other proper Resolutions, 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 Resolution of Intention 126853, for paving and otherwise improving Warrington Street, 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 filed.

On motion of Councilman Schneider, seconded by Councilman Williams, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 10:00 o'clock A.M. having arrived, time set for installation of sewer mains and appurtenances in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, on Resolution of Intention 126854, the Clerk reported written objection to the work in that R. F. J. Snyder and Stella Snyder are sure that the State will take their property for the freeway.

The Mayor inquired if anyone was present to be heard.

John Sedlack, 4400 Hilltop, told the Council he owns "numerous land", and that it is the consensus of property owners that they are in favor of the improvement. He referred to big lots, and asked help from the Council to help pay connecting link. Mr. Sedlack said it goes past the cemetery and the Federal project (housing). He said that the Federal project has caused delay. He contended that it is not the fault of the people, but the City's to connect the housing to connect into the sewer. He said that it has taken a long time, and that a new ruling is putting a group in a spot, by having to pay extra expense. He said that a mistake was made. He said that in 1949 when put in sewer in 1947, it could have been lowered 1 block -



a little district could have got in. He said that when the line goes in, it will be ideal for a subdivision to the north. He asked for special consideration. Mr. Sedlack told of having promoted the project since 1952. He said that "when somebody makes a mistake, somebody helps pay". He stated that every frontage is 80 feet - big frontage.

The Mayor suggested proceedings should be referred to the City Attorney to see if the City can contribute.

City Attorney J. F. DuPaul said that if the City has that in mind, proceedings should be referred to his office. He said that the outfall goes between the cemetery and Federal property - neither of which can be assessed. He suggested closing the hearing, and treating Mr. Sedlack's comments as a protest. He said it can be determined if the City can contribute. Mr. DuPaul said that the City cemetery can't use the sewer, and the U.S. housing is already served.

Councilman Schneider spoke to the City Manager.

Edith Charte, 1133 Cotton Street, said she had read that in a couple of weeks the government would be selling the land for subdivision.

The City Manager said that the Navy area is sewerred, that sale won't be made for a year or 2.

Councilman Kerrigan asked about the extra cost.

The City Engineer replied "about \$6,000 for the outfall".

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

Councilman Schneider moved to close the hearing and overrule the protest.

Councilman Williams seconded the motion.

RESOLUTION 127474, overruling and denying protest of R. F. J. Snyder and Stella Snyder, verbal protests of Edith Charte and John Sedlack against proposed installation of sewers in Cotton Street, Hilltop Drive, C Street, 46th Street and Public Right of Way, Resolution of Intention 126854, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126988 of Preliminary Determination for paving and otherwise improving Alley Block 2 F. T. Scripps Addition to 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 127475, determining that improvement of Alley Block 2 F. T. Scripps Addition to La Jolla Park, Resolution 126988 of Preliminary Determination is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 126989 of Preliminary Determination for paving and otherwise improving Alley Block 151 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41, portions 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127476, determining that improvement of Alley Block 151 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, 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, time set for hearing on

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Resolution 126990 of Preliminary Determination for paving and otherwise improving Alley Block 217 Pacific Beach, 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.

RESOLUTION 127477, determining that improvement of Alley Block 217 Pacific Beach, Resolution 126990 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 Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2371 made to cover cost and expenses of paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and the Alley Block 2 Mountain View, Resolution of Intention 119346, 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 127478, confirming and approving Street Superintendent's Assessment 2371 made to cover cost and expenses of paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, Resolution of Intention 119346; 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2372 made to cover cost and expenses of paving and otherwise improving Grand Avenue, the Clerk read appeal from Raleigh A. and May Irvin.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127479, denying appeal of Raleigh A. and May Irvin from Street Superintendent's Assessment 2372 made to cover costs and expenses of paving and otherwise improving Grand Avenue, Resolution of Intention 118555; authorizing and directing City 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 Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2373 made to cover costs and expenses of installing ornamental lighting system in 30th Street, Upas Street, Ray Street and University Avenue, Resolution of Intention 117016, the Clerk presented written appeal from R. L. Palmer.

The Mayor recognized Dr. Palmer, who told the Council that when a petition was presented 4 or 5 years ago it was killed. He said that when petition was presented again, it was specific regarding the improvement and the payment. (Petition in the file is not as was described). He spoke of having received notice from the City Clerk, and that assessment was more than double the original cost. Dr. Palmer said that the work cost is ridiculous in the way the work was done. He said it could have been done by the City in 1/3 of the time it was done by the contractor. He told of a trench having been dug, and of trying to force a pipe, of working for days to put in the pipe, which was pulled out. He contended that added hundreds of dollars.

Councilman Schneider spoke to Dr. Palmer about his statement about cost, saying that the circulator could not have known what the cost would be. He said that when bids were received, the award was made to the low bidder. Mr. Schneider said that after bids had been let, the City has no option but to charge the property owners. He stated he lives a block away, and is tickled with the lighting of the whole area. He stated that there was no additional cost to property owners, regardless of how the contractor proceeded.

Dr. Palmer spoke to Councilman about there having been 2 or 3 contractors on the job. He said the 3rd contractor did the work.

The City Engineer stated that there was no change in the contract; the original contractor went broke; it was at the same cost.

Councilman Schneider continued to speak to Dr. Palmer.

The City Engineer referred to a letter of estimate, and added that the work had been completed for 15% less than the estimate. He showed members of the Council the letter.

Councilman Schneider read the letter.

Dr. Palmer said he does not know why the petition was circulated, or by whom. He stated that he is pleased with the improvement.

RESOLUTION 127480, overruling and denying appeal of R. L. Palmer from Street Superintendent's Assessment 2373 made to cover costs and expenses of installing ornamental lighting system in 30th Street, Upas Street, Ray Street and University Avenue, Resolution of Intention 117016; overruling and denying all other appeals; confirming and approving Assessment 2373; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2374 made to cover costs and expenses of paving and otherwise improving Alleghany Street and Public Right of Way, Resolution of Intention 119499, the Clerk reported no written appeals had been filed.

The Mayor inquired if anyone was present to be heard.

Ethel Titus said she owns 1/2 of the property. She asked if work and assessment includes the curb.

Willard Olson, of the City Engineer's office, said that it includes curb and sidewalk, where they were put in.

RESOLUTION 127481, confirming and approving Street Superintendent's Assessment 2374 made to cover cost and expenses of paving and otherwise improving Alleghany Street and Public Right of Way, Resolution of Intention 119499; 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 Burgener, seconded by Councilman Williams, adopted.

Mayor Dail recognized former Mayor John D. Butler, and welcomed him to the meeting. He inquired if Mr. Butler was interested in specific items on the docket.

Mr. Butler thanked the Mayor, and complimented the Council for the dispatch with which it handled the business. He said his interest was in Resolution listed.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed annexation of territory known as "Mission Reservoir Lands", 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 protests were presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance approving annexation to The City of San Diego of certain uninhabited territory in Lot 73 Rancho Mission of San Diego, Lot 2 of Resubdivision of Fanita Rancho, Lots 1 and 2 Block "H" and Lots 1 to 6 inclusive Block "G", including unnamed street between Lot 2 Block "H" and Lot 1 Block "G" Ranita Rancho, and portion Tract "T" and Tract "C" Rancho El Cajon, and Lot 7 Subdivision Map of part of Fanita Rancho, "G" Tract, in County of San Diego, State of California, known and designated as "Mission Reservoir Lands", and which territory shall be added to The San Diego Unified School District, was introduced, by the following vote: Yeas—Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays—None. Absent—None.

Report of Purchasing Agent, with City Manager's approval, on low bid of Ideal Mattress Company for cleaning, repairing and sterilizing of Mattresses, Pillows, Couches and Cushions for Municipal Housing - July 1, 1955, through December 31, 1955 - in accordance with schedule attached, was presented.

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There were 3 bids.

RESOLUTION 127482, accepting bid of Ideal Mattress Company for cleaning, repairing and sterilizing of Mattresses, Pillows, Couches and Cushions; 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.

Communication from Purchasing Agent, with City Manager's approval, reporting on low bid of LaSalle Trucking Company for furnishing trailer-truck service for hauling liquid sewage sludge, was presented. There were 2 bids.

RESOLUTION 127483, accepting bid of LaSalle Trucking Company for furnishing trailer-truck service for hauling liquid sewage sludge to several experimental disposal sites listed in the Resolution, and for prices listed; awarding contract, authorizing and directing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Purchasing Agent, with City Manager's approval, reporting on low bid of North Park Shade & Linoleum Co. for furnishing Shades for Municipal Housing during period July 1, 1955 through December 31, 1955; approximately 1,900 shades @ \$2,885.00 plus State Sales Tax, was presented.

There were 3 bids.

RESOLUTION 127484, accepting bid of North Park Shade & Linoleum Co. for furnishing New Shades and Installing New Shade Cloth on City-owned rollers; awarding contract, authorizing and directing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Purchasing Agent, Chief of Police, City Manager, and approved as to legality by the City Attorney, reporting in detail on 3 bids received for furnishing Ambulance Service, was presented. It goes into detail on each of the bids in various areas. In addition to further report it says: "It is recommended, therefore, that the City reject all bids received for ambulance service and re-advertise for bids, with specifications including the provision that the price of \$3.50 per call will be set as a minimum price. If upon receipt of new bids for furnishing ambulance service bids satisfactory to the City are not received, it is the opinion of the Chief of Police, Office of City Attorney, and Purchasing Agent that because of lack of competition the City could legally, and should, negotiate such contracts for ambulance service as would best serve the interests of the Police Department and citizens of the City of San Diego".

RESOLUTION 127485, rejecting all bids received by the Purchasing Agent July 12, 1955, for Ambulance Service for 3 years beginning August 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127486, authorizing and directing Purchasing Agent to re-advertise for sealed proposals or bids for furnishing Ambulance Service for 3 years, beginning August 1, 1955, Document 516776, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on sale of 56 lots of miscellaneous equipment and material, stating that grand total of \$9,787.31 received has been deposited with the City Treasurer, was presented.

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

RESOLUTION 127487, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Fire Hydrant Parts, Document 516777, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of Campanile Terrace, an 88-lot subdivision of portion Lot 17 Marcellena Tract and of Lot 21 Partition of Rancho Mission of San Diego, was presented.

RESOLUTION 127488, suspending Sections 102.09-1 & 2, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Campanile Terrace, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Campanile Terrace, subject to 13 conditions, was presented.

RESOLUTION 127489, approving Tentative Map of Terrace, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Property is located southerly of Montezuma Road and westerly of College Avenue, on extension of Campanile Drive.

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

RESOLUTION 127490, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Birmingham Development Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Fairmount Plaza; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted. (This Resolution was listed later on the agenda, but was numbered here - to keep the related items together).

RESOLUTION 127491, adopting Map of Fairmount Plaza Subdivision, being resubdivision of Lots 15 to 21 inclusive Block "J", portion of Gateway Drive, portion Lot 38, and all Lots 39 to 45 inclusive Block "K" Fairmount; accepting on behalf of the public Gateway Drive and unnamed easements shown on the map for 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 street and unnamed easements are accept 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, by P. Q. Burton, stating that the Commission voted 5-0 to recommend that setback line on Lots 128-130 inclusive and Lots 135-138 inclusive Western Hills Unit 1 be changed from 15 feet to 5 feet, as shown on accompanying plat, was presented.

RESOLUTION 127492, adopting recommendation of Planning Commission for establishment of 5-foot setback line in Western Hills Unit 1, abutting Southcrest Street; directing City Attorney to prepare and present necessary ordinance for reestablishment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by P. Q. Burton, forwarding request of Microfilm Business Systems Co. proposing finding that business of microfilming records is similar to and not more obnoxious than other permitted uses in RC zone, particularly at 3465 Ingraham Street in Crown Point, was presented. In addition to a detailed report, it says that the Commission voted 5-0 to approve the finding.

RESOLUTION 127493, making finding that use by Microfilm Business Systems Co., of property at 3465 Ingraham Street for photographing business and scientific records of all types on 16mm and 35 mm film; mounting of film on cards to which indexed information is typed; that sale of cameras for microfilming, of film and supplies for amateur photographs, is not more obnoxious or detrimental to the neighborhood than other permitted uses in the RC zone, on conditions, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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Communication from Pacific Coast Yachting Association, addressed to the Board of Harbor Commissioners, requesting contribution to assist in conducting a Regatta on San Diego Bay and Mission Bay, August 4, 5, 6, 7, 1955, was presented.

Communication from Harbor Commission, by John Bate relative to the Association's request, was presented. It says that it is the Commission's consensus that the activities might well be handled either by the Council or the San Diego Convention and Tourist Bureau.

RESOLUTION 127494, referring to Council Conference communication from Port Director and Pacific Coast Yachting Association, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of Louise M. Sanders, dba Club Eddies, for Cabaret license, 101 C Street, was presented, together with recommendations for approval.

Councilman Curran asked if it is change of ownership.

The City Manager replied that it is the same owner; there had been a license previously, but abandoned, and then reinstated.

RESOLUTION 127495, granting Louise M. Sanders permission to conduct cabaret with paid entertainment at "Eddies", 101 C Street, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Cecilia E. Brennan, 4960 Vista Place, San Diego 16, dated July 2, 1955, addressed to Mayor Dail, was presented. It submits her resignation as member of Social Work Commission for the City, in that she has received a Fulbright Award to teach at the Higher Institute of Social Service, Alexandria, Egypt.

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

Copy of letter from Mrs. Earl Bridwell, addressed to Mr. Davis, of the Street Dept., objecting to the use of blacktop in the repairing of sidewalks in San Diego, was presented.

RESOLUTION 127496, referring to Council Conference copy of communication from Mrs. Earl Bridwell re repairing of sidewalks, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Freeland, Peterson & Evenson, by Charles W. Christensen, 639 Spreckels Building, San Diego 1, dated July 8, 1955, was presented. It asks reconsideration of and clarification of Resolution approving Tentative Map of "Canyon View".

City Attorney J. F. DuPaul said that Louis Karp, attorney, asks for continuance for 1 week. (That comment was made at the meeting of July 12, 1955).

On motion of Councilman Williams, seconded by Councilman Curran, the item was continued to meeting of July 21, 1955.

Communication from John Amos Fleming, attorney at law, 5658 Wilshire Boulevard, Los Angeles 36, dated July 12, 1955, relating experiences in connection with a traffic signs leaving Freeway 395 to get onto Washington, was presented. It speaks of arrest, and suggests improving the traffic signs.

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

Petition of Convair Recreation Association, dated June 6, 1955 - signed by 248 members - urging that work on Torrey Pines Golf Courses be started immediately, was presented.

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

Communications  
Application for cabaret  
Petition  
127494 - 127496



Petition of "citizens of San Diego" - signed by a great many individuals - dated July 7, 1955, urging the Council to make the proposed golf courses on the old Camp Calland land public golf courses, run by the City for all citizens of San Diego, was presented.

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

RESOLUTION 127497, directing notice of filing of assessment 2382 and of time and place of hearing thereof, for paving and otherwise improving Alleys Block 12 Normal Heights, Resolution of Intention 118275, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127498, directing notice of filing of assessment 2384 and of time and place of hearing thereof, for installation of sidewalks in Pacific Beach Drive, Resolution of Intention 122089, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127499, directing notice of filing of assessment 2383 and of time and place of hearing thereof, for installation of sidewalks in Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Hubner Road, Resolution of Intention 119787, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 127500, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving and otherwise improving Alleys Blocks 22, 23 and portion between Blocks 22 and 8 La Jolla Park, Resolution of Intention 126081, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 10.1% below the estimate.

RESOLUTION OF AWARD 127501, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract for paving and otherwise improving 53rd Street, Resolution of Intention 126082, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 3.6% below the estimate.

RESOLUTION 127502, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Northwesterly and Southeasterly Alley Fort Stockton Heights, Document 516151; approving Plat 2740 showing exterior boundaries of 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127503, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Landis Street, Document 516153; approving Plat 2748 showing exterior boundaries of district of 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127504, approving plans, drawings, typical cross-sections, pro-

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files and specifications for paving and otherwise improving Wunderlin Avenue, Document 516148; approving Plat 2754 showing exterior boundaries of district to be included in 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127505, for paving and otherwise improving Alley Block 247 Pacific Beach, and Public Right of Way in Lot 26, Resolution of Intention 126726, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127506, for paving and otherwise improving Morrell Street, Resolution of Intention 126629, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127507, for paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street and Boston Avenue, Resolution of Intention 126727, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 127508, for closing Magnolia Avenue and Lime Avenue, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 127509, closing certain streets in Rosedale - Map 826 - adjacent to Montgomery Field, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 127510, directing notice inviting sealed proposals for furnishing electric current in San Diego Lighting District 1, for 11 months and 16 days from and including June 15, 1955, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 127511, for paving and otherwise improving Alley Block 6 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127512, for paving and otherwise improving Northwesterly and Southeasterly Alley in Fort Stockton Heights, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127513, for paving and otherwise improving Landis Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127514, for paving and otherwise improving Wunderlin Avenue, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127515, ascertaining and declaring wage scale for paving and otherwise improving Garnet Street and Pendleton Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127516, ascertaining and declaring wage scale for paving and otherwise improving La Jolla Shores Drive, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127517, for installation of sewer mains in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127518, approving diagram of property affected or benefited by work of improvement to be done on paving 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; directing Clerk of the City 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 Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127519, approving diagram of property affected or benefited by work of improvement to be done on Alley Block A Sunset Crest, Resolution of Intention 121401, 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 it certified to Superintendent of Streets, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127520, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alley Block 2 Swan's Addition, Resolution of Intention 122085 and to be assessed to pay expenses, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127521, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alley Block 13 Swan's Addition, Resolution of Intention 122086 and to be assessed to pay expenses, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127522, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Taft Avenue and Bellevue Avenue, Resolution of Intention 122545 and to be assessed to pay expenses, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127523, granting petition, Document 516020, for curbs and sidewalks as required on Alley Block 14 Bird Rock City By The Sea and Block 14 La Jolla Hermosa, including portion of Bird Rock Avenue as required; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including installation of sewer laterals if required, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

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RESOLUTION 127524, granting petition, Document 514490 for paving and otherwise Alley Block 2 Normal Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited, including installation of sewer laterals if required, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127525, granting petition, Document 514805, for paving and otherwise improving Alley northerly of and contiguous to Block 187 Pacific Beach (and southerly of Block B Congress Heights 2); directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including sewer laterals if required, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127526, granting petition, Document 514368, for paving and otherwise improving North and South Alley Block 192 Pacific Beach; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including installation of sewer laterals and water services if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127527, granting petition, Document 513963, for paving and otherwise improving Alley Block 64 University Heights; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses of including installation of sewer laterals if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127528, granting petition, Document 513962, for paving and otherwise improving Alley Block 2 Wilshire 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, including installation of sewer laterals and drainage structures if required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127529, granting petition for installation of sidewalks on streets in Bay Park Vista Unit 3; 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 Schneider, adopted.

RESOLUTION 127530, granting petition for paving and otherwise improving Columbine Street, Document 516022; 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 115649 for improvement of Modesto Street, Sumac Drive and other streets, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127531, granting petition for paving and otherwise improving Franklin Avenue, Document 516021; directing City Engineer to furnish description of assessment

district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; including installation of water services if required, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127532, granting petition for paving and otherwise improving Howard Avenue, Document 515070; 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 Williams, adopted.

RESOLUTION 127533, granting petition for paving and otherwise improving Menlo Avenue, Document 513918; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including various improvements on portions; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution 122569 for improvement of portions of Thorn Street, Myrtle Avenue and 46th Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127534, granting petitions for paving and otherwise improving Mildred Street, Eureka Street, Ruby Street, Documents 496258 and 513919; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected by and to be assessed to pay costs, damages and expenses; directing City Engineer to consolidate assessment with assessment district heretofore ordered by Resolution 117923 for improvement of portions of Lauretta Street, Riley Street and other streets, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127535, granting petition for installation of sidewalks on Nelson Street and Kerch Street, Document 515071; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution 117805, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127536, granting petition for paving and otherwise improving Van Dyke Avenue, Document 511079; 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 Williams, adopted.

Communication from Harbor Department, dated 24 June 1955 - which had been continued from previous meetings - submitting form of lease with United States Navy, was presented again. Lease covers 158,820 sq. ft. of land on Harbor Drive at foot of Pacific Highway - for 3 years at 4¢ per sq. ft. per year, to be used for parking of automobiles belonging to employees of the U.S. Naval Air Station, North Island.

RESOLUTION 127537, ratifying, confirming and approving lease of tidelands with United States Navy, for 1 year with yearly options to renew until 30 June 1958, copy filed as Document 515168, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, dated 15 July 1955, enclosing form

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of Consent to Assignment of Cabrillo Marine, Inc. lease, was presented. It identifies premises on Byron Street, used for construction and repair of small boats. It says buildings, ways and equipment have been sold by Cabrillo Marine, Inc. to Floyd L. Chaffee and Vera G. Chaffee, general partners, and that the Chaffees have been tenants of the Harbor Department for many years, operating ship yard on Belt Street near Foot of Crosby.

RESOLUTION 127538, ratifying, confirming and approving Assignment, copy filed as Document 516808, entered into between Cabrillo Marine, Inc., a corporation, Assignor, and Floyd L. Chaffee and Vera G. Chaffee, doing business under name and style of Chaffee Machine Company, Assignee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, dated 15 July 1955, enclosing form of Agreement with Traffic Consultant, C. E. Jacobson, covering services to be rendered for fiscal year 1955-1956, was presented. It states there is to be daily compensation of \$40.00 plus traffic expenses, and that contract covers approximately 25 days during the fiscal year.

RESOLUTION 127539, authorizing and empowering Harbor Commission to employ C. E. Jacobson as Traffic Consultant, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, attaching for approval form of Agreement for Amendment of National Marine Terminal tideland lease, was presented. It says amendment adds a 50-foot strip on the 28th Street Pier to the National Marine lease, together with 220,450 sq. ft. of water area, and rentals have been increased proportionately. It says addition of land and water area is necessary to provide for expanding repair facilities to handle large vessels, especially those belonging to the U.S. Navy. Communication says that since a building located in the 50-foot strip is presently occupied by other tideland tenants, the Harbor Department is planning construction of a new building at inboard end of 28th Street Pier, and that to help defray cost of construction, National Marine Terminal has agreed to prepay the first 31 months' rental in amount of \$14,500.

RESOLUTION 127540, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between The City of San Diego and National Marine Terminal, Inc., was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, attaching for approval form of lease to be granted to National Steel and Shipbuilding Corporation, was presented. It says lease covers 28th Street Pier with right to operate parking lot on the premises, is for 5 years, but premises may be modified at any time upon 48 hours' notice to provide for handling cargo on the pier. Communication says that to assist in construction of new landing at inboard end of 28th Street Pier, National Steel has agreed to pay \$250.00 per month, plus 40% of receipts derived from operation of parking lot; in addition National Steel has agreed to make available the full 5 years' basic rental of \$15,000.

RESOLUTION 127541, ratifying, confirming and approving lease, copy on file in office of City Clerk as Document 516816, between The City of San Diego, acting by and through Harbor Commission, as Lessor, and National Steel and Shipbuilding Corporation, as Lessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, attaching for approval form of Agreement amending Ryan Aeronautical Company lease, was presented. It says agreement adds tideland area between existing property line and Winship Lane to the west; area totals 135,430 square feet and is being rented at rate of  $4\frac{1}{2}\%$  per square foot per year - rental subject to review at each of 5-year option periods. Premises will be used for parking of employees' cars, and expansion of plant operations.

RESOLUTION 127542, ratifying, confirming and approving Agreement for Amendment of Supplemental Lease Amendment, Amendment No. 1, copy of which is on file in Office of City Clerk, Document 516819, between City of San Diego, Lessor, and The Ryan Aeronautical



Co., a private corporation organized and existing under and by virtue of laws of State of California, Lessee, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127543, authorizing and empowering City Manager to do all work in connection with installation of necessary water connections, and sterilization of same, in connection with installation of Chollas Pumping Plant and Redwood Village Pipeline, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127544, authorizing City Manager to employ Griffith Company to resurface intersections of Trumbull Street and Hill Street with Akron Street with 662.3 square feet of A. C. resurfacing, in connection with improvements of Akron Street under 1911 Street Improvement Act proceeding; cost not to exceed \$66.23, payable from Ordinance 5341 (New Series), was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127545, authorizing City Manager to employ R. E. Hazard Contracting Co. to do work at Wawona Drive and Capistrano Street, in connection with 1911 Street Improvement Act proceedings on Wawona Drive; cost not to exceed \$99.44, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127546, authorizing City Manager to accept work on behalf of The City of San Diego in College View Estates Subdivision and to execute Notice of Completion and have it recorded - Plans and specifications, Document 495463 - was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127547, authorizing City Manager to accept work on behalf of The City of San Diego in College View Estates Unit No. 2 Subdivision and to execute Notice of Completion and have it recorded - Plans and specifications, Document 502520 - was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127548, authorizing City Manager to accept work on behalf of The City of San Diego in Rancho Cabrillo Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127549, authorizing and empowering City Manager to enter into contract with J.C. LaForce as Agricultural Consultant for period beginning September 1, 1955, and terminating June 30, 1956, at monthly compensation of \$200.00 under terms and conditions set forth in form of agreement filed as Document 517176, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127550, 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 Lots 1 & 2 Block 14 Electric Line Addition (Also known as: Parcel No. 11-37-4 & 5), was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

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RESOLUTION 127551, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 9 to 12 inclusive in Block "A" in Week'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 of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127552, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northerly 5.0 feet Lot 21 Block C Starkey's Prospect 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 of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127553, 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 8 Block D Garden Grove, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127554, 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 40 Block 13 Floral Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127555, directs Property Supervisor to file pet. with Supervisors requesting cancellation of taxes, penalties and deeds on Sly 15 ft Lot 4 Block 6 Homeland Villas, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127556, 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 Westerly 24-1/2 acres Lot 2 Pueblo Lot 1209, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127557, authorizing and empowering City Manager to do all work in connection with installation of necessary water connections, and sterilization of same, in connection with installation of small water main replacements, Group 21, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127558, granting revocable permit to Eugene M. Hannah, 3510 Buena Vista, San Diego 9, to install and maintain a 3/4" galvanized water line, over, under and across south 100 feet of Lot 11 Oak Park Annex, 2' from property line in Wightman Street, west from 52nd Street for 130 feet, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127559, granting Nelle A. Jones, 4316 Central Avenue, San Diego 16, revocable permit to install and maintain a 3'9" Redwood Fence over and across Central Avenue in front of Lots 29 and 30 Block 49 Olive Hill, 4320 Central (Zone R-4), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127560, granting revocable permit to W. J. Morrow, 3481 Madison Avenue, San Diego, to install and maintain private 4" cast iron sewer lateral, under and across 35th Street from owner's property to City sewer main at Madison Avenue and 35th Street: East 50 feet of west 100 feet Lot 28 Block 55 Normal Heights, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127561, granting revocable permit to Billie D. Rustin, 1617 Thomas Street, Pacific Beach, San Diego, to install and maintain private 3/4" G.I. pipe water line under Moultrie Street from Lots 17, 18, 19 Block 6 American Park, 3621 Moultrie Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127562, authorizing Edward M. Hall, Transportation Research Director of The City of San Diego to attend seminar on urban transportation planning to be conducted by University of California, Institute of Transportation and Traffic Engineering, at Berkeley, California, August 3, 1955, and to confer with State Division of Highways in Sacramento, California, on August 4 and 5, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127563, approving claim of Rex C. Chrisman, Document 516372, in amount of \$38.32; directing City Auditor & Comptroller to draw warrant in favor of Rex C. Chrisman, U.S.S. Jason, ARH-1, 6th Div., c/o F.P.O., San Francisco, California, in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127564, denying claim of Mrs. D. L. Tucker, Document 515795, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127565, accepting Quitclaim Deed, executed by Kearny Mesa Trailer Villa, executed 7th day of July, 1955:

One 6-inch Hersey F.M.C.T. Meter #3079074;

One 6-inch Hersey Detector Check Valve,

presently installed at 5199 Kearny Villa Road, San Diego 11; authorizing 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 127566, accepting subordination agreement, executed by San Diego Trust and Savings Bank, beneficiary, and San Diego Trust and Savings Bank, trustee, bearing date July 11, 1955, subordinating all their right, title and interest in and to portion Acacia Drive (now Reno Drive) closed, 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.

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RESOLUTION 127567, accepting deed of Helen F. Ryan, David H. Ryan, Donald J. Ryan, Richard J. Ryan, Theodore V. Ryan and San Diego Trust and Savings Bank, June 30, 1955, conveying easement and right of way for public purposes in portion Lots 101 through 108; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127568, accepting deed of Helen F. Ryan, David H. Ryan, Donald J. Ryan, Richard J. Ryan, Theodore V. Ryan and San Diego Trust and Savings Bank, June 30, 1955, conveying easement and right of way for purposes in Acacia Drive (now Reno Drive) closed by Resolution 31550; 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 Burgener, seconded by Councilman Schneider, 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 prior to day of final passage written or printed copy.

ORDINANCE 6586 (New Series), adopting a "Torrey Pines Golf Course, Park and Recreation Plan" as part of The Master Plan of The City of San Diego, particularly affecting area lying in Pueblo Lots 1323, 1324, 1325, 1326, 1330, 1331, 1332, 1333, 1336, 1337, was on motion of Councilman Burgener, 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 Schneider, 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 prior to day of final passage written or printed copy.

ORDINANCE 6587 (New Series), incorporating portion of Block 183 and all Block 202 Pacific Beach, into C-1A Zone, as defined by Section 101.0411.1 of The San Diego Municipal Code, and repealing Ordinance 119 (New Series) adopted January 3, 1933, insofar as it conflicts, 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.

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 each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6588 (New Series), establishing grade of Alley Block 23 Ocean Beach Park, between northwesterly line of Froude Street and southeasterly line of Ebers Street, 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 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 each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6589 (New Series), establishing grade of Alleghany Street, between westerly boundary of The City of San Diego at Rachael Avenue and northwesterly prolongation of southwesterly line of Reo Drive, 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 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 each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6590 (New Series), establishing grade of Calle Quebrada, between northeasterly line of Calle Tres Lomas and northeasterly prolongation of southeasterly line Lot 27 Block 7 Tres Lomas Subdivision, 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 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 each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6591 (New Series), establishing grade of Calle Tres Lomas, between southerly line of Tres Lomas Subdivision, and northwesterly line of Cumberland Street, 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 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 each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6592 (New Series), establishing grade of Roanoke Street, between westerly line Calle Tres Lomas and easterly line of Winchester Street, 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 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 each member of the Council prior to day of final passage written or printed copy.

ORDINANCE 6593 (New Series), establishing grade of Treat Street, between westerly line of 28th Street and southerly prolongation of westerly line of Lot 15 Treat Addition, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, 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, read-

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

ORDINANCE 6594 (New Series), establishing official property line grades on portions of Grape Street, Sultana Street, Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Silk Place, 54th Street, 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 Burgener, seconded by Councilman Williams, Ordinance amending Article 2 Chapter III of The San Diego Municipal Code by amending Sections 32.07 and 32.15.6, Regulating Sales Tax, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Burgener, Ordinance dedicating for public use a public highway contiguous northwesterly to U.S. Highway 395, across portions of New Riverside, The Highlands and Lots 71 and 72 Rancho Mission (Between Linda Vista and Camp Elliott) and naming it Kearny Mesa Road, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:43 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Clay W. Burgener*  
Mayor of The City of San Diego, California



## REGULAR MEETING

Chamber of the Council of the City of San Diego,  
California, Thursday, July  
21, 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 10:03 o'clock A.M.

It was announced that items would be taken up in order differently from the way the agenda was written. He said that the 3rd item would be considered first; then item 2, the first item would be heard later.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed zoning of the Western Salt Company Tract, annexed to the City in April of this year, communication from Planning Commission, by P. Q. Burton, was presented. It states the Commission initiated the zoning plan in consultation with representative of the owner of the entire tract. It identifies property as being located at south end of San Diego Bay, and consists mostly of salt beds or ponds, and is under water a large part of the time. The report says that owner requested M-2 zoning for entire area, but it was pointed out that property was zoned M-1 for the most part by the County prior to annexation, with some zoned E-2A by the County. It makes detailed recommendation, by vote of 5-0 to adopt zoning as shown on accompanying plat.

The Planning Commission letter was read to the Council.

At the request of Councilman Schneider, a portion was re-read.

The Mayor inquired if anyone was present to be heard. No one appeared to be heard, and no communications were filed.

RESOLUTION 127569, requesting City Attorney to prepare and present necessary ordinance to zone newly-annexed area known as "Western Salt Company Tract", in accordance with City Planning Commission recommendation, Document 517177, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, reporting on bids for various cars and trucks - for Police, Fire and Public Works Departments - which item had been continued from time to time, was presented again.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the item was continued another week - to July 28, 1955.

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 intersections of 2nd Avenue at "C" Street and Kettner Boulevard at "B" Street - \$11,465.00 - 3 bids - was presented.

RESOLUTION 127570, accepting bid of Ets-Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems at intersections of Second Avenue at "C" Street and Kettner Boulevard at "B" Street; 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 Kerrigan, seconded by Councilman Burgener, adopted.

Meeting convened  
Hearing (zoning)  
Purchasing reports  
127570

Report of Purchasing Agent, with City Manager's approval, on low bid of Griffith Company for Widening Ash Street between Pacific Highway and Kettner Boulevard - \$27,163.65 - 4 bids - was presented.

RESOLUTION 127571, accepting bid of Griffith Company for widening Ash Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of Pace Construction Company for construction of storm drain in Lots 26, 27, 28, 29, 30 Block 68 City Heights - \$1,648.00 - 6 bids - was presented.

Report says City Engineer's estimate was \$1,200.00, but states it is difficult to estimate closely on small job; high bid was \$3,760.00.

RESOLUTION 127572, accepting bid of Pace Construction Company for construction of storm drain; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract with Pace Construction Company, pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of George C. Punton for cleaning and painting 3 bridges in Mission Bay - on Ventura Boulevard and Ingraham Street - \$3,477.00 - 3 bids - was presented.

RESOLUTION 127573, accepting bid of George C. Punton for cleaning and painting 3 bridges in Mission Bay; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's approval, on low bid of A. W. Thorpe for improvement of Sunset Cliffs Boulevard from Adair Street to Hill Street - \$5,989.50 - 4 bids - was presented.

RESOLUTION 127574, accepting bid of A. W. Thorpe for improvement of Sunset Cliffs Boulevard; 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.

RESOLUTION 127575, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Storm Drain in Moore Street and California Street and to San Diego Bay, Document 517146; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Glenn A. Rick, City Planning Director, reporting that at the last meeting members voted to recommend approval of request of Board of Zoning Adjustment, copy of which is attached, was presented. It says that Board of Zoning Adjustment believes that 10 items within its jurisdiction can well be transferred to the Zoning Administrator. It outlines the present procedure.

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

Copy of letter from Glenn A. Rick, City Planning Director, addressed to the City Planning Commission, dated July 18, 1955, was presented. It submits resignation, for the purpose of entering private practice as a City Planning Consultant. It speaks of accomplishments, his associations, and looks forward to pleasant future contacts with City officials. It states that in addition to maintaining a consulting office, Mr. Rick is fortunate to have been asked by Mr. William Black of La Jolla to be associated with him in development of his extensive real estate holdings.

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

Copy of letter from Ralph Bahlavooni, 5814 Lynn, San Diego 5, dated July 19, 1955, addressed to Councilman George Kerrigan, was presented. It shows that carbon copies had been sent to the City Clerk, each member of the Council, and to the Mayor. It urges placing on the ballot for consideration in the spring elections raises in salary for "your group".

RESOLUTION 127576, referring to Council Conference communication from Ralph Bahlavooni, Document 517011, recommending that salary of the Mayor be increased to \$10,000.00 and salary of each Councilman be increased to \$5,000.00, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from William Blake, 2168 McKnight Dr., Lemon Grove, Calif., dated July 14, 1955, expressing need for good Civic Auditorium and a real Baseball Park, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Curran, it was referred to the Mayor for reply.

Communication from Freeland, Peterson & Evenson, 639 Spreckels Building, San Diego 1, dated July 8, 1955 - which had been continued from meetings of July 12, 1955, and from July 19, 1955, was presented again.

It asks, on behalf of Charles Richardson, reconsideration of and clarification of Item 1 Resolution 125810 which approved tentative map of "Canyon View", a 6-lot subdivision of portion Pueblo Lot 1256. It quotes Item 1 of the resolution, which has been interpreted to mean that Mr. Richardson must acquire and dedicate property owned by others. It says that if it is correct, it must be pointed out that it is impracticable and probably impossible for subdivider to accomplish. It requests rewording of Item 1, and that if it is reworded it will be necessary to reword Item 2.

Louis Karp, attorney, identified the property as a 6-lot subdivision in Muirlands: 2 1-acre; 4 1/2-acre sites. He said that Mr. Richardson wants to give only 25 feet. He read answers from property owners to letters written to them. He said only 1 has already filed, with 25 feet dedicated. He said the City owns portion on Camino del Teatro. He said that 2 of the owners want to have privacy - and have it (so don't want the street dedicated. Mr. Karp spoke of the owner wanting to go ahead with the subdivision - for 25 feet.

City Attorney J. F. DuPaul told the Council the item should be referred to the City Manager.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on 3 petitions of property owners requesting that portions of Pueblo Lots 1202 and 1203 be rezoned from R-1 to C-1A and RC-1A zones, was presented. It states that property lies at north boundary of Chesterton, above Linda Vista and between Linda Vista Road and U.S. Highway 395, or Cabrillo Freeway. It says same land is involved in the petitions as was involved in a similar group of petitions before the Council January of 1955. Report says it concerns 3 parcels of land: first petitions requests that 5-acre parcel of land immediately north of Chesterton be rezoned C-1A; second petition requests that 5.4-acre parcel just north of the first parcel be rezoned C-1A (and the owner proposes to build a "super-market" on the land; third petition requests that parcel of land northerly of first

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2 parcels, be rezoned RC-1A, and is about 7.5 acres in area. It states the Planning Commission heard arguments in favor and opposed; both sides were represented by attorneys; after 2 hours, the Commission closed the hearing and asked for report by City Planning Director. It says the Planning Director reported that his recommendation is along the same lines as his recommendation at the previous hearing, because he felt no material changes had taken place in the area. According to the report, the Director recommended that proposed rezoning be approved on following conditions:

1. That property in question all be rezoned RC-1A, rather than C-1A, as requested in 2 of the petitions;
2. That northerly 200 feet of area be deleted from proposed rezoning;
3. That owners give up all rights of ingress and egress to U.S. Highway No. 395;
4. That rezoning not be effective until each owner has filed a final subdivision map on the property in question.

It states that all of the owners of the property concerned in the rezoning agreed to the above conditions.

It reports that the Commission voted 3-2 to rezone the property as recommended by City Planning Director, that 3-2 vote constitutes report only and not a recommendation - so it will require 5 affirmative votes of the Council to adopt the rezoning ordinance. It states that property is now R-1 under Ordinance 13457.

The letter just referred to, was read to the Council by the Clerk.

Mayor Dail said that the report was had, that he wants to limit the hearing to 1 hour - 20 minutes each side, and rebuttal.

After the report, and the Mayor's announcement, the hearing which had been held up awaiting Beryl Phelps, engineer, at the request of Frank Frye, attorney, began.

Mr. Frye identified himself as attorney for Safeway Stores and others.

Mr. Frye posted maps on the wall. He said he realized that this is a repeat performance for a portion, but that there are 3 new members of the Council who had not heard the previous presentations. He stated that this item is vital to Safeway, in that a new location is needed. He reviewed the previous appearance, the recommendation and the report. Mr. Frye said that the new report recommends the granting, by Mr. Rick and the Planning staff, with conditions. He said 5 votes of the Council are needed. He declared that it is good planning to grant the petitions, in the best interests of the petitioners and others.

Beryl Phelps pointed out on the map regarding the locations of Sharpe Memorial Hospital and Linda Vista Road. He told of having agreed to cut off a strip. He spoke of request for another zoning. He referred to 6,000 feet for shopping. Mr. Phelps says it is proper distance between major shopping center and community shopping center. He said that the schools and others had felt that a shopping center should not be located across from the school. He told of the property having been purchased long ago. He said there have been no new conditions. He read a letter from the Postmaster regarding trying to get a station in the area. He read a Highway letter, regarding there being no objection - if a portion is eliminated. Mr. Phelps told of having filed another subdivision for 102 lots, another 100 houses, another 50 - 80. He said about 6,485 people are to be there, if all build. He referred to the demolishing of Linda Vista housing, on which property there is going to be re-building. He said if it is granted, there will be a subdivision map filed and roads dedicated as well as improved at no cost to the City.

Councilman Schneider spoke to Mr. Phelps from the map. Mr. Phelps pointed to a portion to be RC-1A, and strip being given up as access to Highway 395. He spoke of taking of a 200-foot strip.

Mayor Dail spoke to Mr. Phelps about the amount of home building on the Tentative Map.

Mr. Phelps replied that there are 1,128 lots on the Tentative Map, that houses are being constructed on a portion; a portion is to come - ready to go.

Mayor Dail spoke to Planning Director Glenn Rick.

Mr. Rick said he can't answer about all, on account of the many subdivisions.

Mr. Phelps spoke to Mr. Rick regarding the completed maps, etc.

The Mayor pointed out that until final maps are filed, there is no assurance that the property owners "will go ahead".

Mr. Phelps said that final plans are being completed on same; some are finished. He estimated the time on them as being a year to a year and a half.

Milton Heller, Division Manager for the Southern half of Southern California and Nevada, for Safeway, spoke next. He said the company is on a program of rehabilitation and replacements. Mr. Heller stated that National City store is being abandoned; in Linda Vista it is the same situation. He told of wanting to abandon the temporary structure Vista

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built by the government (in Linda Vista). He described it, and of wanting a new building and facilities, modern and with parking. He expressed appreciation for the time given by the City to the proposal. He asked for consideration of the matter as a favorable action.

Councilman Curran spoke to Mr. Heller about construction.

Mr. Heller told about having preliminary plans, which have to be revamped, in that needs change from day to day. He said they are in the mill, and will be processed in the usual way. He told of having to file a subdivision map.

Eugene Glenn, attorney, representing Frost interests, was heard. He said that Safeway has acquired more site. He told the Council that the Frost family has owned the land for 50 years. He referred to the Planning report. Mr. Glenn stated that the City Attorney had said that the zone ordinance was adopted in 1932. He declared that it was put in cold storage. He spoke of being in for the first time looking to see how it should be zoned. He expressed the belief that the best use is commercial, and of being willing to being restricted commercial. He stated that the property is no good for residential use, being between 2 highways. He said that storage is to get no opposition from adjoining property owners. He declared that the only opposition is from competitors. He said that request from others is to keep the property in cold storage, so as not to permit property to be developed for competition. Mr. Glenn said that the people are entitled to up-to-date, first class shopping center. He referred to Supreme Court having commented on the right to zone. He read a ruling. He said that projected plans do not threaten the community. He spoke of a recent case in the Supreme Court, regarding no monopoly. He said some don't want competition. He said they are asking the City to prevent competition through zoning. Mr. Glenn said that it is a reasonable request for rezoning. He concluded "let competition come".

Councilman Williams spoke to Mr. Glenn, referring to himself as a limited expert in the field (he is president of the Piggly Wiggly Stores).

Mr. Glenn pointed out the location on the map. He showed, also, what was given to the State, and spoke of having given up right of way. He referred to being willing to dedicate road. Mr. Glenn said that portion has been eliminated - as a buffer zone. He said the 200 feet will stay residential. He continued to answer questions put to him by Councilman Williams.

John D. Butler, attorney, representing Roy's Big Ace and Big Bear Markets, spoke next. He spoke of the rezoning having come up first in November of 1954, again in December of 1954 on appeal. He said final action was in January of 1955. He said there was full hearing, and action. Mr. Butler said it was up again, with respect to performance. He declared the City should be bound by the precedent as of January, 1955. He said if not, the item is going to be subject to constant review. Mr. Butler told the Council that there has been no significant change, since December 1954 and January 1955. He spoke of having drawn analogy to a zone variance. He said this should be guarded closely. He outlined what has to be found if property is to be rezoned. He said that the Council had felt (in earlier proceeding) that R-1 was proper, and that the property could be so used.. He asked if it is found not proper for R-1, what can be given. He said that the request is for complete disruption. Mr. Butler declared that the commercial area in Linda Vista is sufficient. He said that since it had been so determined in January, the Big Bear in Cabrillo Heights has been developed. He showed a map.

Councilman Evenson spoke to Mr. Butler.

Mr. Butler replied about being largely commercial zone in Cabrillo Heights and in Magnolia Downs. He said motion was made and passed by the Council. He read the Resolution on the subject. Mr. Butler said that the item was referred to Planning in Magnolia Downs, but that report thereon was not made. He said that request to conduct Magnolia Downs survey was not made.

Mr. Rick interposed that it was premature, they are waiting for several phases of development. He said that study and decision should await development on the entire Mesa. He said that there has been significant development. He said he is familiar with the flight pattern. He referred to the Council having appropriated money for an air study. He stated that there will be significant changes based on that report. He said that statement by Mr. Heller are a little reverse of previous statements. He said the Council should await the determination. Mr. Rick said that in a zone change, the Council loses control. He declared the petition to be untimely, and asked that it be filed.

James Hager, attorney, representing developers in Cabrillo Heights and Magnolia Downs, spoke. He pointed out areas on the map. He said Cabrillo Heights business are is going into full bloom: Big Bear market has opened, and represents \$225,000. He said the Magnolia Downs is not developed, and not needed. He told about area sought to be rezoned on 20 acres. He said it is a community center, and wondered from where they would



draw. He said it is a matter of community planning. He stated that the population, since the item was last before the Council, has declined 11% - except in Clairemont - according to meter installations. He added that since March, it has dropped 28%, due to rapid depopulation of Linda Vista. Mr. Hager stated that there are 1,400 to 1,800 vacancies. He said that from 3 to 5 years is optimistic regarding the repopulating of Linda Vista. He showed on the map where proponents say they would draw from. He said that Federal Housing declines to guarantee any housing north of Baltic Street. He said that the Veterans' Administration holds the same view, on account of the uncertainty in connection with the flight patterns. He said there is good talk that there will be development as an industrial area. Mr. Hager declared that the existing area is well supplied. He said that Safeway, before the Planning Commission, said it will do \$5,000,000 business per year. He read a letter from Ewart Goodwin which said it would be transfer of money to pockets of the owners. Reference was made to the granting of a zone variance which would not serve. The letter said that in no sense would it be a major shopping center, that it would benefit Safeway and other 2 owners, to the detriment of other property owners. He said the present center is only 600 feet from the high school. He spoke of proximity to the Sharpe and Childrens' hospitals. Mr. Hager quoted comments made by Mr. Lundy in the Planning Commission hearing.

Next, the Mayor invited rebuttal.

David Paine, attorney, spoke for doctor on only the southerly-most area. He said that the opposition comes from the commercial interests; there are no protests from the residents. He told of having filed petitions in the other hearing of more than 1,000 signatures. He stated that the people want it, and that the rezoning of the property should be done in the center of the population area. Mr. Paine said that population is moving to the north. He said that Mr. Cotton, who owned the property formerly, never was able to find a buyer for commercial use. He said Mr. Butler suggests that a study should be made. Mr. Paine declared that this is an excellent, suitable site. He pointed to a posted map, regarding roads. He said that it is the hub - the entire heart of Kearny Mesa. He said that this can service the entire eastern half. He stated that a study was made in 1952.. He pointed to a map, and said that the school was opposed - but not to this site. Mr. Paine said he knows it will not remain a prairie. He declared that eventually thousands of people will be employed on the Mesa. He said too great an area was zoned in the first place. He told the Council that people who live to the north never shop in Linda Vista; they will go to North Park and elsewhere. He said that the population is moving north. He said that due to the moving, population will be up. He spoke of thinking 5, 10, 20 years in the future. He said it will be an area of solid population, and that it will service people north of Baltic. Mr. Paine told of trailer park having gone in, with some 2,000 people. He said that it will serve Miramar people, thousands of whom will be employed there. He spoke of the highly-colored map as being aborted. He said that the hillsides are the first to be developed. He spoke of the City offering land for sale. Mr. Paine declared there is room for more business in the area; Safeway can't wait for the studies.

Floyd Rydalch, who owns property in Magnolia Downs - and lives there - spoke next. He pointed to a site on a map, and said people have asked him to let it be known that they are desirous of the R-CLA zoning. He said that the Linda Vista shopping center is not first class, and that he and others would prefer more choice. He requested that the Council grant the rezoning. He said that there is lots of smoke in the air by both parties, which is apparently the function of attorneys. He stated that he is an engineer. Mr. Rydalch said he "looks at it now". He said there will be competition; he is for it, but owns no property there. He stated that north of Baltic there is advertising there is no down payment required. He said that petition was circulated in Magnolia Downs, Cabrillo Heights and Vista Heights requesting the rezoning. He said there are 4 markets in Linda Vista, that if Safeway goes out there will be 1 more.

Next, the Mayor invited rebuttal from opponents.

Eli Levenson, attorney, representing Linda Vista Development Co. and some 15 merchants in the Linda Vista area, spoke. He expressed concern regarding the tearing apart, for private interests. He spoke of importance to pioneers in the Linda Vista area. He spoke from what he referred to as the "so-called abortive map". He said the present Linda Vista commercial area is the hub. Mr. Levenson said that the proposed area is to the north - not centrally located. He said 50% of the commercial area is utilized in Linda Vista. He said the Council should keep in mind the necessity. He stated that the entire Linda Vista area was developed as Government Housing, and that the leases contained conditions. He said that it has been impossible to make changes. He told the Council that in January of 1956 leases expire, and that then changes can be made. He spoke



of uncertainty in connection with the flight pattern. Leases had to be assured by private enterprises, according to Mr. Levenson. He said the Bank of America has purchased property in the Linda Vista Center for a 2-story modern bank, and there is a lease for a Thrifty Drug store. He told of statements before the Planning Commission and the Council twice of looking toward the future. He asked if it is conceivable, on account of uncertainty, regarding spot zoning now. He declared that the proposal is not good planning and zoning. Mr. Levenson spoke of the tremendous investments which have been made. He said he respects Mr. Phelps, but does not agree with his statements. He said that good zoning dictates that one cannot give up rights because somebody else wants to be added. He said it has been pointed out from maps that it would be difficult to develop in the arroyos. Mr. Levenson told the Council that Safeway Stores are being charged with being monopolistic in tendencies. He repeated it is not proper zoning; it is pre-mature.

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

Councilman Burgener said that in consideration of the new Councilmen, others should be heard.

Councilman Schneider spoke of ladies present, who had come here as citizens.

Responding to Councilman Schneider's comment, an unidentified woman stood at the back of the room, and said she is for it.

Councilman Williams spoke to Mr. Heller about different figures on the anticipated and actual business.

Mr. Heller said that the estimated figure is between 5 and 6 millions, but that they would be happy if only 25% of that.

Councilman Williams asked about the approximate volume and employees.

Mr. Heller replied about 25 employees. He spoke of operating in the area now; it would not be new competition. He said there would be parking for 225 cars, instead of 20 now, and added between \$400,000 and \$500,000.

Councilman Williams spoke to opponents about when Magnolia Downs commercial area was developed.

A man, identified later as Wm. W. Murray, said that it is not developed yet.

Councilman Burgener asked an unidentified woman what she had in mind.

Mrs. Joan Anderson spoke of not wanting commercial property next to the school. She said that's what Magnolia Downs proposes.

Councilman Curran stated that it is difficult to be consistent. He spoke about planning regarding a buffer strip and a pyramid. He wondered why they were left out, and why left R.

Mr. Rick said that is regarding an entirely different conception of kind of business. He spoke of show-string type business, formerly, whereas it is now developing into shopping centers. He told the Council that Safeway has abandoned stores in strip areas, in that they are going to the new concept. He said portions of areas are going down to practically nothing because there would not be parking, some has been due to housing removal.

Mr. Heller answered Councilman Burgener regarding 5 sq. ft. (of store area) for parking. He spoke of having asked for another area.

Mr. Paine said that medical center, smaller retail and parking is on a basis of minimum 3-1 parking.

Councilman Curran asked if a medical center is compatible with the hospital.

Mr. Paine said that the doctors have just signed a new lease.

Mayor Dail asked if on the proposed Postoffice lease, it is pinned down.

Don D'Agostino spoke of having escrow for the postal facility that may develop. He said that they are just waiting for the zoning. He told of option for sale.

Mr. Levenson had a letter, which he read, regarding proposal for space for postal facilities.

Councilman Curran asked Mr. D'Agostino if there is a definite proposal for Postoffice.

Mr. D'Agostino read a letter from Krenning (William E. Krenning, Postmaster, San Diego), which was addressed to the City Planning Commission. He said that option is in escrow at the Union Title Co., and advised the Council that it can be checked.

There was continued discussion between Councilman Curran and Mr. D'Agostino regarding the postoffice.

Mr. D'Agostino said that bid is in - subject to the rezoning.

RESOLUTION 127577, requesting City Attorney to prepare and present neces-

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sary Ordinance for rezoning portions Pueblo Lots 1202 and 1203, in the vicinity of Linda Vista Road and Highway 395, in accordance with recommendation of City Planning Commission, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed amendment to Rule X of Rules of the Civil Service Commission - regarding absence - Mayor Dail asked it would be satisfactory to set the hearing over, on account of time. The Mayor stated that the Council has to adjourn before 12. He suggested it might be continued to Tuesday.

Councilman Williams said it might be done today; the day is already messed up.

Councilman Curran said 1 Councilman won't be present this afternoon.

Councilman Burgener said that from now to the end of September, there won't be a full Council - except for 1 or 2 meetings. He said this happens every year.

Mary Harvey, Executive Secretary, San Diego Municipal Employees' Association, spoke of effort to get here. She thought it might be heard at 2:00 P.M., today.

Otto Hahn, business representative for City and County Local 127 CIO, said that it is not too fair to set hearings over. He said that the chairman of the Civil Service Commission. He said the Council should consider him.

The Mayor said that request had been made to hold over the hearing. (Mr. Elser, the C.S. Comm. chairman had talked to the Mayor).

Mr. Hahn asked why not have the hearing now.

Mr. Elser said it is not going to take any time. He said that there is addition for the employees' benefit. He spoke of wanting to try the amendment for 6 months - trial and error.

It was agreed to hold the hearing over until 2:00 o'clock P.M., today.

Communication from Louie Jorgensen, 4025 Van Dyke Avenue, San Diego 5, San Diego, dated 7-17-55, was presented. It is relative to damage done by broken water main back of his property.

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

Councilman Williams was excused.

Communication from Otto E. Langer, 5034 Windsor Drive, San Diego 9, referring to item 11 on Council docket of July 14, 1955, asking to be heard regarding reopening of hearing, was presented. It says reason is in the interest of public safety.

(The item was a subdivision map for division of Lot 1 Block 22 North Shore Highlands, which the Planning Commission had recommended for denial, but which the Council approved)

Mr. Langer said that the whole theory is in the interest of public safety. (At the hearing opponents to the division of the property stated that there was a safety item involved in putting driveway on a steep hill).

Mr. Langer said he was interested in public safety.

Mayor Dail asked if the Council wanted to re-open the hearing. He said the vote was taken; the vote taken was conclusive.

City Attorney J. F. DuPaul requested that the letter be referred to the Attorney for report to the Council next Tuesday.

Councilman Burgener asked Mr. DuPaul to meet with Mr. Langer.

The Mayor said the communication will be referred to the City Attorney, and the hearing will not be re-opened.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the communication was referred to the City Attorney for decision if the hearing should be re-opened.

Communication from La Jolla Real Estate Brokers Assoc., by George W. Hearn, president, dated July 18, 1955, was presented. It makes reference to legislature passed as the Grumsky Bill providing penalties for littering streets and highways, and providing for erection of signs calling attention to penalty for dropping such litter. It offers to assist in the program in any way possible.

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

Communication from Joseph F. Medinos, Perry O. Guthrie, W. E. Krueger, as owners of Lots 1, 2, 3 Happy Valley Little Farms, was presented. It requests abandonment by the City of 8-foot easement running easterly and westerly through the property.

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

Communication from George Hamilton Hammon, 1212 Johnson Ave., San Diego, dated July 18, 1955, asking for repairs to surfacing of bridge on Vermont Street, was presented.

On motion of Councilman Curran, seconded by Councilman Schneider, it was referred to the City Manager for report to the Council.

Communication from Sign Contractors Guild of San Diego, 4662 Thirtieth Street, San Diego 16, by John L. Mudersbach, president, per D. J. Elliott, sec-treas., dated July 19, 1955, was presented. The communication, representing 21 sign companies, are organized in endeavor to raise standards of the craft. It offers to help in drafting a better Sign Regulation Ordinance, tells of similar offer to other City Councils in the County, and asks for report of reaction to the letter.

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

Communication from Planning Commission, recommending approval and acceptance of Record of Survey Map for Resubdivision of Lots 100 to 105 Block 2 Fairmount Addition, was presented.

RESOLUTION 127578, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of The San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, addressed to City Manager, recommending that Council pass Resolution authorizing City Manager to execute Notice of Completion in O.D. Arnold's Hazelwood Heights Unit 2 Subdivision, was presented.

RESOLUTION 127579, authorizing City Manager to accept work on behalf of The City of San Diego in O. D. Arnold's Hazelwood Heights Unit 2 Subdivision, and to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127580, establishing parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays excepted:

Both sides of Ash Street, between Kettner Boulevard and Eighth Avenue; authorizing establishment of Parking Meter Zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127581, directing the City Manager, under Resolution 114205 of September 15, 1953, to put into operation Phase I of Oneway Streets in Central Business, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that in connection with the Oneway Plan, the State Division of Highways plans to start construction of rechannalization of Eleventh Avenue between Ash Street and A Street, during second week in August, 1955. It says construction will necessitate immediate oneway operation on certain streets in Central Business District, together with new traffic regulations and installation of necessary signs and markings on related streets.

The Resolution declares to be One-Way Streets:

Ash Street, from west line of Eleventh Avenue, to east line of Kettner Boulevard, for westbound traffic;

"A" Street from east line of Kettner Boulevard to west line of 13th Street, for eastbound traffic;

Tenth Avenue, from south line of Ash Street to north line of "A" Street, for southbound traffic;

G Street from east line of Pacific Highway to west line of 13th Street, for east-bound traffic;

Kettner Boulevard from south line of Ash Street to north line of Market Street, for south-bound traffic;

India Street from north line of Market to south line of Beech Street, for north-bound traffic;

Parking of Automobiles if prohibited at all times:

North side of Ash Street, between 2nd Avenue and Third Avenue, until such time as Ash Street is designated a Oneway Street;

Declaring Through Highway:

A Street from east line of Columbia Street to east line of Ninth Avenue, excepting State Street;

Declaring Four-Way Intersection Stops:

"A" Street at First Avenue;

"A" Street at Fourth Avenue;

"A" Street at Sixth Avenue - at such time as "A" Street is made a Oneway street, the east and west stops will be removed;

Tow Away Zone Prohibiting Parking from 7 A.M. to 9 P.M., and from 3:30 P.M. to 6 P.M.

Ash Street from Eleventh Avenue to east line of Second Avenue; is ordered removed - at such time as Ash Street is made Oneway to Kettner Boulevard, the Tow Away Zone will be removed in its entirety;

authorizing and directing installation of necessary signs and markings; directing designations on each of the above streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127582, authorizing and empowering City Manager to enter into contract retaining Charles Shatto, as an independent contractor to perform organ recitals, for 1 year commencing July 1, 1955, at monthly rate of \$269.00, as set out in Document 517255, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127583, approving recommendation of City Manager for payment to Charles R. Shatto for 2 concerts performed prior to contract between the City of San Diego and Charles R. Shatto; authorizing and directing City Auditor and Comptroller to issue warrant in amount of \$53.80, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127584, accepting offer of certain property owners residing adjacent to Ardath Road, to pay for cost of surfacing 1500 lineal feet of Ardath Road easterly from Torrey Pines Road: 20 feet width from 2-inch to 2-1/2 inch of road-mix material; directing City Manager to deposit \$900 (estimated cost) with City Treasurer, and City Auditor is authorized and directed to pay cost of public work to be performed by Department of Public Works out of the deposit, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127585, authorizing City Manager to execute agreement with San Diego Symphony Orchestra Association whereby the Association will perform 7 weekly concerts and The City of San Diego will pay to the Association \$7500.00, all re Document 517256, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127586, granting Kiwanis Club of Linda Vista permission to conduct Carnival on Morley Street (at Ulric Street), in Linda Vista, July 20, 21, 22, 23, 24, 1955, upon license fee and conditions set out in Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127587, granting Leonard Drodgin, 5181 Mt. Helix Drive, La Mesa, California, to install 2 1-1/2" copper pipe exposed vents for 2 kitchen sinks in residence being constructed for Leonard Drodgin at 5336 Drover Drive, San Diego: Lot 99 College View Estates No. 2, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127588, granting Margurite G. Geldert and William Geldert, Jr., 5624 Dream Street, San Diego 14, to install and maintain private 1" water service under and across Imperial Avenue to owner's property: West 1/2 Lot H Block 3 Los Alturas #2, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127589, granting revocable permit to Carroll S. Maupin and Norma J. Maupin, 1834 Coolidge Street, San Diego, to install and maintain concrete block retainer wall over Morse Court Street and over Coolidge Street, adjacent to Lot 34 Block 68 Linda Vista Subdivision No. 3, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127590, granting Allen E. Rose and La Vina R. Rose, 4210 Poplar Street, San Diego, revocable permit to install and maintain private 1" water line under Alley Block 137, from Lots 29-30 Block 137 City Heights, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127591, granting permission to Dr. Charles Rosedale, 3438 University Avenue, San Diego, revocable permit to install and maintain from property of owner to City Water main: West 35' of East 70' Lots 25-28 Block 198 City Heights, 3438 University Avenue, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127592, denying claim of Mrs. R. C. Sabins, Document 515918, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127593, accepting deed of Anna Lee Inyard, June 28, 1955, conveying easement and right of way for storm drain purposes in portion Lot B Block 8 Central Homestead; 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 127594, accepting deed of Standard Oil Company of California, June 17, 1955, conveying portion Lot 5 Block 107 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 Kerrigan, adopted.

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

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

ORDINANCE 6595 (New Series), appropriating \$34,000.00 from Capital Outlay Fund for providing funds for widening of Ash Street, between Pacific Highway and Kettner Boulevard, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the 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, the next ordinance was introduced.

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

ORDINANCE 6596 (New Series), appropriating \$6,600.00 from Capital Outlay Fund for providing funds for improving Sunset Cliffs Boulevard, from Adair Street to Hill Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance adding Section 86.01.1 to Article 6 Chapter VIII of The San Diego Municipal Code, Regulating Park on Grade, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance incorporating portions Lots 142, 143, 144 Morena into C-1A, RC-1A and CP Zones, defined by Sections 101.0411.1, 101.0409.2 and 101.0410 of The San Diego Municipal Code, repealing Ordinance 100 (New Series) adopted December 12, 1932, 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 Kerrigan, seconded by Councilman Curran, Ordinance incorporating portion Pueblo Lot 239 into C-1A Zone as defined by Section 101.0411.1 of The San Diego Municipal Code, and repealing Ordinance 34 (New Series), adopted September 12, 1932, insofar as it conflicts, was introduced by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

At 11:55 o'clock A.M. the Council took a recess until 2:00 P.M., this date.



Upon reconvening, at 2:05 o'clock P.M., the roll call showed the following:

Present--Councilmen Burgener, Schneider, Kerrigan, Curran, Mayor Dail  
Absent--Councilmen Williams, Evenson  
Clerk--Fred W. Sick

Acting City Manager E. W. Blom requested, and was granted permission to present under unanimous consent, the next item not listed on the agenda:

RESOLUTION 127595, authorizing and directing City Manager to employ Henry C. Berry, 3046 Thirtieth Street, San Diego, and 3 parking attendants, for \$25.00 for combined services, to provide all necessary services for parking of automobiles at Tierra del Fuego on Sunday, July 24, 1955, from 11:00 A.M. until 2:00 P.M., in connection with celebration of opening of Mission Bay Channal; authorizing and directing Auditor and Comptroller to draw warrants in payment of services in total sum not exceeding \$25.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been set over on proposed amendment to Rule X of the Rules of Civil Service Commission, regarding Leaves of Absence, the Mayor stated that the Rule was drawn by the City Attorney along lines set up by the Civil Service.

City Attorney J. F. DuPaul related the prescribed procedures set up for changing Rules, the publication thereof, and the hearing thereon. He supplemented his comments by reading from the language of the City Charter on the subject. He said Civil Service recommends to the City Council; the Council looks over the proposed amendments after hearing; after adopted, the Rule or amendment has the full effect of law.

Councilman Burgener spoke to Mr. DuPaul who replied that it is up to the Council; the Civil Service has made its recommendation.

Mayor Dail stated that if the Council chooses, it may refer the Rule back to the Civil Service Commission - or amendment it in any way it sees fit.

The City Attorney agreed that the Council may act any way it sees fit.

Mary Harvey, Executive Secretary, San Diego Municipal Employees' Association, said that there has been a question in minds of employees in the Association - and said she was speaking for the M.E.A. Miss Harvey said that the letter, dated July 21, 1955, had been signed by the Executive Committee. She said that Raymond Krah, Personnel Director, recommendation (from her notes) "should go back without change".

Councilman Williams entered

Mary Harvey said consideration was undertaken regarding a request. She asked for change in the wording during injuries. She said that Judge Higgins (Asst. City Atty.) has ruled that individuals are payable under the Retirement Ordinance. She said that it is a question if the Board of Retirement realizes that point is covered. She stated that it could be eliminated from the Rule. She told the Council that Port Security officers "have to jockey leaves to be sure to get them".

Miss Harvey filed for the record, the letter she had read.

Councilman Schneider spoke to Miss Harvey, and asked about a change, somewhat.

Miss Harvey said "no", and then summarized the situation.

The Mayor said that the Council should call upon Elser (William Elser, president of the Civil Service Commission), and Krah regarding statements.

Mr. Krah said that Miss Harvey refers to medical certificate after 5 days. He said it is handled in another part, after 1 day. He said he thought she did not get the full significance.

Councilman Schneider referred to page 5 of the last draft, regarding evidence.

Mr. Krah said "it covers everything".

Councilman Schneider spoke of a minor change, and asked if a certificate could be demanded.

Mr. Krah's reply was "yes it can". He spoke of having address of representatives. He referred to never having been reversed by the Commission.

Miss Harvey asked if Mr. Krah objected to deletion of "Personnel Director". Mr. Krah replied "yes". He said he will hear about it, if it is not run right.

Councilman Burgener asked if there had been consideration except at a regular meeting.

Mr. Elser said that Miss Harvey and Hahn (Otto Hahn, business representative of San Diego County and Municipal Employees, Local 127, AFL) were there, and they were welcomed to be heard. He said there are other discussions. Mr. Elser said that this is "something not started just a year ago, as Mary said". He said it has been considered for years. He said that it has been discussed with the City Manager, and he urged that it be tried. He spoke of being in addition to compensation.

Councilman Williams pointed out that many private businesses have to offer more than State compensation, and that the Commission had that in consideration. He said that he "does not see" the small phrase changes, advocated by Miss Harvey. He said that it seems like trying to do the same thing with little changes.

Mr. Elser advocated trying the proposed system for 6 months or a year; then if it does not cost too much, it may be broadened. He stated that the City should have a pretty tight rein till it sees what it is going to cost.

There was discussion between Councilman Williams and Mr. Elser regarding the effect of being taken advantage of.

Mr. Elser said that Federal employees can take advantage of the sick leave.

Mr. Williams said that he has not run into many individuals who take advantage of the situation, and stated that he has 200 employees. He stated that the City would be defeating the purpose if it becomes too technical. He said that employees "need a sort of little pat on the back".

Mr. Krah told Councilman Williams that the theory of personnel work is sound. He declared that there is a difference in the (Federal) government. He told of having worked for the Federal government for 13 years. He said he has the chance to make a selling point, and that a friend in Washington who gets \$17,00 a year has used 15 days' sick leave every year. He said that if the Council will back up the Civil Service in its recommendations in salaries relative to private industries, the Civil Service will show an efficient and worthy group of employees. Mr. Krah stated that sick leaves are down to less than 5 days per year - \$15,000 per year. He spoke of individuals being put on injury pay, being screened and found to be taking advantage of, and then repealed in 4 days. He exhibited a book he has written on the subject, which he had published, and which had sold 2,000 copies.

Councilman Williams spoke to Mr. Krah regarding effect upon employees, being no less loyal. He declared that they should not be living under a stigma.

Mr. Krah stated that he likes to take the positive approach. He said that some departments have a creditable record, and he is proud of them. He spoke of having gone to great lengths to run a railroad.

Otto Hahn said there should be taken into consideration City employees' sick leave and injury reports, contracted to those in private industry. He stated that the City received a refund every year on its compensation insurance. He said that employees can't get away with abuse on sick and injury leaves. Mr. Hahn said that leaves must be recommended by the Department head; they go into the Civil Service where they are approved by the Personnel Director. He said he would not condone taking advantage of the situation, and jeopardizing the employees. He said that if it is shown that there had been continued "celebrating", it would not be..... He said that he had a prepared letter, which the Sergeant of Arms passed around this morning. He read it to the Council. He said that if anyone is entitled to a leave, the rule should say "shall". He asked for addition of "and seniority shall prevail". Mr. Hahn said the main thing objected to is that the employee must have the doctor's signature if he has the flu or the bug. He agreed that if the employee is absent longer than 5 days he should have a doctor's certificate. He recommended the old rule regarding proof of illness. Mr. Hahn stated that he had presented the recommendation of Local 127.

Miss Harvey said that she appreciates Mr. Elser's and Mr. Krah's efforts to answer the questions. She said she wanted some idea of their reasoning. She said that Mr. Krah and Mrs. Waite (Mildred Perry Waite, member of the Civil Service Commission) had heard the presentation, but that there had been no discussion. She said that Mr. Krah had a letter ready for Mr. Elser to sign, and that there had been a change in it. She said she certainly does not think the Civil Service Commission members are hair brained. She

She said that Mr. Krah had stated that she evidently did not understand. She read reading leaves for sickness, etc. She said that Mr. Krah and Mrs. Waite had said that it is not the intention....

Mayor Dail said that "the Council is trying to adopt a rule; it is, not necessary to prove who did what. He said that maybe the Council should have a recorder in conference.

Miss Harvey declared that she was not speaking for herself.

Harvey C. Harmelink, member of the San Diego Fire Department, told the Council that he agrees with Miss Harvey and Mr. Hahn that Rule X was not written correctly. He prefaced the comments by saying that he had not intended to speak. He pointed out that neither Miss Harvey nor Mr. Hahn is a City employee (they are both employed by the organizations they represent). He contended that the employees are not going to abuse the sick leave. He stated that action should be deferred. He asked that the employees be given the opportunity of talking with the Civil Service Commission.

There was discussion between Mayor Dail and Mr. Harmelink about City employees' benefits being at stake.

Mr. Krah said that the hearing "has got off the beam". He spoke of giving injury pay benefit, whereas before that was not the case. He spoke of controlling the City purse through many reports, and review. He said that employees would be allowed up to and including 5 days sick leave for death of someone near and dear.

Mayor Dail asked what proof there would be on a sick relative.

Mr. Krah's reply was that it has been done for 10 years. He said that if the ill person were here in town, and the employee was 1 of 5 children, question would be asked of the need for the leave. He contended that it is a matter of moral judgment, regarding the City paying. He said that some might want to stretch the point to cover a pet canary.

Councilman Williams said that people here are reasonably close together. He spoke of there being little misunderstanding. He said he wanted this item referred back to Civil Service Commission and employees' representatives. He said that the pet canary matter would certainly be out of line.

Councilman Williams moved to refer the item to Civil Service to negotiate with City employees.

Mayor Dail said that he had the impression - but then asked if there was any willingness on the part of the Chairman of the Civil Service Commission, or the Personnel Director, to make a revision in the proposed rule amendment.

Mr. Elser replied "this is what the Commission recommended - for the next 6 months."

The Mayor asked, if there is not a willingness to make changes, what would be accomplished (by referring the rule change back to the Civil Service).

Mr. Elser's comment was "maybe the Council should come up with a recommendation".

Councilman Williams said that the Commission and the Personnel Director are working with this every day; the Council might not come up with the right thing. He said that it seems small.

Mayor Dail spoke to Councilman Williams about there being no intention to make a change.

Councilman Burgener stated that everybody has just about the same objective: Elser and Krah want to protect the City funds, Mr. Hahn does not want to take advantage of a situation. He said that there may be different problems. He wondered if more could not be gained in a trial period - to see what happens. Mr. Burgener asked if the Council can change the rules.

The City Attorney replied "only if the Commission initiates the change". He recommended that the Council close the hearing, and refer the subject to the City Manager to call in independent department heads. He stated that the City Manager will have recommendations of the employees. Mr. DuPaul said that department heads will have to work with the rules. He said that there should be requested recommendations on rules. He said that the Civil Service Commission had handed in its recommendations. He said that from here on, the Council would adopt, or recommend. He pointed out that City Manager O. W. Campbell has had a lot of civil service experience.

Councilman Schneider was excused, after offering his apologies for having to leave the meeting.

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Councilman Williams said that it is difficult in that the Commission and the Personnel Director have not taken into consideration certain things. He said he felt that the Council is not the proper agency to negotiate the rule. He contended there is not great deal of difference between the Civil Service and the employees. Mr. Williams said that if it is possible for the Civil Service to work this out, it is better.

The City Attorney spoke about Civil Service coming back with new rules, and the possibility of having to go through all this rigmarole and expense. He spoke of assurance of the City Manager regarding recommendation to the Council. Mr. DuPaul said that it would affect all of the City Manager's departments. He told the Council that there is no recommendation from the Chief Administrative Officer.

Mr. Krah said he has letters.

Mr. DuPaul said he has no pride of authorship; he wants the recommendation of the City Manager.

Mr. Krah said that the Commission (Civil Service) has sat in the City Manager's office by the hour.

Mr. DuPaul replied "Let the Manager tell the Council, and put it on the record".

Councilman Burgener said that the Commission has performed a valuable service.

Councilman Burgener moved to refer the item to Council Conference, and call in the City Manager.

There was no second.

Councilman Burgener moved to close the hearing. Motion was seconded by Councilman Kerrigan. The roll was called, and the hearing closed.

RESOLUTION 127596, referring to Council Conference -- for written recommendation from the City Manager - on proposed amendment to Rule X of the Rules of the Civil Service Commission regarding Leaves of Absence (on which hearing was held this date), was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 3:15 o'clock P.M. He announced that members of the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Clayton D. Burgener*  
Vice Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, July 26, 1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran,  
Absent---Councilman Evenson; Mayor Dail  
Clerk----Fred W. Sick

The meeting was called to order by Vice Mayor Clair W. Burgener, in the absence of the Mayor, at 10:03 o'clock A.M.

The Vice Mayor presented Father Edward Keller, Assistant at St. John the Evangelist Church, who gave the invocation.

Ordinances and Resolutions are recorded on Microfilm Roll 98.

On motion of Councilman Schneider, seconded by Councilman Williams, the Minutes of the Regular Meetings of Tuesday, July 19, 1955, and of Thursday, July 21, 1955, were approved without reading, after which they were signed by the Vice Mayor.

The Vice Mayor presented awards, honoring long-time service with the City of San Diego, to:

Charles A. Berger, Groundsman-Gardener, Park Division of Park & Recreation Department - 20 year pin;

Albert E. Dennison, Conduit Patrolman, Water Production Division, Water Department - 30 year pin and scroll.

The Purchasing Agent reported in writing that 5 bids had been opened July 22, 1955, for 1911 Act improvement of Grand Avenue, Jewell Street and Balboa Avenue.

On motion of Councilman Schneider, seconded by Councilman Williams, finding was made that bids had been opened as reported, and they were referred to the City Manager and City Attorney for recommendation.

The Purchasing Agent reported in writing that 6 bids had been opened July 22, 1955, for 1911 Act improvement of Pyncheon Street and Ocean View Boulevard.

On motion of Councilman Schneider, seconded by Councilman Williams, finding was made that bids had been opened as reported, and they were referred to the City Manager and City Attorney for recommendation.

The Purchasing Agent reported in writing that 3 bids had been opened July 22, 1955, for 1911 Act improvement of Alley Block C Belmont.

On motion of Councilman Schneider, seconded by Councilman Williams, finding was made that bids had been opened as reported, and they were referred to the City Manager and City Attorney for recommendation.

Meeting convened  
Invocation  
Minutes approved  
Service awards  
Bid opening reports

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The Purchasing Agent reported in writing that 4 bids had been opened July 22, 1955, for 1911 Act improvement of Alley Block 39 Ocean Beach.

On motion of Councilman Schneider, seconded by Councilman Williams, 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 receiving bids for furnishing electric current in Collwood Lighting District No. for 1 year from and including June 1, 1955, the Clerk reported that 1 bid had been received.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was opened and declared, after which it was referred to the City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 126985, for paving and otherwise improving Brooklyn Avenue, Iona Drive, and Kenwood Street, the Clerk reported no written protests.

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

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

On motion of Councilman Curran, 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 126986, for paving and otherwise improving Ingraham Street, the Clerk reported no written protests.

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

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

On motion of Councilman Curran, seconded by Councilman Williams, 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 126987, for paving and otherwise improving Boundary Street, the Clerk reported no written protests.

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

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

On motion of Councilman Curran, 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 127121 of Preliminary Determination, for paving and otherwise improving Alley Block 80 Point Loma Heights, the Clerk reported no written protests.

The Vice Mayor announced that this is a "6-vote proceeding" (for adoption of Resolution of Feasibility).

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

RESOLUTION 127597, continuing hearing on Resolution of Preliminary Determination 127121 for paving and otherwise improving Alley Block 80 Point Loma Heights until 10:00 o'clock A.M., Thursday, July 28, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2375 made to costs and expenses of work for paving and otherwise improving

Purchasing Report on bids  
Bid for lighting current  
Hearings  
127597



Olney Street and Felspar Street, Resolution of Intention 117678, the City Clerk reported written appeals from Mrs. Ethel Waller, 2204 Garnet; Melvin D. Miller, 2172-1/2 Felspar Street; Gladys J. Schmidt, 3040 Kellogg Street.

The City Engineer, asked for a report, stated that there is 9.3% protest based on cost and the lowering of grade.

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

Melvin Miller spoke of grade having been lowered, causing him extra expense.

The Vice Mayor pointed out that there had been hearing previously, at which time protest should have been entered.

The City Engineer said that there had been protests on this job. He stated that grades had been revised, after proceedings were referred back. He pointed out that the work has been done, and that nothing can be done at this point.

Mr. Miller spoke of having been lowered quite a bid, and of having to move his driveway. He told of it costing \$2,000 for retaining wall and steps.

Vice Mayor Burgener said that this hearing is on the assessment - not on the engineering (which, of course, has been completed).

The City Engineer spoke of there having been another protest on Olney, and of grade having been raised for that. He said that the streets form a network. He told of the high bank, which was there before. He said he "came up" (with the grade) as much as possible. He told of having cut 9 feet at the curb; 15 feet at the back. He repeated that there is a high bank, and that the bank was there before this work was done.

The City Engineer produced a map over which there was a conference.

Mr. Miller said it was not so high before; the street makes "a nose dive", and he referred to 3. He said that water stands there. He said he did not have any choice. He said the grade was changed once, and agreed that he had made no protest. He added that he was not in town at the protest time.

The Vice Mayor stated that this is the last of 3 hearings, based upon a majority petition. He spoke about the Council urging checking prior to the first 2 hearings.

City Attorney J. F. DuPaul said that the Vice Mayor had stated the purpose of the hearings well and accurately.

Councilman Kerrigan said there was protest, and that the grades had been amended. He said that there had been plenty of opportunity to protest. He spoke of grade having been lowered about 2 feet.

The City Manager said that the grade had been raised above the original proposal.

Mr. Miller said that the street had gone down about 4 feet, and that his property is 12 feet higher than the sidewalk.

The Vice Mayor pointed out that the City Engineer had designed the job to serve the whole area.

Councilman Kerrigan asked if the property is not high, with a view.

Mr. Miller's reply was "some".

Councilman Williams asked how Mr. Miller gained access to the property.

Mr. Miller said he could drive over the bank.

The City Engineer said that it is another of those hillside locations; high on one side, low on the other.

Gladys Schmidt, 3040 Kellogg said she has property at Olney and Garnet. She contended that her property is being assessed "too highly". She said that her lots 21 to 25 will be assessed again on another improvement. She identified the property as being at the corner of Olney and Harney.

The City Engineer showed a map, and said that property had been assessed in the standard manner.

There was a conference over a map regarding the 5 Schmidt lots, during which the City Engineer said 1 is assessed 60%; the others 40%.

Councilman Kerrigan observed that Mrs. Schmidt was paying no penalty.

Mrs. Schmidt said that the lady next door pays less.

Councilman Williams said that she is being assessed only on an area basis.

The Vice Mayor said that property on the frontage pays for the improvements and 70% of the paving. He stated it is standard practice.

The City Engineer said that each lot is worked out individually. He said he can give the information

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The Vice Mayor told the appellants that the City Engineer can explain those points in detail.

Mrs. Schmidt spoke of a bad place at the curb and sidewalk, where there can be an accident. She said it is dangerous, and does not want to be held responsible. She said that the section put in "is higher".

RESOLUTION 127598, overruling and denying appeals of Ethel Waller, Melvin D. Miller and Gladys J. Schmidt, from Street Superintendent's Assessment 2375, made to cover costs and expenses of paving and otherwise improving Olney Street and Felspar Street, Resolution of Intention 117678; 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 Kerrigan, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2376 made to cover cost and expenses of installation of sewer mains and appurtenances in 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way - all in Sunshine Gardens Subdivision - Resolution of Intention 121327, the Clerk reported written appeals from Wilfred L. Blackwell and from Elva H. Campbell.

The City Engineer reported a 10.8% appeal; 1 of them (Campbell appeal) about the railroad property not being included in the assessment.

Willard Olson, from the City Engineer's office, stated that there are only tracks.

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

Wilford L. Blackwell asked why the City should assess him (his assessment was \$1.00) when the railroad was not assessed.

The City Engineer showed a plat, and explained that the railroad obviously gets no benefit from the sewer.

Councilman Schneider agreed that the railroad would get no benefit. He said that the City has an easement. He pointed out that the assessment is only \$1.00.

Mr. Blackwell asked if the assessment is to be "sent after the hole is fixed"? He said "he has not did anything, yet".

The City Engineer referred to there being a storm drain (about which Mr. Blackwell may be speaking).

Councilman Kerrigan said that is different.

The City Engineer said that it sounds like reference is being made to the storm drain.

The Vice Mayor thought reference of the complaint should be made to the City Engineer.

Councilman Schneider moved to overrule the appeals, and direct the City Engineer to check the complaint referred to by Mr. Blackwell. Motion was seconded by Councilman Kerrigan.

E. H. Campbell, 1224 Weaver, said "those lots are getting a big assessment". He said that he can build on only 1 lot; can't get a loan. He wondered why he can't get a C Zone. He said that Planning turned down petition for C Zoning.

Councilman Curran pointed out that Market Street is being re-routed.

Mr. Campbell said that only 1 lot is big enough for a house; he has been trying to sell. He said "contractors say it is no go for a house".

Councilman Schneider spoke to Mr. Campbell about re-routing Market Street. He said that the only question now is regarding the assessment.

The Vice Mayor suggested getting together with Councilman Curran regarding re-zoning.

Mr. Campbell said that he just got the property which is no good, except for C Zone.

RESOLUTION 127599, overruling and denying appeals of Wilfred L. Blackwell, Elva H. Campbell from Street Superintendent's Assessment 2376 made to cover costs and expenses of installing Sanitary Sewer Main in 47th Street, Aurora Street, Uvas Street, Market Street and Public Right of Way, Resolution 121327; overruling and denying all other appeals; confirming and approving the assessment; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, submitting Resolution accepting low bid of Sam T. Loftin for furnishing The City of San Diego with Comprehensive Liability-Property Damage Insurance for 3 years at \$189,273.79, payable approximately 1/3 annually - and awarding contract, was presented. There were 4 bids.

Councilman Schneider moved to adopt the proposed Resolution of award. Motion was seconded by Councilman Williams.

Vice Mayor Burgener stated that the item had been reviewed in Conference.

Jim Martin, of the Percy Goodwin Co., said that when specifications were drawn a \$1,000,000 was suggested. He said the limits are not sufficient. He told of having entered bid on 2 bases, but that it has been possible to negotiate so that it is now possible to place the limit at \$2,000,000.

The Vice Mayor said that the specifications had been met, according to the Purchasing Agent (by the bid of Sam T. Loftin)

Mr. Martin said that the company he represents was low on the \$1,000,000. He spoke of being willing to voluntarily change the limit to \$2,000,000.

The City Manager reviewed the specifications from the Purchasing Agent's report. He said that there was also the matter of negotiations in the specifications.

Councilman Williams spoke to the City Manager regarding the bid.

The City Manager said that the low bid on the specifications is Farmers'; on the alternate of \$1,000,000, Goodwin is low. He said that Farmers' have indicated that if the City wanted to have the \$1,000,000, it is willing to substitute. He said that Martin is now offering \$2,000,000 flat. He said that if that company had not been the low bidder on the \$1,000,000, it would not make that offer. The Manager said that there were 2 plans in the specifications, with both bid on by 4 companies.

Mr. Martin said that the competition has offered compromise, and substitution.

Councilman Schneider stated that the City is bound by the specifications.

The City Manager said that he had been instructed by the Council to put the item out to bids. He added that it is a question of policy.

The City Attorney said it was provided that terms of the policy could be negotiated. He suggested re-referring the item to the City Manager for recommendation.

There was discussion between several Councilmen and Mr. Martin.

Councilman Kerrigan spoke of the insurance being up to \$2,000,000 - at no extra cost. He spoke of it having been referred to the Purchasing Agent for specifications and bids. He said that the City used to negotiate before going to bid. He said it would be referred back to Purchasing - through the City Manager.

Councilman Schneider wondered on what ground it had been turned down by the voters (at the April 19, 1955) election.

Councilman Williams said that the people had indicated that the insurance should be by bid. He said that the bidder recommended has met the specifications, and he sees no reason to go into discussion on the subject. He said that it is the City's responsibility to purchase the insurance.

Councilman Kerrigan added....."and to save money".

Councilman Williams said that there is no saving if the City does not need it.

Councilman Burgener, as Vice Mayor, said that there was a firm price for 3 years.

Mr. Martin said that was not correct; it was a guarantee for 1 year.

The City Manager stated that there was a clause whereby it can be reconsidered. He said that the successful contractor can ask to come in and abandon the contract after 1 year. He said that, however, when one would ask to abandon it, it would be a reflection on the insurance company. He said that if it were abandoned, it would be considered that the company didn't want the business.

Councilman Schneider said that of 2 bids, one was roughly 10,000 less than the other. He said that now 1 group adds to the base of same, while the other offers to go to \$2,000,00. He asked if this is something that is needed.

The City Manager said that is better coverage. He said that \$150,000 is for individual, getting up to a million maximum for 1 person. He said the maximum is a million. He stated that one applies to different types, up to million and a half. The Manager stated that a million and a half is better than a million. His statement was that 2 millions would be better coverage.

Councilman Curran said he felt the Council was getting away from the subject. He said that it is a set bid; negotiations are over and above the bid.

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Mr. Martin repeated that his company was low on the million quotation - according to specifications and bid.

Councilman Williams spoke to the City regarding bid, or letter.

Mr. Martin answered that his company was lower on the million bid.

Councilman Williams asked if it was a firm 1-year bid.

The City Manager said that there are stipulations. He read from the Purchasing Agent's report.

Councilman Schneider was excused

The City Manager spoke about there always being the right to cancel out.

The Vice Mayor asked if bidders were obliged to bid on both.

Mr. Martin replied that 2 low bids bid on both.

The City Attorney told the Council that it is a matter of policy.

Councilman Schneider returned

The City Attorney said that before the Council would accept the \$2,000,000 bid he would like to look at it.

Vice Mayor Burgener said that this is combining sealed bids, open bids and negotiations.

The City Attorney said that the Council has something before it.

Councilman Williams said that the Council has to determine when it is close.

The City Attorney said that if the bid was provisional, the City could negotiate after bids come in. He said that's why Shaw (J. H. Shaw, Purchasing Agent) told the low bidder to come in with a letter.

Mr. Martin said that there is an attempt to substitute the bid.

The City Attorney said that now Mr. Martin attempts to substitute.

He said that the Council has to decide the policy.

Councilman Williams said that if the City is going to have to be invited. He said that it looks like overruling what the people decided on the ballot.

Sam Loftin said that the insurance bids have been pretty well analyzed by the Purchasing Department. He said that he bid according to the specifications. He said that the minimum premium was about half that of Goodwin.

The Vice Mayor asked Mr. Loftin about being experienced over a year.

Mr. Loftin replied "yes". He stated that they said if there are losses, the maximum would pay was \$82,000. He told of the opposition (his opposition) having helped the City in drawing up the specifications. He said it is not his place to say that this should get into a dog fight. Mr. Loftin stressed that he had met the specifications.

Councilman Schneider spoke to Mr. Loftin regarding the bid form.

Mr. Loftin said the City can cancel; they cannot cancel for the period paid. He said that notice would have to be given to the City that the contractor would not continue for another year. He stated that it would be necessary to give a 60-day notice for the next year. He declared that he is satisfied. He said that the company could say that it would not be willing to take on the insurance for the next year. He said that would be exercising the safety valve.

Councilman Curran said that the Purchasing Agent has made his recommendation.

Councilman Curran moved to adopt the recommendation.

RESOLUTION 127600, accepting bid of Sam T. Loftin for furnishing Comprehensive Liability-Property Damage Insurance for term of 3 years at price of \$189,273.79 payable approximately 1/3 annually; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Electric Supplies Distributing Co. for furnishing 10 30" Pedestrian Fans @ \$79.20 ea., less 2%, and 5 24" Pedestal Fans @ \$54.85 ea., less 2% - total of \$1,044.92 plus State sales tax (for San Diego Public Library, was presented.

RESOLUTION 127601, accepting bid of Electric Distributing Co. for furnishing Pedestal Fans; 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 Curran, adopted.

Communication from Purchasing Agent, approved by City Manager, submitting Resolutions modifying contracts for furnishing Water Meters for period of one year (2/1/55-1/31/56), was presented.

RESOLUTION 127602, accepting offer of Hudson Equipment Company to supply any additional quantities of 3/4", 1" and 1-1/2" Water Meters required by the City under contract Document 506165; any additional meters purchased under the amendment to the contract will be those required during term of contract which expires January 31, 1956, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127603, accepting offer of Industries Supply Company to furnish additional 2,500 - 5/8" Water Meters at price agreed upon in contract Document 505603; any additional meters purchased under the amendment to the contract will be those required during term of contract which expires January 31, 1956, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127604, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Cement Asbestos Pipe and Fittings of various sizes, Document 517285, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127605, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for painting exterior of buildings in Frontier Housing Project south of Flood Control Project west of Kurtz Street, Document 517283; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communications from the City Planning Commission, making recommendations in connection with Westward Ho Division of Rodefer Hills - which had been continued from time to time at the request of C. M. Rodefer, it was pointed out that Mr. Rodefer was not present.

It was observed that Mr. Rodefer might appear later in the meeting (He did not).

Glenn A. Rick, City Planning Director, told the Council that if this is continued again, it will be the 3rd time. He stated that there has been a reconsideration. He said that now the Commission will let Lots 65 and 66 be included - on conditions. He said he had no objection to a further continuance.

On motion of Councilman Schneider, seconded by Councilman Curran, the item was continued 1 more week - to August 2, 1955.

(The Clerk's office notified Mr. Rodefer in writing of the new continuance.)

Communication from Planning Commission, by Harry C. Haelsig, recommending granting request of the subdivider for reapproval of Unit 17 Clairemont, approved by Resolutions 119072 and 119071 on July 13, 1954, was presented.

RESOLUTION 127606, reapproving Tentative Map of Clairemont Unit No. 17, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Glen A. Rick, reporting again on Tentative Maps of College Ranch Units 4 & 5 - (Revision), was presented. It states



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that in conference the Council had requested Mr. Rick to prepare Resolution amending Planning Commission's recommendation. It states that because he was on vacation, the Asst. Planning Director worked on the matter, but was asked to postpone the report. The report says that subdivider is now desirous of proceeding with the subdivision, and that on July 1 he met with Ed Blom, Eugene Freeland Louis Karp to review points of conflict between the City and the subdivider. The report states that before preparing formal resolutions for official Council action, it was considered advisable to outline the matter before the Council in conference. It states that previous recommendation of the Planning Commission is agreeable except for consideration of Navajo Road requirements - and it outlines in detail how Navajo Road is to be treated. The report says that if the settlement (as outlined in the communication) meets with City Council's approval in conference, there will be amendment of previous form of resolution for action in regular Council meeting.

RESOLUTION 127607, approving Tentative Map of College Ranch Units 4 and 5, subdivision of approximately 2000-lots of portions of Lots 68, 69, 70 Rancho Mission of San Diego, subject to 13 conditions, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of La Jolla Alturas, a 52-lot subdivision of portions Pueblo Lots 1298 and 1299, was presented.

RESOLUTION 127608, suspending Sections 102.01-1, 102.07-5, 102.11-1, 102.12-6 of San Diego Municipal Code in connection with Tentative Map of La Jolla Alturas, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of La Jolla Alturas, in portion of Camp Calland property recently sold by the City of San Diego to private developers, was presented. It says that majority of the lots are a minimum of 8,000 square feet, which is minimum requirement set forth in sale of the property. It makes approval subject to 14 conditions.

RESOLUTION 127609, approving Tentative Map of La Jolla Alturas, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of La Jolla Hermosa Heights, a 6-lot subdivision of portion Pueblo Lot 1773, was presented.

RESOLUTION 127610, suspending Sections 102.09-1&2, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of La Jolla Hermosa Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of La Jolla Hermosa Heights, a 6-lot subdivision of portion Pueblo Lot 1773, adjacent to new subdivision of Muirlands Point, subject to 12 conditions, was presented.

RESOLUTION 127611, approving Tentative Map of La Jolla Hermosa Heights, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Middletown, for redivision of Lots 4 and 5 and portion of Lots 3 and 6, was presented (Block 151), was presented.



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RESOLUTION 127612; suspending Sections 102.12-3, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Middletown, Block 151, Lots 4 and 5 and portions Lots 3 and 6, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for redivision of Lots 4 and 5, and portion Lots 3 and 6 Middletown, Block 151, on easterly side of Union Street, northerly of Vine Street, and one of parcels with frontage on Lark Street, subject to 2 conditions, was presented.

RESOLUTION 127613, approving Tentative Map of Middletown, Block 151, Lots 4 and 5, and portions Lots 3 and 6, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending reapproval of Tentative Map of Rasonia Estates (formerly "Cosgrove Rancho Estates"), approved by Resolutions 116607 and 116608, subject to 13 conditions, was presented.

RESOLUTION 127614, reapproving Tentative Map of Rasonia Estates (formerly "Cosgrove Rancho Estates") approved by Resolutions 116607 and 116608, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Riviera Villas, a 2-lot subdivision of Lot 26 Block O, was presented.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for division of Lot 26 Block O Riviera Villas, into 2 lots - located on westerly side of Alexandria Drive between Barcelona and Piedmont Drives in the Sunset Cliffs Area, was presented. It states the lot is approximately 20,000 square feet in area, and it is proposed to divide it into 2 parcels, each approximately 10,000 square feet and having frontages of 115 feet and 130 feet on Alexandria Drive. It recommends the approval subject to 5 conditions.

The Resolutions were adopted, but action reconsidered immediately, when Robert H. Oversmith came to the microphone. Mr. Oversmith said he owns Lot 53 Riviera Villas. He protested the division, wanting to retain a rural atmosphere. He spoke of having a spacious area, and of having considered Muirlands first, but chose this on account of its proximity to downtown. He spoke of there being protest from all but 1 individual. Answering a question, Mr. Oversmith said that the property is in R-1 zone.

Glenn A. Rick, City Planning Director, said also that it is R-1 (there may be 5,000 sq. ft., with single-family in R-1).

Councilman Kerrigan stated that there are zoning patterns to protect the lot sizes.

Several Councilmen spoke to Mr. Oversmith.

Mr. Rick said that the letter explains the situation more fully.

The Clerk then read the Planning Commission's letter approving the Tentative Map for the property division.

Councilman Williams, looking at a map, said that it looks like only 7 or 8 lots would be larger, if this one is divided.

Mr. Oversmith said that the thing might snowball.

Councilman Kerrigan pointed out that some owners try to conform to the minimum requirements, rather than to the maximum.

Councilman Schneider said it might be well to try to rezone. He said he does not see why the owner would not have right to use of his property.

The Vice Mayor spoke to Mr. Oversmith, and said that the bulk of the lots are smaller than what is proposed.

Mr. Oversmith told the Council that his property contains 24,000 square feet. He spoke about a precedent being set.

Councilman Schneider said that it is possible to protect the property size through rezoning.

Communications  
127612 - 127612  
Reconsideration of  
action

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RESOLUTION 127615, suspending Section 102.17-c of San Diego Municipal Code in connection with tentative map of Riviera Villas, Block O, Lot 26, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127616, approving tentative map of Riviera Villas, Block O, Lot 26, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next item, Councilman Burgener, as Vice Mayor, spoke to the City Manager; then to interested individuals. (He indicated that, according to the first motion, which was withdrawn, that the matter would be referred to the City Manager). A different action was taken, however, as will be shown.

Communication from "Committee of Town Council of Ocean Beach", with the typewritten names of Mrs. Oscar Kenauer and Mrs. A. V. Weidel, dated July 20, 1955, was presented.

It says that attention is called to the fact that a fee, parking ticket or toll, is being charged and accepted by members of Junior Chamber of Commerce of San Diego for occupation of spots on the new jetties along the Ocean Beach shore of San Diego. It states that if there is revenue, the City needs it and should receive it first hand. It concludes "We are for Ocean Beach Park on Point Loma first, last and all the time".

RESOLUTION 127617, referring to Council Conference communication from Committee of Town Council of Ocean Beach re charge for occupation of spots on new jetties along Ocean Beach Shore, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Greater San Diego Crusade for Christ, Inc., requesting permission to erect fire-resistant tent with seating capacity of approximately 6,000, was presented. Purpose is stated as for conducting United Evangelistic Crusade, with nightly meetings between September 25, 1955 and October 16, 1955, inclusive.

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

(The original was picked up immediately after the meeting by a member of the City Manager's office)

Communication from La Jolla Town Council, Inc., 7923 Herschel Avenue, La Jolla, dated July 21, 1955, signed by H. Bailey Gallison, Executive Manager, was presented. It announces that as of July 15, offices have been moved to 7923 Herschel Avenue, and that although official opening will not be for a month or so, operation is being conducted from the new address. It says that the La Jolla Town Council serves as Chamber of Commerce and Visitors Information Bureau in the area, and it invites visit to see its operation.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the Vice Mayor for reply.

Communication from Rohr Aircraft Corporation, dated July 20, 1955, signed by J. L. Hobel, Industrial Relations Manager, was presented. It asks consideration of advisability of municipally-operated golf course at Torrey Pines.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred "to the file".

RESOLUTION 127618, directing notice of filing Assessment 2385 made to cover costs and expenses of work done upon paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, Resolution of Intention 120006, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 127619, directing notice of Filing Assessment 2387, and of time and place of hearing thereof, for paving and otherwise improving Long Branch Avenue and Spray Street, Resolution of Intention 119347, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127620, directing notice of filing Assessment 2386, and of time and place of hearing thereof, for installation of sidewalks on Tipton Street, Rincon Street and Ewing Street, Resolution of Intention 121403, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 127621, accepting bid of A. R. Kingaard, and awarding contract, 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, Resolution of Intention 126201, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing low bid is 11.0% below estimate.

RESOLUTION OF AWARD 127622, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract, for paving and otherwise improving Frost Street, Resolution of Intention 126202, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing low bid is 17.0% below estimate.

RESOLUTION OF AWARD 127623, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Roosevelt Avenue, Resolution of Intention 126203, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

City Engineer reported in writing low bid is 3.4% below estimate.

RESOLUTION 127624, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 274 Pacific Beach, Document 516866; approving Plat 2750 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127625, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Commercial Street, Alley Block 317 San Diego Land and Town Company's Addition, Hensley Street and 28th Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127626, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 63rd Street, Document 516862; approving Plat 2738 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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RESOLUTION ORDERING WORK for sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, Resolution of Intention 126854, was presented.

The City Attorney said that the Council can adopt the Resolution Ordering Work, then there will be an ordinance appropriating money. He said that the Council can still stop the proposal to contribute. He said that all hearings on the proposed improvement are finished, and that the Council can abandon the project at any time.

Councilman Curran asked if it would not be wiser to wait. He said the Council "should have a concrete answer".

The City Attorney stated that the City Engineer has recommended a \$6,000. appropriation to the City Manager.

On motion of Councilman Curran, seconded by Councilman Schneider, the proposed Resolution was continued 1 week - to August 2, 1955.

RESOLUTION ORDERING WORK 127627, 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, Resolution of Intention 126850, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 127628, for paving and otherwise improving Macaulay Street and Willow Street, Resolution of Intention 126851, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 127629, for paving and otherwise improving Warrington Street, Resolution of Intention 126853, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 127630, for closing Martin Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 127631, for paving and otherwise improving Garnet Street and Pendleton Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 127632, for paving and otherwise improving portion La Jolla Shores Drive, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 127633, for sewers in Rosecroft Lane, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127634, for paving and otherwise improving Alley Block 274 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127635, for paving and otherwise improving Commercial Street, Alley Block 317 San Diego Land and Town Company's Addition, Hensley Street, 28th Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127636, for paving and otherwise improving 63rd Street, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127637, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in San Diego Lighting District No. 2, for 1 year from and including July 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127638, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 151 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127639, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 217 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127640, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 2 F. T. Scripps Addition to La Jolla Park, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127641, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving A Street, Resolution 119096, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127642, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 14 City Heights, Resolution of Intention 121400, 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 Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127643, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park, Resolution of Intention 121773, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127644, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley, Block 8 La Jolla Park, Resolution of Intention 123156, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

In connection with the next Resolution, Willard Olson, of the City Engineer's office, told the Council that changes include modified grade - not much change, but it is for the benefit of the property involved.

RESOLUTION 127645, correcting Resolution of Intention 126852 for improvement of portion Ozark Street, to provide that work shall be done to modified grade shown and indicated upon plans and profiles on file in office of City Clerk, Document 510947; making reference to plans and profiles for description of the grade at which work is to be done, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127646, authorizing City Attorney on behalf of The City of San Diego, in action entitled "Sam Berger Investment Co., a Limited Partnership, plaintiff vs. City of San Diego, a Municipal Corporation, DOES 1 to X inclusive, Defendants", No. 198740, pending in Superior Court of State of California in and for County of San Diego, to file stipulation that upon recordation of final subdivision maps affecting portions of Ex-Mission Lot 69 (subdivisions to be designated College Ranch Units Nos. 1, 2, 3, 4, 5), a decree may be entered quieting title against the City, in and to portion of the property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending that final map of College Ranch Unit No. 1, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION 127647, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Lake Murray Development Co., a corporation, for installation and completion of unfinished improvements, including offsite sewer and water facility improvements, and setting of monuments required for College Ranch 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 Kerrigan, adopted.

RESOLUTION 127648, adopting Map of College Ranch Unit 1, being subdivision of portion Subdivision of Ex-Mission Lot 69, together with portions of unnamed streets shown on Map 600 lying southeasterly of center line of 80-foot public road known as Lake Murray Boulevard; accepting on behalf of the public portion of public street, public streets, walkways and unnamed easements shown on map: portion of Flume Road, Lake Angela Drive, Lake Murray Boulevard, Blue Lake Drive, Jackson Drive, Lake Alamo Avenue, Lake Alturas Avenue, Lake Albano Avenue, Amber Lake Avenue, Anvil Lake Avenue, walkways and unnamed easements shown for public purposes, 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 the 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127649, accepting bid of Kelco Company, a Delaware Corporation, for purchase of portion Pueblo Lots 299 and 300, and selling the property for \$81,000.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that W. H. Schmidt heretofore requested that the land, belonging to the City, be put up for sale, and accompanied request with deposit of \$100.00 to cover all costs pertaining to the sale, as required by San Diego Municipal Code;



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that pursuant to direction of the Council the Property Supervisor advertised the property for sale at public auction; prior to date fixed for sale Hotchkiss & Anewalt, licensed real estate brokers, registered with Property Supervisor their names and addresses and names and addresses of clients willing and able to make a bona fide bid at least equal to minimum amount which the Council fixed in resolution authorizing sale, and at time of registration deposited with Property Supervisor certified checks in amount equal to 5% of minimum price fixed by Council in resolution authorizing sale. It says public auction sale was held July 18, 1955, and the client of Kelco Company, a Delaware Corporation, submitted the highest bid - \$81,000. - which exceeds the minimum amount fixed for sale of the property, and City Manager has recommended that it be accepted. The Resolution authorizes and empowers the Mayor and City Clerk to execute, for and on behalf of the City, a deed quitclaiming the property; it authorizes and directs Property Supervisor to return to Philip F. Bartlett Company and Hotchkiss and Anewalt the deposits made by them, and return to W. H. Schmidt the deposit made pursuant to San Diego Municipal Code; authorizing and directing City Attorney to prepare and present ordinance authorizing and directing City Auditor and Comptroller to pay to Hotchkiss & Anewalt, Licensed Real Estate Broker, the real estate broker's commission for sale of the property at prevailing rate prescribed and used by San Diego Realty Board, as provided by San Diego Municipal Code. The Resolution authorizes and directs Property Supervisor to place the quitclaim deed in escrow, with directions that it be delivered to successful bidder when all escrow instructions have been complied with. It directs that all costs in connection with sale of property shall be deducted from proceeds received from sale.

RESOLUTION 127650, authorizing and directing City Manager to install by City force account, main electrical feeder lines in the Globe Theater, to be used in connection with installation of new switchboard, not to exceed \$943.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that San Diego Community Theater has in writing to the City Manager set forth a contemplated expenditure of some \$20,800.00 in the Globe Theater for a new lighting switchboard and has requested the City to assist in the work, do necessary re-wiring in the Globe Theater - and it has been estimated that the installation of main electrical feeder lines through the building to proposed new switchboard will cost the City \$943.00 - and that expenditure has been recommended by the City Manager. (The Theater is in Balboa Park)

RESOLUTION 127651, authorizing and empowering City Manager to do all construction work in connection with enlargement of gate house at Public Works Yard, 20th and B Streets, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, addressed to the City Manager, and transmitted to the Council with E. W. Blom's Acting City Manager, approval, was presented. It states that under a new rule known as "Multiple Location Building and Equipment Credit Plan" The City of San Diego is eligible for reduction in rates for fire and extended coverage insurance on 3 blanket insurance schedules designated as Balboa Park, Harbor Department, and City General Schedules. It says that a return premium of approximately \$10,000 is indicated if City policies are consolidated. It states that work involved is technical and requires supervision of insurance expert to obtain greatest return. It states that Omar Walker, who has served as chairman of City's Fire Insurance Advisory Committee for past 7 or 8 years, has an intimate knowledge and complete record of all the City's fire insurance policies and risks, and is well qualified to render the service for the City. It recommends that the City Manager be authorized to employ Mr. Walker to accomplish the revision and premium return detailed in the communication.

RESOLUTION 127652, authorizing and directing City Manager to employ Omar A. Walker as insurance expert at a fee of \$350.00 to accomplish revision of City's policies and secure maximum return premium to the City, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

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RESOLUTION 127653, authorizing City Manager to employ R. E. Hazard Contracting Co. to remove 135 lineal feet of curb and install 135 lineal feet of standard curb at various locations along Franklin Avenue - in connection with a 1911 Street Improvement Act proceeding - cost of work not to exceed \$249.75, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127654, authorizing City Manager to execute and forward to Division of Public Works of the State of California maintenance agreement (State highway routes in the City of San Diego), entitled "Amendment No. 1, Date June 1, 1955", was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127655, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, and the County of San Diego an agreement for joint maintenance and operation of Government Reference Library under Document 517517 (Room 384 of the Civic Center), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127656, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease between City and Elam Clark filed as Document 488241, by making Fred Mellor a party to the lease the same as though he had executed original agreement and within terms of the lease; amendment to lease agreement filed in office of City Clerk as Document 517518, lease covering portion T.18S, R2E, S.B.B.&M. - containing about 1400 acres, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127657, waiving penalty imposed by terms and provisions of contract between The City of San Diego and Fred J. Early, Jr. Incorporated, for construction of alterations to Sewage Treatment Plant, Document 500820, on file in office of City Clerk upon grounds and for reasons set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127658, approving request of Royal Pipeline Construction Co., July 14, 1955, Change Order 1, for extension of 5 days to and including July 23, 1955, filed with City Clerk as Document 517381, in which to complete contract for installation of small water main replacements, Group 17, contract Document 504615, extending completion to July 23, 1955, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127659, authorizing and directing San Diego Gas & Electric Company to install 35 6000 lumen overhead street lights, and 2 10,000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127660, 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 8 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 of said property 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 127661, 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 18 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property 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 127662, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing 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 127663, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Southwest Quarter of Northwest Quarter of Quarter Section 104 Rancho de la Nacion, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing 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 127664, 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 1 Block 28 Bird Rock 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 of said property 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 127665, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Pueblo Lot 264, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing 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 127666, granting Arthur L. Herzog, 318 Orpheum Building, San Diego 1, permission to connect a small office building to the house sewer line presently on petitioner's property : portion of Pueblo Lot 331, 4370 Pacific Highway, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127667, granting Revocable Permit to David C. Schurch and

Lucille S. Schurch: Care Larry Fisher, 116 B Street, San Diego 1, to install and maintain sidewalk opening over, under and across Sixth Street in front of 730 Sixth Avenue: South 25' Lot I Block 70 Horton's Addition, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127668, commending and congratulating J. F. Coleman as winner of the 1955 Harmon International Aviation Award for his outstanding contribution to the field of vertical take-off and landing of combat fighter aircraft having high speeds in horizontal flight; directing City Clerk to send a copy to Mr. Coleman, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution says that J. F. (Skeets) Coleman, a resident of San Diego County, has recently been chosen for the 1955 Harmon International Aviation Award; that he piloted the "Pogo Stick", the first successful vertical take-off fighter plane in history, on its maiden flight from Brown Field November 2, 1954, and has since made some 350 flights in the revolutionary aircraft. (It was sent by the Mayor).

RESOLUTION 127669, directing City Auditor and Comptroller to issue warrant to Palomar Pools, by Clyde H. Smith, for refund of building permit fee in amount of \$37.50, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that Palomar Pools applied for refund of building permit fee in amount of \$45.00 on basis that there was no consideration for payment of the fee; that Director of Building Inspection Department has made finding that cost to The City of servicing the permit was \$7.50.

RESOLUTION 127670, 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 Anna Lee Inyard, easement and right of way for drain pipe in northerly 6 ft of westerly 139.52 ft Lot B Block 8 Central Homestead; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantee upon receipt by the City of deed conveying property required by the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that The City is desirous of acquiring portion Lot B Block 8 Central Homestead in connection with relocation of storm drain presently situated on the property; Anna Lee Inyard, owner of property required by the City, is willing to deed property to the City in exchange for quitclaim deed from the City to portion Lot B Block 8; the City is owner of portion Lot B Block 8 and is no longer required by the City. It says that value of property to be granted by the City is equivalent to value of property to be quitclaimed value of property to be granted by Anna Lee Inyard.

On motion of Councilman Schneider, 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 the Council a written or printed copy prior to day of final passage.

ORDINANCE 6597, approving annexation to The City of San Diego of certain uninhabited territory in Lot 73 Rancho Mission of San Diego, Lot 2 of Resubdivision of Fanita Rancho, Lots 1 and 2 Block "H" and Lots 1 to 6 inclusive, Block "G" including unnamed street between Lot 2 Block "H" and Lot 1 Block "G" Fanita Rancho, and portion Tract "T" and Tract "C" Rancho El Cajon, and Lot 7 Subdivision Map of part of Fanita Rancho, "T" Tract, in County of San Diego, State of California, known and designated as "Mission Reservoir Lands", and which territory shall be added to The San Diego Unified School District, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--Councilman None. Absent--Councilman Curran, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Schneider, 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 written or printed copy.

ORDINANCE 6598 (New Series), amending Article 2 Chapter III of The San Diego Municipal Code, by amending Sections 32.07 and 32.15.6 Regulating Sales Tax, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Nays--None. Absent--Councilman Evenson, Mayor Dail.

On motion of Councilman Curran, 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 the Council written or printed copy.

ORDINANCE 6599 (New Series), dedicating for public use public highway contiguous northwesterly to U.S. Highway 395, across portions of New Riverside, The Highlands and Lots 78 and 72 Rancho Mission (between Linda Vista and Camp Elliott) and naming it Kearny Mesa Road, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran. Nays--None. Absent--Councilman Evenson, Mayor Dail.

On motion of Councilman Curran, seconded by Councilman Kerrigan, the following ordinance was introduced.

On motion of Councilman Curran, 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 written or printed copy.

ORDINANCE 6600 (New Series), authorizing and directing City Auditor and Comptroller to pay the sum of \$4,050.00 out of the Money received as the purchase price for portions of Pueblo Lots 299 and 300 of the Pueblo Lands of The City of San Diego, to Hotchkiss & Anewalt, licensed real estate broker, as real estate broker's commission for sale of the property, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran. Nays--None. Absent--Councilman Evenson, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance changing name of Orange Avenue in Kearny Mesa area, lying westerly of Kearny Mesa Road, to Othello Avenue, and dedicating street easements adjacent to said Orange Avenue and naming it Othello Avenue, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran. Nays--None. Absent--Councilman Evenson, Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, unanimous consent was granted to the City Manager to present the next item, not listed on the agenda:

(It had been before the Council on June 21, 1955, at which time it was referred to the City Attorney for report). As a result, communication was received from the City Attorney stating "as to the provision contained in Section 2 to the effect that the Society shall have the right to charge an admission fee to the premises in an amount which shall have been approved in writing by the City Manager, it was written by the City Attorney's Office. No one recommended it one way or another".

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance granting to the Zoological Society of San Diego the right to occupy, maintain and operate the Zoological Gardens in Balboa Park, and committing to said Society the custody, care and maintenance of zoological exhibits therein; repealing and cancelling

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certain ordinances and agreements, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran. Nays--None. Absent--Councilman Even-son, Mayor Dail.

A man who identified himself later as Fred Fortin, spoke for Mrs. Walker regarding the hearing which had been conducted near the beginning of the meeting on assessment for paving and otherwise improving Olney Street and Felspar Street, said she can't get to the rear of her property - except through Olney.

Councilman Burgener referred Mr. Fortin to Mr. Olson.

Councilman Curran introduced Russell DeLong, vice president of the Lomita Village Association, who told the Council that he was impressed by the activities in this meeting. He said that there are things in Lomita Village over which residents are chagrined.

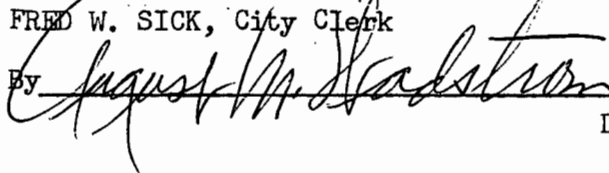
Members of the Council stated that consideration is being given to problems in the area.

The Vice Mayor declared the meeting adjourned at 11:37 o'clock A.M.

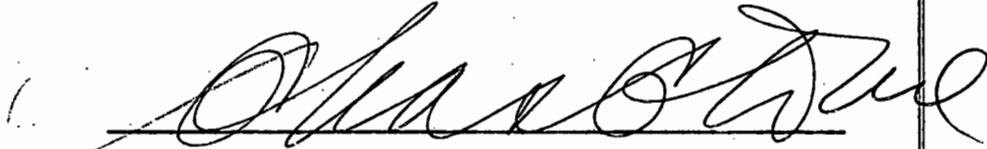
ATTEST:

FRED W. SICK, City Clerk

By



Deputy

  
Mayor of The City of San Diego, California



7/28/55

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, July 28, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail  
Absent--Councilmen Burgener, Evenson  
Clerk---Fred W. Sick

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 99

Mayor Dail presented service award to Maurice E. Sloper, Assistant Purchasing Agent, honoring his 25 years with the City. In addition to citing a number of things about Mr. Sloper, the Mayor stated that he is to retire from City service September 2, following his last working day on July 31 after which he goes on vacation. Mr. Sloper told of having enjoyed his association with the City.

Councilman Burgener entered during the presentation to Mr. Sloper

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on Resolution 127121 of Preliminary Determination for paving and otherwise improving Alley Block 80 Point Loma Heights (awaiting 6 members for adoption of Resolution of Feasibility),

RESOLUTION 127671, determining that improvement of Alley Block 80 Point Loma Heights, Resolution 127121 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on request for rezoning from R-4 Zone to C Zone of Lots 18 to 23 Block 55, and Lots 1 to 3 Block 37 La Jolla Park, letter from Planning Commission, by P. Q. Burton, was read by the Clerk. It says 5 lots are on the west side of Prospect Street and 3 are on the east side just north of Eads Avenue. The report states that petition is signed by all of the lot owners in the area proposed to be rezoned, except 1 who lives in Chicago. According to the communication, area proposed to be rezoned lies adjacent to existing C Zoning at the north on Prospect Street and across the alley to the east. It says the C Zone is mixed business and residential in use; is occupied by residential uses, mostly rather old houses and flats, but 1 new 4-unit apartment occupies portion Lot 3 Block 37 at corner of Prospect and Eads. It says 1 lot is occupied by real estate office granted by zone variance in 1946; there are also doctors' and dentists' offices. The report states that R-4 zoning surrounds the area, almost all occupied with residences, apartments, churches and a school. It was apparent to the Commission, according to the communication, that approximately 80% of the C zoning on Fay Avenue across the alley from proposed rezoning, is still occupied by residential uses, and Planning Department reported more than 50% of existing C and M-1 zoning in La Jolla business district is still occupied by residential uses. The report states that the Planning Department recommended RC zoning, as had several property owners in the surrounding area, as shown by attached letters. It says that the Commission, after a thorough discussion, voted 4-0 to approve rezoning from R-4 to RC, and that the vote constitutes a report only and not a recommendation.

Glenn A. Rick, City Planning Director, stated (as had been said in the report), that property is in La Jolla, and request is for extension of the commercial zoning - south of Anthony's toward the hospital (Scripps Memorial Hospital). He said the Commission voted 4-0 to change the zone to R-C. Mr. Rick said that is reasonable.

Meeting convened  
Service award  
Hearings  
127671

Councilman Schneider spoke to Mr. Rick about the protestants.  
Councilman Kerrigan spoke to Mr. Rick about a parking lot having been blacktopped.

Mr. Rick said that is in Bird Rock - not in this area. He said that the proposal for R-c provides for community service. He told the Council that 4 letters state R-C Zone would be satisfactory.

Mayor Dail referred to 2 additional letters, which he was holding, saying that they support the C Zone.

Mr. Rick said that they were written by owners of some of the property in question.

Councilman Schneider spoke to Mr. Rick regarding the C Zone which is not used.

Mr. Rick said that the property on Faye is largely used for residential purposes. He said the Commission felt that there was no reason to expand (the C zone).

The Mayor invited interested persons in favor of the rezoning to be heard.

D. K. Dunlap, 812 Prospect, said that the property lies between the Colonial Hotel and the Episcopal Church (St. James by the Sea). He said that approximately 2/3 is already zoned commercial: 5 pieces are in R-4; 3 on the opposite of the street are R-4. He told of 2 variances having been granted; 1 property is occupied by a doctor. Dr. Dunlap told the Council that it is old property, and that he had Fred Mitchell analyze it. He said that Mr. Mitchell presented 3 propositions, and stated that the value of the property is too high to leave in the present old structures. He stated that contractors have said that he should not put any more money into the property. He told of getting only 2/3 as much rental as he should. Mr. Dunlap said that the properties will deteriorate, because he cannot afford to keep them up. He said that he signed for C, then recommended R-c. He told of not wanting liquor there. He stated that SC (Suburban commercial) would be economically possible, and that he would prefer SC. He said that under current zoning, the property is "held back to the setback".

Mr. Rick said that if commercial use is made of the property, it can have 100% coverage; 50% coverage for inside lots, 60% on corner lots authorized for residences.

Dr. Dunlap spread out a long photograph on the Council table, which he explained.

Councilman Schneider spoke to Mr. Rick about S-C.

Mr. Rick said that S-C was petitioned for by La Jolla people (there were lengthy, heated hearings held). He said that modifications had been made to the original proposals for S-C which were adopted as modified, but never "set up by the Council. He said that RC provides for 100% property coverage for commercial, as he had said previously.

Mrs. Murray (who did not give her first name, or initials) 818 Prospect Street, said that she was proposing C Zone, which would permit more use of the land. She stated that she "is for progress". She said that they are high calibre people, and would not put in liquor. Mrs. Murray added that taxes are high.

Patrick Malone, executive director of the Art Center in La Jolla, objected to C and S-C, but not to property coverage. He said that the Art Center and the Episcopal cannot have the C zone extended to liquor, gas stations and garages. He said that if property is changed to C zone, future owners can build those things.

Councilman Williams spoke to the owners regarding distance from the Art Center and the Episcopal Church, regarding sale of liquor.

Mr. Rick laid out a map showing the properties, in relation to the requested rezoning.

There was discussion between several members of the Council regarding liquor within 600 feet of churches.

Councilman Kerrigan stated that is an administrative rule; not a law. Then he and Council Curran cited instances where the condition exists.

Councilman Burgener spoke to Mr. Rick about coverage in R-C.

Mr. Rick answered him.

Councilman Burgener stated that the character of the neighborhood is undergoing change. He said that R-C is reasonable and a solution, in that it most nearly meets the needs.

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Councilman Burgener moved to refer the file to the City Attorney for preparation of an ordinance zoning the property into R-c. Motion was seconded by Councilman Schneider.

Dr. Dunlap declared that zoning, according to the motion, would complicate the situation unnecessarily. He said he preferred S-C, regarding the coverage.

Mr. Rick agreed that C and S-C permit construction to the front of the property, whereas R-c property is obliged to observe setbacks where partially built. He said that Anthony's has no setback. He said that if built nearer to the street, it would be treated as a suspension. Mr. Rick said there could be a poor development.

Dr. Dunlap pointed to the map again, and explained regarding Mrs. Barringer's property, also to that of Howard Rose. He stated that offices are in the front, with residences behind. He spoke of wanting to use the existing house, with addition.

Councilman Burgener pointed out that there is a method by which that could be done.

There was discussion between Councilman Burgener and Dr. Dunlap.

Dr. Dunlap said he did not want to have to pay \$50.00 for consideration of a variance petition.

Mr. Rick stated that a setback request is \$10.00.

The roll was called, resulting in

RESOLUTION 127672, requesting the City Attorney to prepare and present the necessary ordinance for rezoning portion of Blocks 37 and 55 La Jolla Park, in accordance with City Planning Commission recommendation, Document 517614, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

After the Resolution was passed, Mr. Malone arose and said "the Art Center would be happy to pay the \$10.00".

Petition of residents petitioning and urging the City of San Diego to take immediate steps to appropriate the necessary moneys and instruct the Public Works Department of The City to immediately repair or replace the Cedar Street bridge between 31st and Edgemont Streets, was presented. It says that on or about May 1, 1955, it was closed to use of the public by Public Works Department of the City on grounds that it was no longer safe for public travel. It speaks of undue hardship caused by detour, and of several traffic accidents on the detoured streets.

RESOLUTION 127673, referring to Council Conference petition requesting that the City take immediate steps to appropriate necessary monies and instruct public works department to repair or replace Cedar Street Bridge, between 31st and Edgemont Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent; reporting on bids for furnishing cars and trucks for the Police Department, Fire Department, and Public Works Department - which had been continued from time to time - 7 bids - was presented again. He recommends acceptance of bids of City Motors; General Motors Corporation, Chevrolet Motor Division; Pearson Ford Co. The items to be purchased, and the bid prices attached to each, are quoted in the report, and are set out in the Resolutions.

RESOLUTION 127674, accepting bid of City Motors for furnishing Group III, 2 - 2/3 ton Pickup Trucks @ \$1,231.71 each, terms net, plus State-Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 127675, accepting bid of General Motors Corporation, Chevrolet Motor Division, for furnishing 35 Pickup Trucks (as itemized in the Resolution); 48 Chevrolet 4-door Sedans less trade-in allowances on 43 1953 Ford Sedans; 1 3/4 Ton Pickup Truck for Fire Department; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications

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on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

(The first group of 35 Pickup Trucks are for Public Works; the Sedans are for the Police Department; the individual pickup truck is for the Fire Department).

RESOLUTION 127676, accepting bid of Pearson Co. for furnishing 4 3/4 ton Chassis & Cabs; 2 1-ton Trucks; 14 4-Door Sedans; 9 4-door Sedans; 1 1/2 ton Panel Truck; 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 Williams, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, recommending acceptance of bid of El Cajon Granite Company (not the low bid) - there were 2 bids - for furnishing Decomposed Granite for 1 year beginning July 1, 1955, at \$0.65 per cu. yd., f.o.b. gravel pit, was presented.

The City Manager explained that it is a question of hauling involved in the ultimate price to the City.

RESOLUTION 127677, accepting bid of El Cajon Granite Company for furnishing Decomposed Granite; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, recommending acceptance of low bid of Cameron Bros. Construction Company for construction of Storm Drains in "B" Street between 2nd & 10th; 4th Avenue between "B" and Ash Streets, etc. - \$53,203.12 - 5 bids, was presented. It states low bid is 20.9% above estimate, that City Engineer has stated that estimate was too low, however, due to fact that new wage scale being put into effect was not taken into account when estimate was made, and that difficult traffic situation makes bids higher than previous jobs.

RESOLUTION 127678, accepting bid of Cameron Bros. Construction Company for construction of storm drains; 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.

Communication from Purchasing Agent, with City Manager's stamp of approval, recommending acceptance of low bid of Lemon Grove Sheet Metal Works for ventilation work to be done on existing installation at Main Library, 8th Avenue and "E" - \$3,909. - 2 bids, was presented.

RESOLUTION 127679, accepting bid of Lemon Grove Sheet Metal Works for ventilation work on existing installation at Main Library; 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.

Communication from Purchasing Agent, with City Manager's stamp of approval, recommending acceptance of low bid of Southern Equipment and Supply Co., for furnishing 130 Items of Galvanized Pipe Fittings at total of \$1,502.81 plus State Sales Tax, terms 2% 10th prox. - 8 bids, was presented.

RESOLUTION 127680, accepting bid of Southern Equipment and Supply Co. for furnishing 130 Items of Galvanized Pipe Fittings; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of the City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127681, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 6,000 ft. Fire Hose, Document 517516, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127682, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Webster Avenue near 33rd Street, and in Lot G Block 7, and Lot B Block 8 Central Homestead, Document 517515; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code, in connection with revised Tentative Map of Allied Gardens Unit 6, was presented.

RESOLUTION 127683, suspending Sections 102.07-5, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Allied Gardens Unit 6, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Allied Gardens Unit 6; a revision of Tentative Map approved December 7, 1954 - occasioned by request of the City to provide alignment for Navajo Road on limited access basis and provide sufficient area for future segregation structure, subject to 14 conditions, was presented.

RESOLUTION 127684, approving Tentative Map of Allied Gardens Unit 6, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending acceptance of Final Record of Survey Map of Roseville, Lots 11 & 12 Blk 34, in lieu of a final subdivision map, was presented.

RESOLUTION 127685, 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 11 and 12 Block 34 Roseville, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Director, dated July 20, 1955, reporting factual report in brochure form presented to the City Council members and Planning Commission members, and a few other interested parties on the Mission Valley area, was presented. It states that the Planning Commission endorsed a recommendation that the City Council authorize City Attorney's Office and Planning Department to prepare a form of ordinance amending the Municipal Code, to create a new zone which might be applied to certain portions of the Mission Valley area. The communication says that because it is anticipated that considerable amount of time will be spent on preparation of such an ordinance, it is felt that the City Council should determine whether it is interested in proceeding further at this time. Also, it says that if so the Planning Commission would appreciate adoption of resolution directing City Attorney and Planning Director to draft form of ordinance for presentation to the Commission for study prior to submission to the City Council.

RESOLUTION 127686, referring to Council Conference for policy discussion, communication from Glenn A. Rick, City Planning Director, on report on Mission Valley area, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.



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Communication from Street Superintendent, with Assistant City Manager's signature of approval, and City Manager's stamp of approval, on petitions to close portion of Calle Volver, was presented. It states that the closings are required in connection with resubdivision of portion of Tres Lomas by Homesites No. 2 Subdivision. It recommends the closings requested, subject to filing of Final Subdivision Map of Homesites No. 3.

RESOLUTION 127687, adopting recommendation of Street Superintendent, Document 517530, for closing portions Calle Volver and Calle Tortuosa; 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 Kerrigan, seconded by Councilman Williams, adopted.

Communication from County of San Diego, Department of Public Works, by W. E. Boland, Chief, Office Management Division, approved by Jean L. Vincenz, Director, dated July 21, 1955, was presented. It refers to lighting assessment bill on which cancellation had been requested as authorized by Board of Supervisors. It says that the Board's authorization covered all future charges of a similar nature against County property described as Lot A Block H Horton's Purchase, located at Front and B Streets - occupied by the Probation Department.

The City Manager suggested that the letter be referred to him.

Communication from golfers in the Naval Air Civilian Recreation Golf Club, stationed at North Island, dated July 14, 1953, was presented. It favors construction, without further delay, of 2 golf courses on the Camp Callan site. It offers to assist in any way possible toward completion of the fine move for the good of all of San Diego.

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

Communication from Ned A. Kimball, attorney at law, 908 San Diego Trust & Savings Building and 3381 Adams Avenue, dated July 26, 1955, in behalf of Southward Ho Motel, Taylor Motel, Mission Bay Trailer Villa, West Shores Motel, La Jolla Motel, Rancho 101 Motel, Fox & Hounds Motel, Ranchers' Market, Boland's Market, was presented. It requests work at intersection of Grand Avenue and Pacific Highway, including removal of concrete traffic island, providing access from Grand Avenue onto Figueroa Boulevard, etc.

Councilman Burgener said that this is the same as was discussed previously. They (there were only motel operators at the earlier presentation) have an attorney now.

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

Communication from Pacific Coast Inter-Mountain Association of Fire Chiefs, July 25, 1955, by Jay W. Stevens, secretary-treasurer, Merchants Exchange Building, San Francisco 4, was presented. It urges attendance at the next meeting, to be held at Sun Valley.

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

RESOLUTION 127688, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public sewer and storm drain across portion of Lot 28 Oak Park Annex, in The City of San Diego, and that public interest, convenience and necessity demand acquisition of easements to be used by the City for construction of public sewer and storm drain within the area; declaring intention of The City of San Diego to acquire the property under eminent domain proceedings; and directing the City Attorney of The City of San Diego to commence action in Superior Court of The State of California, in and for County of San Diego, for purpose of acquiring same, was on motion of Councilman



Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127689, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with La Jolla Mesa Lands, Inc., a corporation, 1150 Silverado, PO Box 569 La Jolla, called Subdivider, subdivider of Muirlands Vista Unit No. 1 subdivision, providing for installation of mains and appurtenances larger than necessary on Rutgers Road from La Jolla Scenic Drive to south boundary of subdivision, made at request of the City, and for reimbursement by the City to the Subdivider of \$3898.68 for difference in cost of installation of larger mains, made at request of City, upon execution and delivery to City of Quitclaim Deed conveying all right, title and interest of Subdivider in and to water distribution system in Muirlands Vista Unit No. 1 subdivision, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127690, authorizing City Manager to execute, for and on behalf of The City of San Diego, contract with U.S. Department of Interior providing for geological survey showing contours of land below water level of reservoirs in San Diego water system, for purpose of assisting in rechecking water storage capacities; cost of survey not to exceed \$5,000.00, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127691, authorizing and directing The City Manager to sign contract with San Diego Gas and Electric Company requiring installation of electrical transmission wiring and facilities and furnishing of electric service subsequent to installation, in recreation area at El Capitan reservoir - aggregate of \$2,536.79, \$1,826.70 refundable according to Rule and Regulation 20 affecting the utility, as requested by the Director of the Water Department, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127692, authorizing City Manager to employ Daley Corporation to encase 3 existing shallow sewer laterals on Shamrock Street for total length of 54-1/2 feet, cost of work not to exceed \$136.25, payable from Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 127693, waiving penalty imposed by terms and provisions of contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lighting systems on F Street between 12th Avenue and Kettner Boulevard, Document 505369, on file in office of City Clerk, upon grounds and for reasons set out in the Resolution, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127694, authorizing and empowering City Manager to enter into agreement with property owner Magnatron Corporation of America, Inc. wherein the owner will agree to contribute \$3,300.00 toward cost of bringing sewer facilities to property involved (Lot 78 Rancho Mission of San Diego, purchased from the City of San Diego) and, in consideration of contribution, the City agrees to construct the sewer facilities and pay cost thereof out of monies contributed together with costs to be contributed by the City; more particular description of property and terms and conditions to be set forth in form of agreement, Document 517633, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127695, authorizing and empowering City Manager to enter

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into agreement with property owner Magnatron Corporation of America, Inc. wherein the owner will agree to contribute \$6,000.00 toward cost of bringing water facilities to property involved (Lot 78 Rancho Mission of San Diego, purchased from the City of San Diego), and, in consideration of contribution the City agrees to construct water facilities and pay cost thereof out of moneys contributed together with costs to be contributed by the City; more particular description of the property and terms and conditions to be set forth in form of agreement, Document 517634, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127696, authorizing City Planning Director and Director of Building Inspection to issue to Magnatron Corporation of America, Inc. a building permit for construction of building and improvements upon portion Lot 78 Rancho Mission of San Diego owned by the Corporation, provided that plans and specifications conform to requirements of the Building Code, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127697, granting revocable permit to R. E. Chenhall, 4230 Arista Street, San Diego 3, to install and maintain private 4" sewer connection under Adams Avenue from owner's property: E 57' of N 5' Lot 46 and E 57' Lots 47 and 48 Blk 17 University Heights, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 127698, granting revocable permit to William E. Sorensen, 2080 Oliver Avenue, San Diego, to install and maintain retaining wall over Oliver Street and over Noyes Street, in front of owner's property: Lots 21 and 22 Block 281 Pacific Beach, subject to conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127699, authorizing Jerome A. Belleau, of the Park and Recreation Department, to attend annual meeting of National Shade Tree Conference, to be held in Santa Barbara, California, August 1 through August 5, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127700, authorizing D. A. Hoffman, Sanitary Engineer of the Water Department, to visit and inspect lime reclamation plants at Marshalltown, Iowa, and Lansing, Michigan, from August 9 through August 15, 1955; authorizing incurring all necessary expenses in making the inspections, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution states that Mr. Hoffman, Sanitary Engineer of Water Department, is planning to spend his vacation during month of August in Lansing, Michigan, and that the City desires those lime reclamation plans inspected and reviewed, for the possibility of utilizing one of the processes for the Alvarado Filtration Plant...; and estimates additional expenses to be less than \$100.00.

RESOLUTION 127701, approving claim of Olive L. Pryor, Document 517016, Document 517016 in amount of \$4.85; directing City Auditor and Comptroller to draw his warrant in favor of Olive Pryor, 3101 El Cajon Boulevard, San Diego 4, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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RESOLUTION 127702, denying claim of Hall V. Cartmell, Document 515913, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127703, denying claim of Clyde H. Giddings, Sr., Document 515916, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 127704, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of, and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to O. D. Arnold and Sons, a Limited Partnership, a strip of land 8.00 feet wide in portion Lot 43 Arnold Knolls; authorizing and directing City Clerk to deliver it to Property Supervisor with instructions that it be delivered to Grantees upon receipt by the City of deed conveying property required by the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states The City is desirous of acquiring portion Lot 43; O. D. Arnold and Sons, owners of the land, are willing to deed it to the City in exchange for quitclaim deed from the City, quitclaiming portion Lot 43, that City is owner of said portion and is no longer required by the City; respective values to be exchanged are equivalent; City Manager has recommended the exchange.

RESOLUTION 127705, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of, and as act and deed of The City of San Diego, quitclaim deed quitclaiming to Isabel Bedford Hardie all its right, title and interest in Lot 24 Block 40 Fairmount Addition to City Heights; authorizing and directing Property Supervisor to take necessary steps to deliver deed to Grantee, and collect the consideration, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states that The City acquired interest in the lot by tax deed from the County of San Diego Tax Collector, that Isabel Bedford Hardie acquired interest in and to the same property by foreclosure of street improvement bond; in order to settle and adjudicate interests of both parties with cost and inconvenience and extensive litigation, the City should convey its interest for \$350.00, which is the total consideration, including costs, which the City has expended in acquiring its interests; there is no present or prospective public use for the property; the City Manager has recommended the action.

RESOLUTION 127706, authorizing and empowering Mayor and City Clerk, for and on behalf of and as the act and deed of The City of San Diego, to execute quitclaim deed quitclaiming to K. L. Mark portion Lot 21 Block 248 South Chollas Addition, together with portion of closed alley adjacent to the lot, all situated southeasterly of 32nd Street; authorizing and directing City Clerk to deliver the quitclaim deed to Property Supervisor with instructions that the deed, together with \$225.00, be delivered to K. L. Mark, Grantee, when Property Supervisor shall have received deed to property as required by the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states that The City acquired an interest in Lot 24 Block L of Alta Vista Suburb Tract 2; K. O. Mark at time of City's acquisition was owner of lien arising by a street improvement bond; the City desires to acquire ownership of the property free and clear of any outstanding interests; the City is owner of portion Lot 21 Block 248 South Chollas Addition together with portion alley closed adjacent thereto lying southeasterly of 32nd Street; Mr. Mark has agreed to convey to the City his right, title and interest in and to Lot 24 Block L Alta Vista Suburb Tract 2 in return for deed to portion Lot 21 Block 248 South Chollas Addition and sum of \$225.00; value of interest to be acquired by the City exceeds value to be conveyed by \$225.00 as determined by last report of City Auditor and Comptroller; City Manager has recommended the exchange, together with the payment.

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RESOLUTION 127707, accepting quitclaim deed executed by La Jolla Mesa Lands, Inc., a corporation, 1150 Silverado, PO Box 569 La Jolla, quitclaiming all water mains and appurtenant structures constructed for use, located in public streets, rights of way, highways and public places, either within or without rights of way, highways and public places, either within or without subdivision named Muirlands Vista Unit 1, being portion of southerly Half Pueblo Lot 1774; 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 Burgener, adopted.

RESOLUTION 127708, accepting deed of The Roman Catholic Bishop of San Diego, July 18, 1955, conveying portion Lot 4 and all Lot 5 Block 3 Asher's Clover Leaf Terrace; 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 127709, accepting deed of Margaret Wallauer, as Administratrix with the Will Annexed of the estate of Horace Herbert Lewis, deceased, July 1, 1955, conveying Lot 9 Block 49 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 127710, accepting deed of William L. Canning and Jane L. Canning, June 23, 1955, conveying portion Lot 8 Block 1 La Jolla Beach; 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 127711, accepting deed of The United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, July 20, 1955, conveying portion Lots 4 and 5 Lemona; 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 127712, accepting deed of Cecil B. Grove and Maude L. Grove, May 19, 1955, conveying easement and right of way for drainage purposes in portion Lots 220, 221, 222, 223, 224, 225, 226 Sunshine Gardens; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127713, accepting deed of Guy C. Courtney and Louis D. Courtney, July 8, 1955, conveying easement and right of way for public purposes in portion Lot 11 Block 34 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 Williams, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 127714, accepting deed of Elizabeth C. Blanchard, November 18, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1209; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127715, accepting deed of H. E. Mann and Mary I. Mann, July 19, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1288; 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127716, accepting deed of Kermit M. Davis and Frances J. Davis, July 15, 1955, conveying easement and right of way for storm drain purposes in portion Lot 63 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127717, accepting deed of Norman A. Lytle and Edna M. Lytle, July 12, 1955, conveying easement and right of way for storm drain in portion Lot B La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127718, accepting deed of San Diego Unified School District of San Diego County, June 21, 1955, conveying easement for storm drain purposes in portion Lot 43 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127719, accepting deed of Verner A. Seaman and Angeline Seaman, July 19, 1955, conveying easement and right of way for storm drain purposes in portion Lots 17 and 18 Block D Montclair; 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127720, accepting deed of Gideon P. Taylor, July 15, 1955, conveying easement and right of way for storm drain purposes in portion Lot 63 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127721, accepting deed of The United States of America, acting by and through The Housing and Home Finance Agency, Public Housing Administration, June 27, 1955, conveying easement and right of way for storm drain purposes in portion Pueblo Lot 1188; 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 Williams, seconded by Councilman Kerrigan, adopted.



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RESOLUTION 127722, accepting deed of Westlands Investments, June 13, 1955, conveying easement and right of way for storm drain purposes in portion Lot 45 Las Alturas Villas 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127723, accepting deed of William W. Crawford Jr. and Nina M. Crawford, July 25, 1955, conveying easement and right of way for street purposes in portion Pueblo Lands (not described); authorizing and directing City Clerk to record the deed in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127724,

RESOLUTION 127724, accepting deed of John L. Harris, July 14, 1955, conveying easement and right of way for street purposes in portion Lot 7 Block 42 Paradise Hills Unit No. 2; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Ordinance adding Section 86.01.1 to Article 6 Chapter VIII of San Diego Municipal Code, Regulating Parking on Grades - which had been introduced July 21, 1955 - was listed on the agenda for dispensing with reading, and adoption.

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

In connection with the next Ordinance, Councilman Burgener asked to have the property identified. Glenn A. Rick, City Planning Director, pointed it out to him on a map. Mr. Burgener announced that he would not be voting on the ordinance (since property in which he is interested is affected).

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance prior to adoption was dispensed with by not less than 4 members of the Council. There was available copy for each Councilman before date of adoption.

ORDINANCE 6601 (New Series), incorporating portions of Lots 142, 143, 144 Morena into C-1A, RC-1A and CP Zones, as defined by Sections 101.0411.1, 101.0409.2 and 101.0410 of San Diego Municipal Code, and repealing Ordinance 100 (New Series), insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson. Excused from voting: Councilman Burgener

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance prior to adoption was dispensed with by not less than 4 members of the Council. There was available copy for each Councilman before date of adoption.

ORDINANCE 6602 (New Series), incorporating portion Pueblo Lot 239 into C-1A Zone as defined by Section 101.0411.1 of San Diego Municipal Code, and repealing Ordinance 34 (New Series) adopted September 12, 1932 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan,

127722 - 127724

Ord (which had been introduced) ref to Mgr  
6601 N.S. - 6602 N.S.



reading prior to adoption was dispensed with by not less than 4 members of the Council. There was available copy for each Councilman before date of adoption.

ORDINANCE 6603 (New Series) appropriating \$58,500.00 from Capital Outlay Fund for providing funds for construction of Storm Drains in B Street, between 2nd and 10th Avenues; 4th Avenue, between B and Ash Streets; Ash Street between 4th and 5th Avenues, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

On motion of Councilman Schneider, seconded by Councilman Williams, Ordinance zoning portions of Sections 16, 17, 20, 21 Township 18 South, Range 2 West, S.B.B.M., also known as "Western Sale Company Tract" (annexed to the City with that designation), into "C", "M-1" and "M-2" Zones as defined by Sections 101.0411, 101.0412 and 101.0413 respectively of the San Diego Municipal Code, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

On motion of Councilman Williams, seconded by Councilman Burgener, Ordinance amending San Diego Municipal Code by adding thereto a new section to be numbered 63.15.16, regulating use of Tows and Towing Vessels Within the San Diego Bay", was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

The City Manager requested, and was granted unanimous consent to present the following items:

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

RESOLUTION 127725, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Donald F. Morrison and Margaret E. Morrison, husband and wife, for installation and completion of unfinished improvements and setting of monuments required for Euclid View Annex No. 2 Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127726, adopting Map of Euclid View Annex No. 2 Subdivision, being subdivision of portion Lot 12 Wadsworth's Olive Grove; accepting on behalf of the public Altadena Avenue and Kalmia Street and unnamed easements shown for public purposes; declaring them to be dedicated to public use; authorizing and directing the Clerk of the City to endorse upon the map, as and for the act of the Council, that streets and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit the map to the Clerk of the Board of Supervisors of the County of San Diego, California, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

On motion of Councilman Schneider, seconded by Councilman Curran, Ordinance amending Sections 22.0902 and 22.0903 of the San Diego Municipal Code regulating the sale of City-owned Real Property, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

There being no further business to come before the Council, at this time, the Mayor declared the meeting adjourned at 10:45 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Wadstrom Deputy

Charles E. Dail  
Mayor of The City of San Diego, California

6603 N.S.  
127725 - 127726 under U.C.  
Ords introduced  
Ord introduced under U.C.

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, August 2, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail  
Absent--Councilmen Burgener, Evenson  
Clerk--Fred W. Sick

Major Robert J. Angel, San Diego Citadel, Salvation Army, was presented by Mayor Dail. Major Angel gave the invocation. After the invocation, the Mayor stated that Major Angel had been promoted yesterday, at which time he was Captain Angel.

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 99.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Regular Meetings of Tuesday, July 26, 1955, and of Thursday, July 28, 1955, were approved without reading - after which they were signed by the Mayor.

The Purchasing Agent reported in writing that bids had been opened July 29, 1955 on 1911 Act proceedings for Alley Block 72 City Heights - from 2 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 City Attorney for recommendation.

The Purchasing Agent reported in writing that bids had been opened July 29, 1955 on 1911 Act proceedings for Alley Block 34 Ocean Beach - from 2 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 City Attorney for recommendation.

The Purchasing Agent reported in writing that 1 bid had been opened July 29, 1955 on 1911 Act proceedings for Alley Block 4 Carmel Heights, and Nutmeg Street.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, finding was made that bid had been opened as reported; and it was referred to City Manager and City Attorney for recommendation.

The hour of 10:00 o'clock A.M. having arrived; the time set for hearing on Resolution of Intention 127127 for installation of sidewalks in Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue, 54th Street, the Clerk reported written protest from Jewel L. Lipsey and Gladys M. Lipsey.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127727, overruling and denying protest of Jewel L. Lipsey and Gladys M. Lipsey against proposed installation of sidewalks on Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, Resolution 127127, overruling and denying all other protests, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 127128 for paving and otherwise improving Alley Block 33 Fairmount Addition to City Clerk, 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 Schneider, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 127129 for paving and otherwise improving Hugo 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.

On motion of Councilman Williams, 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, time set for hearing on Resolution of Intention 127130 for paving and otherwise improving Tourmaline 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.

On motion of Councilman Curran, 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, time set for hearing on Assessment 2377 made to cover costs and expenses of work of installing sanitary sewer main in Alley Block 16 La Mesa Colony, the Clerk reported written appeal from Pete & Vitina Lombardo.

The Mayor inquired if anyone was present to be heard.

Mrs. Pete Lombardo, 5035 - 73rd Street, told the Council that the price is too much. She said that the sewer is higher than the property, on the back. She said that it does not go the whole way.

The City Engineer showed Councilmen a plat.

Councilman Kerrigan asked if the property slopes.

The City Engineer replied that it does; it is assessed on frontage - not on area. He explained from the map and said that it is a kind of knoll and slopes. He then went to the microphone and explained to Mrs. Lombardo.

The Mayor said that the City Engineer is charged with the responsibility of levying the assessment. He stated that the Council recognizes the protest, but that it would have to be overruled.

Mrs. Lombardo expressed disappointment.

Councilman Schneider spoke to the City Engineer, and was answered by Willard Olson, of the City Engineer's office.

RESOLUTION 127728, overruling and denying appeal of Pete Lombardo and Vitina Lombardo from the Street Superintendent's Assessment 2377 made to cover costs and expenses of work of installing sanitary 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; confirming and approving Assessment 2377; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on

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Assessment 2378 made to cover cost and expenses of paving and otherwise improving Alleys Blocks 199 and 220 Pacific Beach, Resolution of Intention 116718, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127729, confirming and approving Street Superintendent's

Assessment 2378 made to cover costs and expenses of paving and otherwise improving Alleys Blocks 199 and 220 Pacific Beach, Resolution of Intention 116718; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2379 made to cover costs and expenses of work of paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, Resolution of Intention 118486, the City Clerk reported written appeals from Harry J. Hawn and Margaret B. Hawn, Gustavo Alarcon and Gertrude F. Alarcon, R. A. Jackson, A. E. Kubichek, H. O. Blanton. They were presented to the Council.

The Mayor inquired if anyone was present to be heard.

A. B. Kubichek told the Council that he was assessed "for stuff he should not be". He said that his property is too far removed from the assessment.

The City Engineer pointed out that there is an area assessment involved - portions of Lots C and D.

Councilmen Curran and Kerrigan spoke to Mr. Kubichek.

Mr. Kubichek stated that the improvement is in the other block.

The Mayor said that it is up to the City Engineer to determine the assessment district.

The City Engineer explained the matter to Mr. Kubichek.

Willard Olson, of the City Engineer's office, gave the assessment amount as \$72.99.

The Mayor declared that the property had been enhanced by the improvement.

Mr. Kubichek said that he still thinks the assessment is far from the property. He said he should not be assessed when the work is so far away.

The City Engineer showed a plat of the work done.

Mr. Olson answered Councilman Kerrigan regarding the reason for the district. He pointed out assessments in the district.

The Mayor stated that there is no way to revise the district to take out the property assessed.

Gus Alarcon told the Council that he has only 1 small, 1-family house.

The City Engineer stated that it is an area assessment for 53rd Street.

Mr. Alarcon said the amount is \$150.70; there is no justice. He said that the next-door property has twice the area, with 2 families.

A conference was held over a map, produced by the City Engineer.

Councilman Schneider spoke to Mr. Alarcon about a bit lot - 10 times the size of his; another with twice as much area.

There was continued conversation between Councilmen, the City Engineer and the appellant.

The City Engineer showed Mr. Alarcon map and assessment.

RESOLUTION 127730, overruling and denying appeals of Harry J. Hawn and Margaret B. Hawn, Gustavo Alarcon and Gertrude Alarcon, R. A. Jackson, A. E. Kubichek, H. O. Blanton from Assessment 2379 made to cover costs and expenses of work of paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, Resolution of Intention 118486; confirming and approving Assessment 2379; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Mayor recognized John Butler, attorney, who came to the microphone in connection with the next item - listed toward the end of the docket. By common consent, the Council determined to consider it out of order.

It was the ordinance which had been prepared by the City Attorney, at the direction of the Council, incorporating portions of Pueblo Lots 1202 and 1203, and repealing Ordinance 13457 (in the vicinity of Linda Vista Road and Highway 395).

The Mayor stated that the hearing (which was held July 21, 1955) had been closed.

Mr. Butler asked for the right to present evidence, and stated that there are people here now, who had not been here previously.

The Mayor stated, again, that the hearing had been held.

Councilman Kerrigan said that if the Council is to re-open the hearing, 7 members would be needed.

City Attorney J. F. DuPaul said that the Council could introduce the ordinance, and then have another hearing.

The Mayor said that there might be 6 members of the Council present before September.

Councilman Kerrigan stated that 4 members of the Council can introduce the ordinance, but that 5 members are needed to adopt.

Mr. DuPaul said that is correct; Mr. Butler's arguments would be more persuasive at the adoption.

Councilman Kerrigan repeated that the Council is going to need 5 votes to adopt the ordinance.

The Mayor asked if the Council would be willing to allow 10 minutes on each side.

Vincent T. Godfrey, former member of the Council, said that if the Council is going to give 10 minutes to each side, he wants 10 or 15 minutes.

Asked on which side he is, Mr. Godfrey replied that he is "not on anybody's side"; people have been calling him up.

The Mayor told of trying to allot time, so as to get on. He said, again, that the hearing has been closed. He said that there is a technical point, in that this is the first time after the ordinance has been prepared that it is before the Council. He said that Mr. Butler feels entitled to make a statement on the ordinance. Mayor Dail said that it is the prerogative of the Council if it will decide to reopen the hearing.

Again, Councilman Kerrigan said that the Council cannot adopt the Ordinance today; there would not be enough votes for one thing, and it could be only introduced.

Councilman Schneider said that he is willing to go along "if this is the last time the Council is to hear it".

Frank Frye, attorney representing proponents, told of having had a unanimous vote at the last hearing, to prepare the ordinance. He said that the record today is merely for the introduction of the ordinance.

Mr. DuPaul said that when the ordinance is up for adoption, the people should be permitted to be heard. He said that the ordinance "soaks" for 6 days.

Mr. Frye spoke of having the burden of 5 votes. He said that he did not understand that this was to be heard today; he did not have his parties present.

Mr. DuPaul said that it would be only for introduction.

Mr. Godfrey said that unanimous vote to draw the ordinance.... He said that if the Council opposes it today, it would lose on introduction. He declared that if 2 members are opposed today, it could "be down the drain".

Councilman Schneider moved to continue the ordinance 1 week - to Tuesday, August 9. Motion was seconded by Councilman Curran.

Councilman Williams said that there would not be a full Council that date.

Councilman Schneider said that Council schedule (of vacations) could be sent for.

The Mayor said that 1 will be absent; 2 will be back.

Councilman Schneider was excused long enough to go to his office for the vacation schedule.

A man, who remained unidentified, said he wants to determine what the procedure is.

There were several other attorneys present at the meeting on this subject, but made no effort to be heard.

Councilman Schneider returned, and reviewed the schedule. He said

Consideration and  
discussion - out of  
order - on Ord to  
rezone P/Ls 1202&1203

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that next Tuesday all members of the Council should be here.

The roll was called, and the item held over to the meeting of August 9.

The next item was introduced under unanimous consent granted to the City Manager. It was numbered here, although presented at the end of the meeting, so that it could be put in the mail.

RESOLUTION 127731, authorizing execution of application and agreement with the State of California (City as "Public Agency") 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 the coverage of said employees under the insurance system established by Title II of the Federal Social Security Act; that a referendum shall be conducted in accordance with requirements of section 218(d) of the Social Security Act, and applicable State and Federal laws and regulations; that such referendum shall be held on the question of whether service in positions covered by the Public Agency's retirement system should be excluded from or included under an agreement under the Old Age and Survivors' Insurance Program under Title II of the Social Security Act, with coverage effective as to services performed on and after Jan 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution continues regarding the "eligible employee", and the referendum.

The next item was considered out of order, at the request of Brooks Crabtree, attorney, San Diego Trust & Savings Building, San Diego 1. The communication, from Mr. Crabtree, dated July 27, 1955, asks the Council to take action on petition filed November 24, 1953, for removal of Hancock Street from the major street and highway plan of the metropolitan area of San Diego. It says that the Council referred the petition to Planning Commission and several hearings were had before the Commission. It says that on August 25, 1954, the last of the hearing was held before the Commission, at which time it was voted to take the matter under advisement to render a decision thereon. The communication states that since the last hearing of the Planning Commission no decision has been rendered by that body, and many of the property-owners along Hancock Street are desirous of bringing the matter to a conclusion in order to make plans for use of their property. It says that until final decision on petition has been reached, several owners will be unable to improve their property.

Mr. Crabtree spoke of the previous reference to the Planning Commission, and of the several hearings. He told of having been taken under advisement, but of there being no decision. He contended that the Commission should reach a decision, to incorporate Rick's (Glenn A. Rick, City Planning Director, who has resigned and is to leave the City service soon) ideas into the report.

Councilman Schneider asked if it would be in order to have a resolution directed to the Planning Commission, calling for a decision.

Mr. Rick said that the Commission could give a report. He spoke of having held a number of hearings, including alternate routes through Old San Diego. He said that the Commission was inclined to go through the "upper route" - San Diego Avenue. He said that Mr. Crabtree's clients don't want this continued, but that he does not see how a decision can be made without a report.

Councilman Schneider asked Mr. Rick if he would be available for consultation to public officials.

Mr. Rick's reply was "yes".

Councilman Curran said that referring this to Planning is the same as putting it in the file.

Several entered into discussion.

Councilman Kerrigan spoke to Mr. Crabtree.

Mr. Crabtree spoke of property fronting on Hancock and on the railroad. He said that owners are unable to get grades. He identified property as being north of the San Diego Gas Station. He said that property north of the Gas Station awaits "this".

Councilman Kerrigan spoke to Mr. Crabtree regarding being able to request grades and building permits.



Mr. Crabtree said that grades might be given - then changed. He said that this involves property all along Hancock Street.

Mr. Rick said that he thinks that property owners can get permits.

Mr. DuPaul recommended that the item be referred to Conference, and the record be looked at. He said that if referred to Planning and directed hearings, he does not know the state of the record.

Councilman Kerrigan spoke to Mr. Crabtree.

Mr. Crabtree said that there have been several hearings, but the thing is lying dormant. He stated that he has no objection to the item being taken up in conference.

RESOLUTION 127732, referring to Council Conference from Brooks Crabtree requesting action on petition to remove Hancock Street from Major Street and Highway Plan; requesting City Attorney to report to Conference on procedure for removal of streets from Major Street and Highway Plan, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending accepting bid of Michaels Ambulance Service covering Area @ \$3.50 per call; bid of Lincoln Ambulance Service covering Area "B" @ \$4.00 per call, was presented.

RESOLUTION 127733, accepting bid of Michaels Ambulance Service for furnishing Ambulance Service in Area "A" (all of the City west of Cabrillo Freeway and 12th Street extended to the Bay) for 3 years commencing August 1, 1955, at \$3.50 per call; 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 127734, accepting bid of Lincoln Ambulance Service for furnishing Ambulance Service in Area "B" (Cabrillo Freeway and 12th Street extended to the Bay and all of the City lying easterly thereof) requiring minimum of 3 full crews on duty 24 hours per day for 3 years commencing August 1, 1955, at modified price of \$4.00 per call (in accordance with bidder's letter dated July 29, 1955); 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.

Communication from Purchasing Agent, approved by City Manager, recommending accepting bid of Western Metal Supply Company for furnishing 23 Revolvers for the Police Department at \$43.25 each, terms 2% - 30 days, plus State Sales Tax - 3 bids, was presented. Western Metal Supply Company, not the low bidder, requested a 5% preference as local bidder.

RESOLUTION 127735, accepting bid of Western Metal Supply Company for furnishing 23 Revolvers; 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 Schedule, adopted.

In connection with the communication from the Purchasing Agent authorizing purchase from Shaw Sales & Service Company, without bids, Track Assembly Parts for Allis-Chalmers HD-20 Tractor, at total price of \$3,222.75 plus State Sales Tax, a question was asked if it is for parts.

The City Manager reviewed items proposed to be bought, and said that they are replacement.

RESOLUTION 127736, authorizing and directing Purchasing Agent to purchase from Shaw Sales & Service Company Assemblies, Track Bolts, Track Bolt-Nuts, Roller Exch., Single Flange Roller, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, approved by City Manager, authorizing advertising for bids for furnishing 60 6" 2-way Fire Hydrants, was presented.

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RESOLUTION 127737, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 60 6" 2-way Fire Hydrants, Document 517686, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Continued items - recommendations of the Planning Commission, and Resolutions - in connection with Westward Ho Division of Rodefer Hills, were presented again.

Also presented was a petition from C. M. Rodefer requesting that items under "No. 14" of today's agenda on the subject be taken from the Council docket and continued indefinitely.

City Attorney J. F. DuPaul suggested that the item be tabled.

Planning Director spoke to Mr. DuPaul about time to approval. He asked if filing or tabling is tantamount to a denial.

Then, Mr. DuPaul asked that the file be referred to him.

On motion of Councilman Schneider, seconded by Councilman Curran, the file was referred to the City Attorney.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Alvar Hills, was presented.

RESOLUTION 127738, adopting Map of Alvar Hill Subdivision, all of portions of Leavitt's Addition, together with portions of unnamed streets and alleys, described, abandoned and closed by Resolution 24996; 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 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 portion of street and unnamed easements are accepted on behalf of the public a stated; directing the City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Crown Heights, a 2-lot subdivision of Lot 20 Block 51 Linda Vista Unit 1, was presented.

RESOLUTION 127739, suspending Sections 102.07-5, 102.12-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Crown Heights, a 2-lot subdivision of Lot 20 Block 51 Linda Vista Unit 1, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Crown Heights, a 2-lot subdivision of Lot 20 Block 51 Linda Vista Unit 1, northerly side of Ulric Street - site of the present Medical Clinic - was presented. It says division of the property is for removal of portion of the clinic building in order to provide space for a proposed bank building. It makes the recommendation subject to 4 conditions.

RESOLUTION 127740, approving Tentative Map of Crown Heights, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, recommending approval of Final Map of Tommasa Terrace, a subdivision of portion Lot 26 La Mesa Colony, was presented. It was signed by Harry C. Haelsig.

RESOLUTION 127741, adopting Map of Tommasa Terrace, portion of Lot 26 La Mesa Colony; accepting on behalf of the public Curry Drive, portion of Catoctin Drive

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and unnamed easements shown for public purposes; declaring them to be public street, portion of public street and unnamed easements and dedicated to public use; rejecting as a dedication for public street land shown as "Reserved for Future Street"; authorizing and directing the Clerk of the City to endorse upon the map as and for act of the Council re acceptances and rejection; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

In connection with communication from the City Planning Director proposing addition to Trailer Park District No. 1 of 16.7 acres in Pueblo Lot 219 as part of that District, the Mayor asked about a report.

Glenn A. Rick spoke of there being a map with the letter. He produced the map from the Clerk's file, showed it to the Council and explained the property. Mr. Rick said that it is below Point Loma, and is a vehicle storage area.

Communication from the Planning Commission submits letter from R. E. Hazard and Edward T. Hale requesting that the southwest corner of West Point Loma Boulevard and Midway Drive be added to that District. It says that if such addition is made, the area would be eligible for a trailer park, if and when a conditional use permit is granted. It identifies the property specifically as being across West Point Loma Boulevard from the drive-in theater; across Midway Drive is M-1 zoning and a lumber yard; between Hazard property and intersection of Midway Drive and West Point Loma Boulevard is large parcel of U.S. Government property used by the Navy for storage of automotive equipment and other items. It says that another trailer camp exists southerly on the same side of Midway Drive about 400 feet distant. It reports that property to the southeast and south is mostly vacant and much of it is approximately 100 feet higher in elevation.

The Mayor asked if the area is designated as a trailer park district.

Mr. Rick replied "yes; a hearing is scheduled". He said that it can't be handled, however, unless the Council places it within such a district.

RESOLUTION 127742, adding area consisting of 16.7 acres in Pueblo Lot 219 at southwest corner of West Point Loma Boulevard and Midway Drive to Trailer Park District No. 1, as recommended by City Planning Commission in Document 517723, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by P. Q. Burton, attaching letter from Southland Door and Builders Supply requesting determination as to whether or not use of property it proposed to purchase at 6818 El Cajon Boulevard - Lots 21-22 Block 5 La Mesa Colony - in Zone C would be a legal use.

The communication states that the zoning investigator reports in a letter dated July 14, 1955, that Resolution 117849 is not being complied with in that merchandise is being stored outside the building (at 6350 El Cajon Boulevard) where the company is doing business. It says that lessee admits this, but points out that building authorized to be constructed on an adjacent lot by zone variance is not completed by the owner, and cannot be used for storage. It reports that only mechanical equipment in use is that commonly found in home work shops. The communication states that the Commission voted 5-0 that finding be made that business is similar to and not more obnoxious or detrimental to welfare of the community than uses mentioned in Zone C - on conditions.

RESOLUTION 127743, making finding that use by Southland Door and Builders Supply of Lots 21 and 22 Block 5 La Mesa Colony (6818 El Cajon Boulevard) in C Zone is business similar to and not more obnoxious or detrimental to welfare of the particular community than uses mentioned in Zone C, provided that total power of all mechanical equipment be limited to 1 horsepower; that all merchandise be kept entirely within a building, and that the premises be not used until the 50-x100-foot building is completed and ready for use, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of P. H. Kellar, for Class C Dine & Dance License, 3225 Midway Drive, was presented, together with recommendations for approval.

RESOLUTION 127744, granting application of P. H. Kellar for Class

Communications  
Discussion re Trailer  
Park  
Application  
127742 - 127744

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C license to conduct public dance at The Lost Frontier, 3225 Midway Drive, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Application of Adeline H. Wurtz for Cabaret with entertainment at 3005 Midway Drive, was presented, together with recommendations for approval.  
RESOLUTION 127745, granting permission to Adeline H. Wurtz to conduct cabaret with paid entertainment at the "Zanzibar", 3005 Midway Drive, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The Brooks Crabtree communication, listed here, was ref to Conference.

RESOLUTION 127746, directing notice of filing of Assessment 2388 and of time and place of hearing thereof, for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, Resolution of Intention 119500, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 127747, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving and otherwise improving Alley Block C Belmont, Resolution of Intention 126332, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The City Engineer reported in writing that low bid is 8.3% below the estimate.

RESOLUTION OF AWARD 127748, accepting bid of John B. Henry, and awarding contract for paving and otherwise improving Alley Block 39 Ocean Beach, Resolution of Intention 126333, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The City Engineer reported in writing that low bid is 9.4% below the estimate.

RESOLUTION OF AWARD 127749, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Grand Avenue, Jewell Street and Balboa Avenue, Resolution of Intention 126334, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The City Engineer reported in writing that low bid is 5.7% below the estimate.

RESOLUTION OF AWARD 127750, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract for paving and otherwise improving Pyncheon Street and Ocean View Boulevard, Resolution of Intention 126335, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The City Engineer reported in writing that low bid is 13.8% below the estimate.

RESOLUTION OF AWARD 127751, accepting bid of San Diego Gas & Electric Company for furnishing electric current for lighting Collwood Lighting District No. 1, for 1 year from and including June 1, 1955, and awarding contract, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127752, approving and adopting Plans, drawings, typical

Application  
Communication (handled earlier in the meeting)  
127745 - 127751

cross-sections, profiles and specifications for paving and otherwise improving Alley Block 281 Pacific Beach, Document 517408; approving Plat 2751 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127753, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Groveland Drive, San Jacinto Drive and Castana Street, Document 517410; approving Plat 2720 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127754, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sewers in Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, Ticonderoga Street, Bunker Hill Street, Brandywine Street; Alleys Blocks 2, 3, 4, 5, 8, 9, 10 American Park Addition; public rights of way in Lot 5 Partition of Pueblo Lot 1209, Superior Court Cast No. 8341; and Lot 22 Block 5 American Park Addition, Document 517406; approving Plat 2741 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 Williams, seconded by Councilman Schneider, adopted.

The next item, which had been continued from time to time, was brought up again.

Proposed Resolution Ordering Work for installation of sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of way, was presented.

Councilman Schneider moved to refer it to conference (the question is regarding the amount of a proposed contribution to the project).

City Attorney J. F. DuPaul said that if the Council determines the amount of money (to be contributed), it can "take the step".

Councilman Kerrigan said that it had been decided to set aside \$3,000.00 for the purpose.

Mr. DuPaul said that in that event, all the Council has to do is Order the Work - the Resolution before the Council. He said that steps will be taken to appropriate the \$3,000.00.

Councilman Curran spoke to the City Engineer regarding the request.

The Mayor replied that "the Engineer has made the estimates".

RESOLUTION ORDERING WORK 127755, for installation of sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, Resolution of Intention 126854, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127756, for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, Resolution of Intention 126986, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 127757, for paving and otherwise improving Boundary Street, Resolution of Intention 126987, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 127758, for paving and otherwise improving

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Brooklyn Avenue, Iona Drive and Kenwood Street, Resolution of Intention 126985, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127759, for paving and otherwise improving Alley Block 151 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127760, for paving and otherwise improving Alley Block 217 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127761, for paving and otherwise improving Alley Block 2 F. T. Scripps Addition to La Jolla Park, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127762, for furnishing of electric current in El Cajon Boulevard Lighting District Number 1, for 1 year from and including December 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127763, for furnishing electric current in Montemar Lighting District Number 1, for 11 months and 15 days from and including December 16, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 127764, for closing portion of Quince Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127765, for paving and otherwise improving Alley Block 281 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127766, for paving and otherwise improving Groveland Drive, San Jacinto Drive and Castana Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127767, for sewers in Morehan Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, Ticonderoga Street, Bunker Hill Street, Brandywine Street, Alleys Blocks 2, 3, 4, 8, 9, 10 American Park Addition; Public Rights of Way in Lot 5 Partition of Pueblo Lot 1209, Superior Court Cast No. 8341; Lot 22 Block 5 American Park Addition, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127768, appointing time and place for hearing protests, and directing notice of hearing, San Diego Lighting District No. 3, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.



RESOLUTION 127769, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current, San Diego Lighting District No. 4, for 1 year from and including August 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127770, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 80 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127771, ascertaining and declaring prevailing rate of per diem wages paid by private employers in the City of San Diego - wage scale to be used in connection with proposed work under Improvement Act of 1911 and amendments thereto - and in accordance with Article XII of the Charter of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127772, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 8 La Jolla Park, Resolution 123156; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127773, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 95 Ocean Bay Beach, Resolution of Intention 118393; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127774, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Public Rights of Way in Lots 4, 5, 6 Block 28 Fairmount Addition to City Heights; Winona Avenue, 50th Street, Oak Crest Drive, and University Avenue, Resolution of Intention 120271; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

directing City Engineer to furnish diagram of property  
RESOLUTION 127775, ~~approving diagram of property~~ affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 80 Pacific Beach, Resolution of Intention 124570 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127776, directing City Engineer to furnish diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 113 Pacific Beach, Resolution of Intention 123286 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127777, directing City Engineer to furnish diagram of property

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affected or benefited by work of improvement to be done on installation of sanitary sewer in La Jolla Rancho Road, in Pueblo Lot 1774, Resolution of Intention 123409, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127778, directing City Engineer to furnish diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Shafter Street, Upshur Street and Scott Street, Resolution of Intention 123288 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127779, directing City Engineer to furnish diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 31st Street, Resolution of Intention 123158, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127780, abandoning proceedings and rescinding Resolution 119663 for improvement of Alley Block 17 Nordica Heights No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127781, directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected by and to be assessed to pay costs, damages and expenses of paving and otherwise improving Alley Block 7 Roseville Heights, and portions of Akron Street and Bangor Street, as required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127782, directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of installation of sewers in portions of Pueblo Lots 1284, 1285, 1286, 1287 and 1288 La Jolla Hills, Villa Tract, La Jolla Park, Hidden Valley Estates, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127783, granting petition for paving and otherwise improving Alley Block 190 City Heights; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127784, granting petition for paving and otherwise improving Alley Block 17 Normal Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127785, granting petition for paving and otherwise improving F 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

Councilman Schneider, adopted.

RESOLUTION 127786, granting petition for paving and otherwise improving 43rd 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 Schneider, adopted.

RESOLUTION 127787, granting petition for paving and otherwise improving Lauretta 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 Schneider, adopted.

RESOLUTION 127788, granting petition for paving and otherwise improving Locust 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 127789, authorizing Street Superintendent to grant Griffith Company a 30-day extension of time for completion of contract for improvement of Olney Street and Felspar Street, in accordance with Document 517637, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127790, granting Walter M. McKellar permission to grade Highland Avenue, between Olive and Maple Streets, by private contract, under Document 515157, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, by John Bate, attaching for approval form of lease with J. D. Wier and Esther L. Wier covering small triangular parcel of tidelands at intersection of Scott and Garrison Streets, was presented. It gives term as 5 years at \$75.00 per year, subject to review at end of 2-1/2 years - to be used for landscaping and automobile parking and maintenance of a sign.

RESOLUTION 127791, ratifying, confirming and approving lease, copy on file as Document 517737 between The City of San Diego, as Lessor, and J. D. Wier and Esther L. Wier, as Lessees, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127792, creating and establishing Taxicab Stand:  
West side of Fifth Avenue, between points 70 feet and 91 feet  
south of "G" Street;  
Abolishing taxicab stand, and signs and markings therefor:  
North side of Market Street between points 62 feet and 84 feet east  
of Second Avenue,  
was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127793, authorizing City Manager to accept work on behalf

of The City of San Diego in Engelstad's Aztec Manor, Unit 2 Subdivision, and to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127794, authorizing and empowering City Manager to do all work in connection with removal and replacement of approximately 720 feet of water mains in Thorn Street, from alley west of 46th Street to Alley east of Menlo Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127795, authorizing and empowering City Manager to do all work in connection with making necessary water connections, and sterilization and installation of certain valves, in conjunction with installation of small water main replacements, Group 22, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127796, authorizing City Manager to employ John B. Henry to replace portion of termination of Alley Block 2 Bartlett Estate Company's Subdivision, at E Street, and replace termination of Alley Block 27 H. M. Higgins' Addition at Broadway; cost not to exceed \$150.00, payable from Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution refers to 1911 Street Improvement Act proceedings and the John B. Henry contract.

RESOLUTION 127797, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Brown and Caldwell, a co-partnership for professional services consisting in part of problems concerned with operation and design of sewerage systems and sewage treatment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127798, authorizing and empowering City Manager to enter into agreement with Noah Webster Community Group and Stephen Foster Community Group for furnishing playground supervision, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127799, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease with William G. Litton and Andrew J. Rock, Document 396041 and amendments thereto, for portion of Dana Basin in Mission Bay, granting right to operate 40-foot sport fishing boat for period terminating December 31, 1955, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127800, approving Change Order 1 dated July 20, 1955, Document 517744, issued in connection with contract between The City of San Diego and Charles J. Dorfman for construction of drain in Bonair Street, contract Document 507793; changes amounting to increase in contract price of \$100.00; approving request contained in Change Order 1 for extension of 15 days to and including August 15, 1955, in which to complete contract for construction of drain in Bonair Street; extending contract completion to August 15, 1955, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

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RESOLUTION 127801, approving request of Charles J. Dorfman, July 20, 1955, Change Order 1, for extension of 15 days to and including August 13, 1955, Document 517748, in which to complete contract for construction of storm drain at 3rd and K Streets, across Navy Field, contract Document 507794; extending completion time to August 13, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127802, approving change order 1, July 21, 1955, Document 517751, issued in connection with contract between The City of San Diego and Larson Bros. Plastering Company for construction of repairs to Municipal Frontier Housing Project, contract Document 516640; changes amounting to decrease in contract price of \$20.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127803, authorizing and empowering City Attorney to execute, for and on behalf of The City of San Diego, a Stipulation for Entry of Judgment vesting title in United States of America in action entitled "United States of America, Plaintiff, vs 27.084 Acres of Land, Etc.," No. 1164-SD Civil, for purpose of acquiring property for straightening and improving channel of San Diego River, and awarding to The City of San Diego \$1.00 inclusive of interest, as just compensation for taking City's interests, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Williams, reading of the next ordinance was dispensed with. There was available for each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE 6604, changing name of Orange Avenue in Kearny Mesa area, lying westerly of Kearny Mesa Road, to Othello Avenue, and dedicating street easements adjacent to Orange Avenue and naming it Othello Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Evenson.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance was dispensed with. There was available for each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE 6605 (New Series), granting to the Zoological Society of San Diego the right to occupy, maintain and operate the Zoological Gardens in Balboa Park and committing to said Society the custody, care and maintenance of zoological exhibits therein; repealing and cancelling ordinances (listed therein) and agreements, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Evenson.

The next item listed on the agenda was the ordinance listed for introduction - incorporating portions of Pueblo Lots 1202 and 1203. It was continued 1 week near the beginning of the agenda, out of order.

On motion of Councilman Schneider, seconded by Councilman Curran, ordinance dedicating portion of a public highway in Kearny Mesa area and naming it Clairemont Mesa Boulevard, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Evenson.

127801 - 127803  
6604 N.S. - 6605 N.S.  
Ord. cont. earlier in  
meeting 1 week  
Ord. introduced

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On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance changing name of portion of Ridge Street in Kearny Mesa area to Ruffner Street, and dedicating street easements adjacent to Ridge Street and naming same Ruffner Street, was introduced, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Evenson.

RESOLUTION 127804, authorizing G.E. Courser, Chief of Fire Department, to attend Pacific Coast Inter-Mountain Association of Fire Chiefs' convention, Sun Valley, Idaho, September 14 thru 17, 1955, etc., and incur expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. The City Manager requested, and was granted unanimous consent to present the next item, not on the agenda:

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

RESOLUTION 127805, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with L. B. Butterfield and Edna L. Butterfield, for installation and completion of unfinished improvements and setting of monuments required for Yvonne Terrace subdivision; directing City Engineer to present an ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127812, adopting Map of Yvonne Terrace subdivision, a subdivision of Lot 5 and portion Lot 6 of H. C. Skinner's Addition; accepting on behalf of the public Acacia Court, portion of 36th Street and unnamed easements shown for public purposes, declaring them to be 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 street, portion of street and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

RESOLUTION 127806, accepting deed of Arnold Home Builders, Incorporated, July 29, 1955, conveying portion Lot 6 H. C. Skinner's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

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

RESOLUTION 127807, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a termination agreement with Charles H. Coleman and W. H. Coleman, terminating lease filed in office of City Clerk as Document 451315 and amendment filed as Document 472414, for property leased from the City in San Pasqual Valley, and authorizing payment to said parties of \$2,587.81 in full settlement, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Curran, Mayor Dail. Nays--Councilman Williams. Absent--Councilmen Burgener, Evenson.

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

RESOLUTION 127808, commending Dr. S. J. McClendon for his splendid public spirit in rendering at personal sacrifice able and generous service to the public as a member of the Psychology Commission of The City of San Diego, 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 on the agenda:

RESOLUTION 127809, confirming appointment by Mayor Charles C. Dail of



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Dr. Eunice M. Simmons, 430 Upas Street, San Diego, to be a member of the Psychology Commission, 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 on the agenda:

RESOLUTION 127810, appointing Quintin Whelan to succeed himself as a member of the City Planning Commission for a full term of 2 years, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

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 consideration of each member of the Council prior to final passage, a written or printed copy.

ORDINANCE 6606 (New Series), appropriating \$250.00 from Unappropriated Balance Fund, and transferring same to "Outlay", City Council Fund, for purpose of providing funds for purchase of 4 2-drawer, legal size, filing cabinets with locks, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Evenson.

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

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

On motion of Councilman Schneider, seconded by Councilman Curran, 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 final passage, a written or printed copy.

ORDINANCE 6607 (New Series), appropriating \$664.00 from Unappropriated Balance Fund, and transferring same to "Outlay", City Council Fund, for purchase of one walnut typewriter desk, one steno posture chair, and one 16-inch electric typewriter for the City Council office, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Evenson.

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

RESOLUTION 127811, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Paving the Floor of "B" Street Pier Transit Shed 2, Document 517962; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The following items had been returned by the Council Secretary - from Council Conference where they had been referred - and were filed by the Clerk:

Document 506537 - Planning Commission communication approving Tentative Map of College Ranch Units 4 & 5 - and accompanying papers; (also known as Lake Park);

Document 487165 - Preferred Theatres Corporation communication requesting hearing re proposal to condemn block south of Horton Plaza re automobile parking, etc. (other undocumented communications attached);

127810 (under U.C.)  
127811 " "  
6606 N.S.-6607 N.S. (under U.C.)  
Conference items filed

The following conference referrals were filed, also:

491010 - F. E. Young Construction Co. communication re convention hall at 6th and Date;  
 498026 - Elsie Laudan communication opposing convention hall or garage at Horton Plaza;  
 498037 - Preferred Theatres Corporation objecting to, and requesting hearing on Shattuck plan for Plaza and block south for parking lot, convention hall, etc.;  
 498075 - The Whitson Company opposing parking lot, etc. at Horton Plaza site;  
 498076 - Procopion, Price, Cory and Schwartz, attys., communication in behalf of Cabrillo Theatre, opposing auditorium and parking facilities in vicinity of Horton Plaza;  
 498084 - San Diego Downtown Association communication favoring convention hall, facility for parking, etc. at Horton Plaza;  
 497796 - Music Teachers' Association of California communication (had been referred to City Manager, but was returned from Conference) re need for Civic Festival Theatre;  
 498434 - Sam S. Shapira communication favoring a convention hall;  
 503350 - J. William Brown, O.D., advocating preservation & beautification of The Plaza in honor and memory of Father Horton;  
 ----- Copy of communication from City Traffic Engineer, to City Manager, relative to method of assessment for furnishing current in ornamental street lighting districts;  
 501549 - County Board of Supervisors communication re expiration of term of Councilman Vincent T. Godfrey on Board of Health;  
 502887 - San Diego Municipal Employees' Association, Inc. communication restating request concerning injury pay for City employees;  
 504073 - Imperial Beach Business Association, Inc. communication opposing annexation to San Diego;  
 504225 - Farmers Insurance Group communication re Insurance changes in program of The City of San Diego, and requesting conference (and accompanying papers)  
 504724 - F. E. Young Construction Co. submitting 2 perspectives of building (auditorium) at 6th Avenue and Date Street;  
 504883 - F. E. Young Construction Company communication submitting exterior design of Horton Plaza Parking facility;  
 505459 - Copy of communication from Build San Diego Better Committee, addressed to the Mayor re "Proposed Future Plan";  
 505597 - City Planning Director communication re State Legislation re Mission Bay;  
 506079 - Local 127 S.D. County & Municipal Employees communication submitting Salary and Classification requests for fiscal year 1955-56;  
 506314 - Clairemont Town Council communication urging passage of a "train speed ordinance";  
 507651 - California Highway Commission communication submitting Resolution re procedure for determination of freeway routings, etc.; (re the proposed freeway through Logan Heights area, etc.);  
 508074 - Long Beach Mayor George M. Vermillion communication re State proposed Legislation in AB 3762;  
 Inter-American Municipal Organization communication submitting copies of resolutions, etc. (incl. With meeting in Panama City, 1956); 507955;  
 507954 - Mission Bay Ski Club communication favoring proposed regulations for Mission Bay;  
 ----- Proposed Resolution re acquisition by Federal Government of property known as Plancor 20 - Consolidated-Vultee Plant 2;  
 509147 - Ruth Smith communication re City Beautiful projects;  
 508448 - Secretary of Board of Administration of City Employees' Retirement System re expiration of term of Howard Ritter as member;  
 508913 - Long Beach Mayor George M. Vermillion communication re AB 3762 concerning tidelands revenues;  
 508388 - Supervisor DeGraff Austin communication requesting hearing re requested installation of traffic control light signals at intersections on Washington Street;  
 515686 - Planning Director communication re procedure on Sign approval, and requesting Council to meet with Board of Architectural Review;

The following conference referrals were filed, also:

- 507907 - Proposed Ordinance amending Chapter VIII Article 7 of San Diego Municipal Code Regulating Railroads;
- 509843 - Poster Advertising Agency communication favoring renewal of C. S. Johnson contract for trash can advertising (on the streets);
- 509920 - Supervisor Frank A. Gibson communication re proposed Ordinance covering Air Pollution;
- 510669 - San Diego Municipal Employees' Association, Inc. communication submitting salary recommendations for fiscal year 1955-1956;
- 510808 - San Diego Municipal Employees' Association, Inc. communication requesting evening public hearing on salary recommendations;
- Storm drains in Girard Avenue, Pearl Street, Herschel Avenue and public rights of way in Pueblo Lot 1262;
- 512453 - Charles A. Muehling telegram requesting opportunity to present reasons for support of Allen Bill A.B. 3762 re Long Beach Tidelands oil revenue;
- 513917 - Anna Sophia Emerson communication urging favorable consideration of \$10,000 appropriation for Fine Arts Gallery;
- 513968 - Harold C. Torbert M.C. communication urging denial of S.D. Symphony Society application for \$10,000 by Council and Supervisors (each);
- 514122 - La Jolla Town Council communication submitting copy of Aircraft Committee special report re training flying over La Jolla;
- 514535 - Harbor Commission commission request for increase in 1955-56 Budget;
- 514536 - City Attorney opinion re amendment to Cabaret Ordinance;
- 514375 - W. E. Starke communication re his letter of 2/24/55 concerning purchase of land by the City being referred to City Manager for report;
- 514811 - Shoreline Planning Association of California, Inc., communication re City's membership fee, Oil Royalty Fund legislation, etc.
- 515210 - County of San Diego communication enclosing County Ordinance 1487 (New Series) re recreational and educational camps, and creating board of recreation commissioners;
- 516694 - Copy of communication from Mrs. Earl Bridwell to Mr. Davis of St. Sept., protesting black top being used in repairing sidewalks;
- 517011 - Ralph Bahlavooni communication suggesting increases in salaries for the Mayor and members of the Council;
- 517252 - Committee of Town Council of Ocean Beach objecting to Junior Chamber of Commerce collecting parking fees for occupation of spots on jetties near Ocean Beach.

RESOLUTION 127812 appears on page 270.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:05 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Charles O'Dare*  
Mayor of The City of San Diego, California

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## REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-  
ornia, Thursday, August  
4, 1955

Present--Councilmen Schneider, Kerrigan, Curran, Mayor Dail  
Absent--Councilmen Burgener, Williams, Evenson  
Clerk---Fred W. Sick

Resolutions and Ordinances for this meeting are recorded on Microfilm  
Roll No. 99.

Report of Purchasing Agent, with City Manager's approval, reporting on  
3 bids for construction of Firewall in San Diego Municipal Warehouse No. 2 - and recommend-  
ing acceptance of low bid of A. F. Anderson, \$4,658.00, was presented.

RESOLUTION 127813, accepting bid of A. F. Andersen for construction of  
firewall in San Diego Municipal Warehouse No. 2 for Harbor Department; awarding contract;  
authorizing and instructing majority of members of the Harbor Commission to enter into and  
execute on behalf of The City of San Diego contract pursuant to plans and specifications  
on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Coun-  
cilman Kerrigan, adopted.

Report of Purchasing Agent, with City Manager's approval, reporting on  
3 bids for furnishing 36 Items of Parts and Appurtenances for Mueller Tapping Machines -  
and recommending acceptance of low bid of Western Metal Supply Company, \$2,809.10 terms  
2% - 30 days, plus State Sales Tax, was presented.

RESOLUTION 127814, accepting bid of Western Metal Supply Co. for furnish-  
ing 36 items of Parts and Appurtenances for Mueller Tapping Machines; awarding contract;  
authorizing and instructing City Manager to enter into and execute on behalf of the City  
of San Diego contract pursuant to specifications therefor 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 approval, recommending  
authorization for bids for furnishing 34 Steel Office Desks for various departments, was  
presented.

RESOLUTION 127815, authorizing and directing Purchasing Agent to adver-  
tise for sealed proposals or bids for furnishing 34 Steel Office Desks, Document 518128,  
was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, with City Manager's approval, recommending  
rescinding award to Lemon Grove Sheet Metal Works for Ventilation Work on existing  
installation at Main Library, was presented. It says that estimate for material and  
work was less than \$2,500 and specifications were put out for bid without advertising  
as is proper; in error, low bid of \$3,909 was recommended for acceptance and was accepted  
by Council Resolution 127679. Report says that in order to comply with City Charter it  
will be necessary to rescind resolution and reject bids, issuing new bid forms and spec-  
ifications subsequent to officially advertising the work.

RESOLUTION 127816, rescinding Resolution 127679 accepting bid of Lemon  
Grove Sheet Metal Works for Ventillation Work on existing installation at Main Library

Meeting convened  
Purchasing reports  
127813 - 127816

for \$3,909.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127817, rejecting all bids received July 19, 1955, for Ventilation Work on existing installation at Main Library, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127818, approving plans and specifications for furnishing of Ventilation Work on existing installation at Main Library, Eighth Avenue and "E" Street, Document 518129; 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 Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Las Alturas Unit No. 2, a 3-lot subdivision of Lot J Block 5, was presented.

RESOLUTION 127819, suspending Sections 102.05, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Las Alturas Unit No. 2, a 3-lot subdivision of Lot J Block 5, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for redivision of north half Lot J Block 5 Las Alturas Unit No. 2, into 3 parcels fronting on Santa Margarita Street - located in westerly portion of Encanto Heights and Santa Margarita Street, in Zone R-4, was presented. Recommendation is subject to 5 conditions.

RESOLUTION 127820, approving Tentative Map of Las Alturas Unit No. 2, 3-lot subdivision of Lot J Block 5, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The item from the Planning Commission submitting Resolution denying Tentative Map of Leonard Heights, a resubdivision of Lots 3 and 4 Hollis Heights, was held temporarily, awaiting arrival of Councilman Williams who is interested in the subject. It will be shown later in these Minutes.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Los Altos Terrace, a 4-lot subdivision of portion Lot 23 Soledad Terrace, located on southerly side of Los Altos Road in southerly portion of Lot 23 Soledad Terrace, located on southerly side of Los Altos Road in southerly portion of Pacific Beach - in Zone R-1C, subject to 8 conditions, was presented.

RESOLUTION 127821, approving Tentative Map of Los Altos Terrace, a 4-lot subdivision of portion Lot 23 Soledad Terrace, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Park Villas, a 2-lot subdivision of Lots 47 and 48 Block 33, was presented.

RESOLUTION 127822, suspending Sections 102.07-6, 102.12-3 & 4, 102.18, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Park Villas, a 2-lot subdivision of Lots 47 and 48 Block 33, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lots 47 and 48 Block 33 Park into 2

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parcels of  $37\frac{1}{2}$  ft x 50 ft and 50 ft and  $87\frac{1}{2}$  ft x 50 ft., located on corner of Dwight Street and Herman Avenue, Zone R-4, subject to 5 conditions, was presented.

RESOLUTION 127823, approving Tentative Map of Park Villas, a 2-lot subdivision of Lots 47 and 48 Block 33, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of portion Pueblo Lots 1281 and 1297, a 1-lot subdivision, was presented.

RESOLUTION 127824, suspending Sections 102.04, 102.17-c of San Diego Municipal Code in connection with Tentative Map of portion Pueblo Lots 1281 and 1297, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for 1-lot subdivision of portion of Lots 1281 and 1297, located on westerly side of Paseo Grande, south of Camino del Collado, adjacent to the Pacific Ocean in the La Jolla Shores area, subject to 5 conditions, was presented.

RESOLUTION 127825, approving Tentative Map of portion of Pueblo Lots 1281 and 1297, subject to conditions of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code, in connection with revised Tentative Map of Village Center, a 26-lot subdivision of portion Lot 62 Rancho Ex-Mission, was presented.

RESOLUTION 127826, suspending Sections 102.09-1, 102.07-5, 102.11-2, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Village Center, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of revised Tentative Map of Village Center, a 26-lot subdivision of portion Lot 62 Rancho Ex-Mission, located at southeasterly corner of 47th Street and Logan Avenue, recently rezoned to C-1A Zone for proposed business center, was presented.

RESOLUTION 127827, approving Tentative Map of Village Center, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting that the Commission has recommended by vote of 5-0 that portions of Calle Tres Lomas, Calle Trepadora and Cumberland Street be changed to Potomac Street, as shown on accompanying drawing, was presented. It says the Planning Department initiated the proposal, that all departments and agencies concerned have approved the name change, and Water Department reports that no changes are necessary in house numbers. Report says that 14 notices were posted, and no protests have been received.

RESOLUTION 127828, requesting City Attorney to prepare and present ordinance to change name of portions of Calle Tres Lomas, Calle Trepadora and Cumberland Street to Potomac Street, in accordance with City Planning Commission recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Martin C. Casey, attorney, Suite 305 to 312 Katz Building, Third and E Streets, San Bernardino (is City Attorney of Colton), commending a police officer for his courtesy, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was



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referred to the City Manager.

Communication from The Metropolitan Water District of Southern California, 306 West Third Street, Los Angeles 13, California, Aug 2, 1955, signed by Charles C. Cooper, Jr., Assistant General Counsel, re meeting to take appropriate action re taxes levied by the District on the area within San Diego City limits, etc., was presented.

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

Councilman Williams entered

Communication from San Diego Junior Chamber of Commerce, 947 Columbia Street at Broadway, San Diego 1, dated August 1, 1955, signed by R. E. Cunningham for the San Diego Tournament of Roses Committee, was presented. The communication requests use of Horton Plaza for a Rose Parade Float Contest, Monday, August 8, 1955. It suggests using Bonham Boys Band, and having all of the queens from the different events held throughout the year in San Diego present.

Councilman Kerrigan moved to deny the request. It was seconded by Councilman Schneider.

The roll was not called at this time.

Mayor Dail stated that it is now the City policy to not grant requests for use of the Plaza (the Plaza has recently been refurbished).

Ron Cunningham said that Bonham Boys' band would be used; there would no chairs; they would stand on the concrete. He said that he does not know of any objection to standing on the street.

Councilman Curran suggested standing in front of the Theatre, or in front of Courthouse lawn.

Mayor Dail said that they could stand on Plaza Street.

The City Manager said that could be worked out with the police.

Councilman Evenson entered

RESOLUTION 127829, denying request of San Diego Junior Chamber of Commerce, Document 517998, asking for permission to use Horton Plaza for Rose Parade Float contest; referring the matter to the City Manager to work out, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. (The "working out" is to be with the Police Department for standing in Plaza Street).

Communication from San Diego Symphony Orchestra Association, by Mrs. Florence R. (Fred G.) Goss, president, dated July 29, 1955, was presented. It submits copy of TIME magazine, dated August 1, 1955, containing an article on the symphony entitled "coming of age"

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

The Council returned to the item which had been continued temporarily, re Leonard Heights, resubdivision of Lots 3 & 4 Hollis Heights. Communication from Planning Commission, by Harry C. Haelsig, refers to property as being on Point Loma, northerly side of Jennings Street, westerly of Albion Street. The report says there is an existing large residence on Lot 3 and an existing garage and guest house on Lot 4; they have been in existence for a number of years. It says that after considerable discussion on the Hollis Heights Subdivision, the lots were divided into 2 parcels of 115 ft. x 157 ft. and 70 ft. x 157 ft. in order to provide adequately sized lots. It reports that subsequently the property was purchased by Mrs. Leonard, who now desires to redivide Lots 3 and 4 into 2 lots of 70 ft. x 80 ft., or 5600 square feet in area, and an "L" shaped lot which would include Lot 3 and rear of Lot 4 making a parcel of 23,445 square feet, or approximately 4½ times the size of the smaller parcel. The communication states that division as proposed would make existing garage and guest house non-conforming with yard requirements and would create an abnormal lot design; the smaller parcel, 70 ft. x 80 ft., would not be comparable in size to lots in the area.

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It reports that the Planning Commission recently denied a tentative map for subdivision adjoining the property, due to inadequate size of lots, being 100 ft. x 120 ft. It says the Commission was unanimous in its denial of the tentative map in that the smaller lot would not be comparable to adjoining lots and resulting larger lot would be abnormal in shape and design, having a non-conforming use and would create a parcel that would probably cause future difficulty in redivision of the property.

The report just referred to was read to the Council by the Clerk.

Mayor Dail pointed out that Lot 1 would be 5,600 sq. ft.

Councilman Schneider spoke to Glenn A. Rick, City Planning Director, regarding the guest house (which has no kitchen).

Blanche Wynn Leonard stated that there would be 5 feet between, on account of garage windows.

Mr. Rick laid a map on the Council table and pointed out the property.

Mrs. Leonard said there would be 5 feet from the rear yard line.

The Clerk handed the Planning report to Councilman Schneider, at his request.

Councilman Schneider read paragraph 4 of the report, and asked where that would come in.

Mr. Rick said that he does not see it; it does not make much difference.

Councilman Schneider said he can't see where under the law, where over 5,000 sq. ft.....

Mr. Rick said that there becomes a problem on the big old estates. He spoke of one cut up over some opposition of the Planning Commission.

Councilman Schneider said that the only objection he could see is to the shape of the property.

There was discussion between Councilman Schneider and Mr. Rick on that point.

Mr. Rick said that "these things" often act as a precedent, and bring up problems.

Councilman Williams remarked that he could see no harm in the proposal.

Councilman Williams moved to overrule the Planning Commission.

City Attorney J. F. DuPaul said that if it is indicated that the Council agrees with the owner's proposition, it should be referred to the City Attorney for Resolution.

Councilman Williams moved to refer the item to the City Attorney for preparation of the appropriate Resolution. Motion was seconded by Councilman Schneider.

Councilman Williams said that it might be well to have all the facts, on account of indication that there will be 1 Council objection,

Councilman Curran spoke about the garage, which sits behind.

Mr. Rick said that it was divided the way Planning wants. He said it was approved several months. He said that there is not a lot of objection, but he urged the Council not to forestall Haelsig's objection. (Harry Haelsig is on vacation).

Councilman Curran said that if the Council votes today, it will have to support the Planning Commission; and it looks like another division.

Councilman Schneider said that if there is no street it cannot be divided (again).

Councilman Kerrigan said that there is a dwelling.

Mrs. Leonard said she left a letter discussing the proposal, and that she wants to sell off a portion of the land. She passed a map to Councilman Kerrigan, through Mr. Rick.

Councilman Williams restated his motion to refer the item to the City Attorney for preparation of proper resolution.

There was discussion between Mayor Dail and Councilman Williams over the proposed Resolution.

Councilman Williams spoke of not recognizing this as an appeal, that drafting of a Resolution would bring the item back on the docket.

Mr. DuPaul said that the Resolution would go in opposition to the recommendation.

Councilman Williams said that if the motion fails, the Resolution will not be drawn; this is not an appeal.

Mr. DuPaul said that in effect it would agree with the report; on Planning reports they tell what they want done. He said that if the Council does not agree, tell the Attorney what it wants. He said that in effect, the Council would be saying that it is disagreeing with the Planning Commission. He said that in directing the Attorney to prepare the Resolution, it would in effect be reversing the Planning Commission.

The motion and its second were withdrawn.

Councilman Kerrigan spoke to Mrs. Leonard. He explained to her from a map, and then told of what Mrs. Leonard wants. He stated that she can build a house on the corner, and sell off the property without Council action. He asked if the City can deny her the right to sell a piece of property.

Mr. DuPaul said that under the Ordinance it requires a map, when there is a split lot. He said that she can sell, but when it comes time to use, she can't use it, unless there is Council action.

Councilman Kerrigan discussed use of the property. He asked if she can sell what she owns.

Mr. Rick said that it is illegal to sell.

Councilman Kerrigan then said that if sold, it would be in violation of law.

Mr. DuPaul agreed that it would be illegal.

Councilman Kerrigan asked if it is illegal to sell a lot.

Mr. DuPaul said "yes, unless certain things are done".

Councilman Schneider asked if people on the rear of his property want to sell him 10 feet, would he have to file a subdivision map.

Mr. Rick's answer to that question was "no".

Councilman Williams spoke of trying to comply with rules and regulations regarding selling. He said it could be sold, and bought back.

There was discussion between Councilman Williams and Mr. Rick over that point.

Mr. Rick said that a permit could not be obtained; the ordinance says that sale without doing certain things is illegal.

Councilman Williams stressed that Mrs. Leonard is trying to meet the legal requirements.

Mr. Rick declared that he does not object; but the Commission and Mr. Haelsig do.

There was discussion between Councilman Williams and Mr. Rick over a map.

Mrs. Leonard told of having been bought and sold as 2.

Councilman Williams stated that he has been on the lot, and he cannot object.

Mr. Rick said that acceptance of the recommendation would be a denial of the request.

Councilman Kerrigan and Mr. Rick went over the property, again, on a map. Councilman Kerrigan spoke about possibility to come in and get a permit under a zone variance for another house.

Mr. Rick said that she would not need a zone variance, and does not want it. He added that she could get a building permit without a variance.

Councilman Kerrigan then said that the owner could put on a house, but that it would be illegal to sell it.

RESOLUTION 127830, directing the City Attorney to draft the proper resolution granting Blanche Wynn Leonard permission to resubdivide Lots 3 and 4 Hollis Heights, as Tentative Map of Leonard Heights, in accordance with plat attached to communication from the Planning Commission which recommends denial, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, dated 1 August 1955, attaching form of Agreement for Amendment of Tideland Lease, amending Mauricio and Sons lease covering tidelands area on Byron Street - adding a younger son to the original lease, was presented.

RESOLUTION 127831, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2, copy filed as Document 517927, entered into between The City of San Diego acting by and through the Harbor Commission, as Lessor, and Antonio Mauricio, Anthony Mauricio, Jr. and Adrian John Mauricio, Co-partners, doing business under the name and style of Mauricio and Sons, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, by John Bate, dated 1 August

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Communication from Harbor Department, by John Bate, dated 1 August 1955, attaching for approval form of sublease to be entered into between Signal Oil Company and George B. Loveday covering operation of marine service station at foot of Hawthorn Street, was presented. It states sublessee has been an operator of marine service station for some period of time, but in view of fact that Harbor Commission recently entered into new lease with Signal Oil Company, covering the facility, it was necessary to enter into new sublease agreement. It says sublease is identical in all respects to one it will replace with exception that accounting provisions have been changed to comply with latest form of lease.

RESOLUTION 127832, ratifying, confirming and approving sublease, copy on file as Document 517930, between Signal Oil Company, Sublessor, and George B. Loveday, Sublessee, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution refers to sublease entered into between Signal Oil Company, Sublessor, and George B. Loveday, Sublessee, covering property previously leased to Standard Oil Company of California, a Delaware Corporation, doing business as Signal Oil Company.

RESOLUTION 127833, establishing parking limit of 2 hours between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both Sides of 15th Street, between Broadway and "E" 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127834, authorizing City Manager to employ Griffith Company to remove 31 lineal feet of curb and construct 37 lineal feet of Type G curb and 25 square feet of sidewalk on Shafter Street at Canon Street, and construct 700 square feet of 2-inch A.C. surfacing on Scott Street at Talbot Street; cost not to exceed \$143.70, payable from funds appropriated by Ordinance 5341 (New Series) - in connection with a 1911 Street Improvement Act proceeding.

RESOLUTION 127835, authorizing and directing City Manager to execute for and on behalf of The City of San Diego an agreement covering partial reimbursement to the City of La Mesa for summer recreational program administered at Rolando Elementary School, under terms and conditions of Document 518145, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

On the agenda there was listed a Resolution authorizing the City Manager to execute agreement with City of La Mesa providing sewage transportation and disposal, and modifying existing contracts. Ken Williams, representing the City Manager's office, withdrew the Resolution before the meeting.

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

RESOLUTION 127836, authorizing and directing San Diego Gas & Electric Company to install 21 6000 lumen overhead street lights, as listed, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127837, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against

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Lots 3, 4, 45, 46, 47 Block 1 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127838, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions of Lots 5 to 10, Lots 11 to 18 inclusive and Lots 25 to 44 inclusive Block 1 Park Addition, together with easterly 20 feet 29th Street adjoining Lot 25 on the west vacated and closed; Lots 1 to 16 inclusive and Lots 33 to 48 inclusive Block 3 Park Addition together with northerly 15.00 feet Laurel Street adjoining Lots 33 to 48 on the south vacated and closed; portion Lots 39 to 48 inclusive Block 2 Park Addition; portion West 60 feet of 29th Street lying easterly of and adjoining portion Lot 48 vacated and closed, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127839, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 1 to 5 inclusive Block B Weeks' Addition to the City of San Diego, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127840, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Acacia Drive (now Reno Drive) closed by Resolution 31550, 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127841, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 10 feet of portion of 15 foot wide alley (closed lying adjacent to northeasterly line Lot 5 Block 17 La Jolla Hermosa, closed by Resolution 42187, 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127842, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Pueblo Lot 1255, 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

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may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127843, directing Property Supervisor to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Pueblo Lot 1255, 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127844, approving request of Walter H. Barber, July 22, 1955, Change Order 1, for extension of 10 days to and including August 2, 1955, filed as Document 518101, in which to complete contract for construction of storm drain at Rolando and University, contract Document 515447; extending time of completion to August 2, 1955, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 127845, approving request of Ets-Hokin & Galvan, July 11, 1955, Change Order 1, for extension of 30 days to and including August 21, 1955, filed as Document 518103, in which to complete contract for installation of traffic signals and safety lighting system in G Street, contract Document 509087; extending time for completion of contract to August 21, 1955; was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 127846, granting permission to George Crawford Plumbing Co., 144 B Avenue, Coronado, to install 4" cast iron soil line at 1/8" fall per foot from basement addition to sewer connection at Union-Tribune Basement addition, 919 Second Street, on conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 127847, granting revocable permit to Bank of America National Trust and Savings Association, mailing address: Continental Service Company, attorney in fact, 111 West 7th Street, Los Angeles 14, to install and maintain underground electric and telephone conduits under and across sidewalk and alley to serve owner's property: Lots 1 to 25 inclusive, and Nly 18-1/2' Lot 26 Block 6 Resub of Blks 5, 6, 15, 16, Crittendens Add. (737 University Avenue), was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127848, granting revocable permit to Lowell E. Dunham and Marion E. Dunham, 4493 Texas Street, San Diego, to install and maintain 4" cast iron sewer line through parking strip on Monroe Avenue, to serve owner's construction: Lots 1 and 2 Block 71 University Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127849, granting revocable permit to Mrs. Rita Macomber, 1020 Meade Street, San Diego, to install and maintain power meter and switch box on front of building at owner's property: Lots 7 and 8 Block 219 Middletown, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.



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RESOLUTION 127850, granting revocable permit to James B. Stapler, PO Box 768 La Jolla: 7134 Olivetas Avenue, San Diego, to install and maintain private 2" copper water line from City main at intersection of Brodiaea Way and Encelia Drive, along easement to owner's property: portion P.L. 1287, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127851, granting revocable permit to Vernon E. Taylor, 826 Garnet Street, San Diego 9, to install and maintain private 1-1/2" copper water service under La Playa Avenue, from Ingraham Street to owner's property: Westerly 40 feet of northerly 20 feet Lot 44 Block 33 Second Fortuna Park Addition, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127852, directing Clarence A. Winder, Public Utilities Consultant for The City of San Diego, to appear before California Public Utilities Commission in matter of application of San Diego Gas & Electric Company No. 37112, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127853, authorizing City Attorney to dismiss City's claim 39164 dated March 21, 1955, in amount of \$461.79 against Maurice L. Banks, in view of fact that subsequent investigation reveals no liability of Maurice L. Banks, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127854, approving claim of Etta Whipple and Edith Graves, Document 516399, in amount of \$82.71; directing City Auditor & Comptroller to draw warrant in favor of Etta Whipple and Edith Graves, 1920 Felspar Street, San Diego 9, in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127855, authorizing City Attorney to compromise the \$757.74 law suit, Municipal Court Action 25449, Richardson vs. City of San Diego, for sum of \$457.54; directing City Auditor & Comptroller to draw warrant in favor of Elsie M. Richardson and Luce, Forward, Kunzel & Scripps, her attorneys, in full settlement of case, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127856, accepting subordination agreement, executed by Clifford A. Harvie & C. Opal Harvie, beneficiaries, and Security Title Insurance Company, trustee, November 16, 1954, subordinating all right, title and interest in and to portion of N.W. 1/4 Quarter Section 78 Rancho de la Nacion, to right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127857, accepting deed of Daniel M. Brigham and Constance D. Brigham, July 11, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1255; 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.

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RESOLUTION 127858, accepting deed of Helen Taylor Gray, June 21, 1955, conveying for street purposes portions of Blocks 6 and 10 Asher's Clover Leaf Terrace, together with portion Goldfield Street vacated, lying between Blocks 6 and 10; 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 127859, accepting deed of Fred E. Lawley and Lilian S. Lawley, November 12, 1954, conveying easement and right of way for street purposes in portion N.W. 1/4 Quarter Section 78 Rancho de la Nacion; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127860, accepting deed of The Atchison, Topeka and Santa Fe Railway Company, July 14, 1955, conveying easement and right of way for storm drain purposes, in portion railroad right of way near 3rd Avenue and "K" 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.

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

ORDINANCE 6608 (New Series), zoning portions of Sections 16, 17, 20, 21 Township 18 South, Range 2 West, S.B.B.M., also known as "Western Sale Company Tract" into "C", "M-1" and "M-2" Zones, as defined by Sections 101.0411, 101.0412 and 101.0413 respectively of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Williams, 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 6609 (New Series), amending the San Diego Municipal Code by adding new section to be numbered 63.15.16, regulating use of Tows and Towing Vessels within the San Diego Bay, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Curran, seconded by Councilman Evenson, 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 6610 (New Series), amending Section 22.0902 and 22.0903 of the San Diego Municipal Code Regulating Sale of City-Owned Real Property, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Williams, Schneider; Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ord-

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inance establishing a 5-foot Setback Line on Lots 128 to 130 inclusive, and Lots 135 to 138 inclusive, Western Hills Unit No. 1, abutting on Southcrest Street, pursuant to Section 101.0603 of The San Diego Municipal Code, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent-Councilman Burgener.

On motion of Councilman Evenson, seconded by Councilman Curran, Ordinance amending Article 2 Chapter III of The San Diego Municipal Code by amending Sections 32.07 and 32.15.6, Regulating Sales Tax, and repealing Ordinance 6598 (New Series), was introduced, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent-Councilman Burgener.

On motion of Councilman Williams, seconded by Councilman Schneider, Ordinance amending Sections 32.01, 32.02, and 32.02.1 of The San Diego Municipal Code relating to The City Sales and Use Tax, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent-Councilman Burgener.

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

Communication from Purchasing Agent submitting Resolution authorizing him to make bid to U. S. Naval Construction Battalion Center, Port Hueneme, California, for 50 Gr. Tons 2" Steel Tie Roads for Harbor Department, was presented.

RESOLUTION 127861, authorizing and directing Purchasing Agent to enter bid to U. S. Naval Construction Battalion Center at Port Hueneme, California, for purchase of 50 Gr. Tons of 2" Steel Tie Rods with turnbuckles and hex nuts, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

RESOLUTION 127862, granting permission to William R. Hartley, 943 Armada Terrace, Acting, acting for property owners interested, to install one house sewer line to serve 6 houses located on Lots 43, 44, 45 Block 39 Fairmount Addition, facing 51st Street; to connect with City sewer in Alley Back of residences, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

The City Manager requested, and was granted, unanimous consent to present the next 2 items, not listed on the agenda:

RESOLUTION 127863, authorizing and directing City Manager to execute for and on behalf of The City of San Diego a contract with subdividers of Allied Gardens Unit 5-A and General Casualty Company of America, surety, whereby it is agreed that resubdivision of portion Allied Gardens Unit 5 subdivision, as Allied Gardens Unit No. 5-A (Allied Farms, Inc., a corporation, being subdivider, and General Casualty Company of America, surety, in each instance) will in no way relieve subdividers of Allied Gardens Unit 5 of any of obligations which arose under original contract, City Clerk's Document 510783, and providing for installation and completion of unfinished improvements and setting of monuments required for Allied Gardens Unit 5-A Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within Allied Gardens Unit 5-A, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127864, adopting Map of Allied Gardens Unit 5-A Subdivision, a resubdivision of Lots 886 to 903 inclusive and Lots 1268 to 1287 inclusive of Allied Gardens Unit 5; accepting Birchwood Street and unnamed easements shown for public purposes, declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse

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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 Williams, adopted.

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

RESOLUTION 127865, petitioning the State Board of Equalization to deny petition of Southern Pacific Company and other public utilities companies in State of California for change in plan and method of establishing market value of public utility properties on State Assessment Roll of public utility holdings for taxation purposes; and that it is the sense of the Council that to grant petition and change present plan in evaluating public utility holdings will result in increased burden upon taxpayers of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution states that Council is advised there is pending before State Board of Equalization of State of California petition of number of public utility companies doing business in the State to have the Board of Equalization reduce market value of properties used for purpose of taxation. It states that it is represented that valuation of public utility-owned property in this state by the Board is discriminatory against the companies in view of the fact that assessors of various counties in the State assess property other than that owned by public utility companies upon an entirely different basis of market value and the Board is asked to reduce market value and thus eliminate the discrimination. The Resolution states that the Council is of the opinion that best interests of people of the City will be sub-served if the State Board of Equalization denies the petition and continues to evaluate properties belonging to the public utilities through the state upon same basis and plans as heretofore done, in order that burden upon taxpayers of City of San Diego will not be increased. It directs and authorizes the City Clerk to forthwith send to Board of Equalization a certified copy.

(At the request of the Asst. City Attorney, copies were sent to the County Assessor for transmittal to the State Board of Equalization).

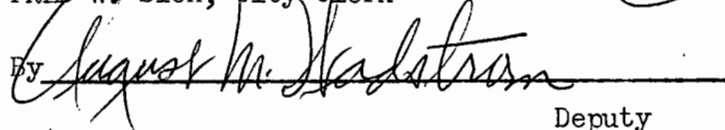
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:43 o'clock A.M.

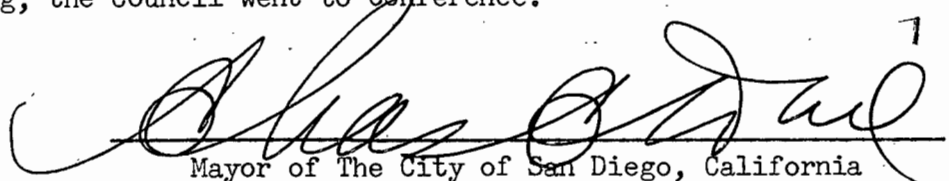
Following the meeting, the Council went to Conference.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, August  
9, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent--Councilman Burgener  
Clerk--Fred W. Sick

Mayor Dail presented Captain William C. Conrad, of the Volunteers of America. Captain Conrad gave the invocation.

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 99.

Service awards were granted to the following City employees, in recognition of their years of duty with the City:

Mrs. Rebecca S. Hendon, Senior Librarian, San Diego Public Library, Linda Vista branch - 20 years;

Edward Scheidt, on terminal leave, who will retire September 3 as construction and maintenance foreman, Public Works Division of Streets - 20 years;

Mort L. Geer, Lt. in the Police Department (Homicide Bureau, known officially as "Crimes Against the Person" branch of the Detective Division) - 20 years;

Ray T. Reilly, Fire Battalion Chief - in charge of the 4th Battalion, which covers many areas of the City - 25 years.

The Minutes of the Regular Council Meetings of Tuesday, August 2, 1955, and of Thursday, August 4, 1955, were approved without reading, after which they were signed by the Mayor.

The Purchasing Agent reported in writing that bids were opened August 5, 1955, from 3 bidders for improvement of Alley Block 332 Choates' Addition and 32nd Street.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, bids were referred to the City Manager and to the City Attorney after finding was made that bids had been opened as reported.

The Purchasing Agent reported in writing that bids were opened August 5, 1955, from 3 bidders for improvement of Alley Block 128 Subdivision of P.L. 1157, et al.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, bids were referred to the City Manager and to the City Attorney after finding was made that bids had been opened as reported.

The Purchasing Agent reported in writing that bids were opened August 5, 1955, from 5 bidders for improvement of Delta Street.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, bids were referred to the City Manager and to the City Attorney after finding was made that bids had been opened as reported.

Meeting convened  
Invocation  
Minutes approved  
Purchasing report on 1911  
Act Bids

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The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing current in San Diego Lighting District No. 1 - for 11 months and 16 days from and including June 15, 1955 - the Clerk reported bid from San Diego Gas and Electric Co.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, bids were opened and declared. By the same motion it was referred to City Manager and City Attorney for report and recommendation.

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

Mrs. Louise Merrick asked for a 2-week extension for a hearing regarding the Ray lease in Mission Beach Amusement Center.

The Mayor stated that the item is not on the docket for this meeting, and that "it will take at least 2 weeks". He said that it will be on the docket.

Councilman Kerrigan stated that the City Manager had been authorized to negotiate on the lease.

On motion of Councilman Schneider, seconded by Councilman Williams, the City Clerk was directed to advise Mrs. Merrick when the item comes before the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 127274 for paving and otherwise improving Alley Block 241 Pacific Beach, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 127275 for paving and otherwise improving Quince Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 127276 for paving and otherwise improving T Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 127371 of Preliminary Determination for paving and otherwise improving Saranac Street and 67th Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127866, determining that paving and otherwise improving Saranac Street and 67th Street, Resolution 127371 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.

Bid for lighting  
M.B. Amusement Center lease discussion under U.C.  
Hearings  
127366



The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127372 of Preliminary Determination for paving and otherwise improving Thomas Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127867, determining that improvement of Thomas Avenue, Resolution 127372 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 Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127373 of Preliminary Determination for paving and otherwise improving Valley Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127868, determining that improvement of Valley Avenue, Resolution 127373 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 Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed assessment for furnishing electric current in Loma Portal Lighting District No. 1 for 11 months and 4 days from and including June 28, 1955, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127869, confirming and adopting as a whole the "Engineer's Report and Assessment for Loma Portal Lighting District No. 1", filed July 7, 1955, 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 2380 made to cover cost and expenses of paving and otherwise improving Dudley Street, Resolution of Intention 120267, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127870, confirming and approving Street Superintendent's Assessment 2380; 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 Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2381 made to cover cost and expenses of paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2; Alley Block 76 Ocean Beach; Resolution of Intention 119651, the Clerk reported written appeals by Edna Y. White, in behalf of her husband, Fred E. White, and his sister, Mabel W. Allen.

The Mayor inquired if anyone was present to be heard.

Mrs. Fred White told the Council that the assessment is \$449.83, which her husband thinks is too high in comparison to other paving which they have paid.

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The City Engineer said that there is a misunderstanding: there are 2 parties, each owning 1/2 interest. He said that notices were sent to both, but that the assessment is the same as the others.

RESOLUTION 127871, overruling and denying the appeal of Edna Y. White, from Superintendent of Street's Assessment 2381 made to cover costs and expenses of work of paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2; Alley Block 76 Ocean Beach, and Bacon Street, Resolution of Intention 119651; 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 warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Acme Pipe Company for furnishing 10,000 lbs. Caulking Lead @ \$16.00 cwt., or total of \$1,600.00 plus State Sales Tax, was presented. There were 7 bids.

RESOLUTION 127872, accepting bid of Acme Pipe Company for furnishing 10,000 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 specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Cameron Bros. Construction Company for construction of sanitary sewers in Talbot Street, between Leroy Street and 350 feet southerly of Scott Street - \$11,546.34 - 6 bids, was presented.

RESOLUTION 127873, accepting bid of Cameron Bros. Construction Company for construction of sanitary sewers in Talbot 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 Williams; seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Johnson Western Constructors for construction of Los Penasquitos Creek Bridge and Approaches "Alternate No. 2" - \$48,814.95 - 3 bids, was presented. It states that price for the concrete bridge is only \$614.95 higher than Engineer's estimate for wooden bridge.

RESOLUTION 127874, accepting bid of Johnson Western Constructors for construction of Los Penasquitos Creek Bridge and Approaches "Alternate No. 2"; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Virco Mfg. Corporation for furnishing 52 Banquet Tables @ \$21.45 each, 250 Chairs @ \$3.85 each - total of \$2,077.90 plus State Sales Tax - 6 bids, was presented. (10 Tables are for Police Department; balance for Park & Recreation Department).

RESOLUTION 127875, accepting bid of Virco Mfg. Corporation for furnishing 52 Banquet Tables and 250 Chairs; awarding contract, authorizing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of the Purchasing Agent, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, recommending acceptance of Mission Pipe and Supply Co. bid for furnishing 5 items of Ceramicweld Pipe & Fittings - \$2,840., was presented. Report says there were 2 identical bids, and awardee was decided by lot.

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RESOLUTION 127876, accepting bid of Mission Pipe and Supply Co. for furnishing Ceramicweld Pipe and Fittings; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, recommending that he be authorized to purchase from Shaw Sales & Service Company, applying all rental paid against purchase price, the City to obtain the machine for total balance of \$6,275.10, was presented.

On motion of Councilman Schneider, seconded by Councilman Curran, the item was continued for 1 week.

RESOLUTION 127877, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing, Fittings and Valves, Document 518268, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127878, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Sanitary Sewers in Bancroft Street, Adams Avenue, 32nd Street, West Mountain View Drive, and Alleys Blocks 31 and 32 Normal Heights, Document 518217; 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 127879, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Grand Avenue between Ingraham Street and Pendleton Street (including removal of obstructions, grading, paving, construction of curbs, sidewalks, driveways and storm drain, Document 518215; 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 127880, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Morrell Street between north line of Grand Avenue and point 10.00 feet northerly of north line of Balboa Avenue (including grading, paving, construction of curb, sidewalk, culvert and concrete lug, Document 518216; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Allied Gardens Unit No. 7, was presented.

RESOLUTION 127881, suspending Sections 102.07-1 & 2, 102.12-8, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Allied Gardens Unit No. 7, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommend-

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ing approval of Tentative Map of Allied Gardens Unit No. 7, for 112-lot subdivision of portion Lot 65 Rancho Mission, was presented. It identifies property as 2-acre parcel located northerly of Stephen Foster School at intersection of 51st and Zion Streets in Allied Gardens. It says area is under consideration for annexation to City of San Diego. It makes approval subject to 15 conditions.

RESOLUTION 127882, approving Tentative Map of Allied Gardens Unit No. 7, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Bird Rock Addition, a 2-lot subdivision of Lots 29 and 30 and portion Lot 28 Block 10, was presented.

RESOLUTION 127883, suspending Sections 102.06-1 and 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Bird Rock Addition, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map for resubdivision of Lots 29 and 30, and portion Lot 28 Block 10 Bird Rock Addition, into 2 lots - located at southwesterly corner of Forward Street and Linda Rosa Avenue, was presented. It gives a detailed report of previous condition of the property. Recommendation makes approval subject to 2 conditions.

RESOLUTION 127884, approving Tentative Map of Bird Rock Addition, 2-lot subdivision of Lots 29 and 30 and portion Lot 28, subject to conditions of Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending addendum to Tentative Map of Delta Heights Annex Unit 3, a 27-lot subdivision on southeasterly side of Home Avenue, south of Euclid Avenue, original map approved June 22, 1954 by Resolutions 118689 and 118690 and reapproved June 27, 1955 by Resolution 127110, was presented. It says amendment would include additional lot, to have frontage on Euclid Avenue.

RESOLUTION 127885, amending Tentative Map of Delta Heights Annex Unit 3 approved previously, with revisions, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Homesites No. 4, a 32-lot subdivision of portion Tres Lomas, was presented.

RESOLUTION 127886, suspending Sections 102.07-5, 102.12-6, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Homesites No. 4, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Homesites No. 4, for 32-lot subdivision of Tres Lomas, located at Cumberland Street and Calle Canada in the Paradise Hills area - including a 5-acre parcel which is proposed as a commercial lot at northeasterly corner of Cumberland Street and Calle Canada - R-2 and R-4 usage proposed for lots adjacent to the business center, was presented.

RESOLUTION 127887, approving Tentative Map of Homesites No. 4, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127888, adopting Map of Tower Hill Subdivision, portion of Pueblo Lot 1176; accepting on behalf of the public unnamed easements, and declaring them to be dedicated to public use; rejecting as a dedication for public street land shown as "Reserved

for Future Street"; authorizing and directing Clerk of City to endorse upon map, as and for act of the Council, that unnamed easements 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by P. Q. Burton, attaching Commission resolution defining "Approved Wall" as used in Section 101.0410 of San Diego Municipal Code re continuous single-wall structure in connection with off-street parking of passenger automobiles in CP, RC-1A, and C-1A Zones, was presented.

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

Communication from City Manager reporting on request of subdivider of Canyon View Subdivision for elimination of requirement that he obtain certain easements from other property owners for establishment of right of way for boundary streets of the subdivision, was presented. It makes a detailed report on the subdivider's willingness, and 2 owners' refusal to dedicate land for opening. It recommends that in lieu of condemnation by the City of the 25-foot strip at this time, the subdivider be required to dedicate additional 10-foot strip along south side of La Cumbre Drive, making total dedicated width of 35 feet which would be adequate as temporary 2-way road pending further development of property to the north. It says that if this is done, it will be necessary to obtain small area from Burghard property to provide proper transition at intersection of La Cumbre Drive with unnamed street, which should be a responsibility of the subdivider. Also, it suggests that prior to approval of Tentative Map, the Council refer matter to conference for study of developments in the general area in which a number of small subdivisions have now been approved, omitting requirements for street improvements. It says it is believed that such a study might indicate desirability of requiring that such improvements be made as a condition precedent to filing of final subdivision maps.

On motion of Councilman Williams, seconded by Councilman Kerrigan, the report was filed (it not having been read to the Council).

Communication from City Manager reporting on communication from Ned A. Kimball, attorney at law, requesting on behalf of several motel and business firms in area between Grand Avenue and Balboa Avenue west of Pacific Highway certain improvements in streets adjacent to the area, was presented. It reviews each of Mr. Kimball's requests, and makes comments thereon. It states that the Council has previously approved addition of Figueroa connection and that work will be done as part of the present construction contract. It does not recommend the granting of most of the requests. It is stated in the letter that Mr. Kimball is being advised as to action already taken and reasons why no further modifications are recommended at this time.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the papers were filed.

Communication from Douglas Ian Duncan, 3671 Rose Lawn Avenue, San Diego 5, dated August 4, 1955, making detailed suggestions in relation to public transportation in San Diego, was presented.

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

Communication from San Diego Soda Works, by Alan T. Baum, 40 North 20th Street, San Diego, dated August 3, 1955, requesting permission to be granted the right for electrification of fences, through zoning variance, was presented. It relates

pilferages and vandalism to the property for the past 8 years, although 6-foot cyclone fence surrounds the property, and reports made to Police Department of the incidents.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the Zoning Adjustment Board (Planning).

The next 2 items were numbered out of order, so that they could be sent to the State.

RESOLUTION 127889, repealing Resolution 127731 adopted August 3, 1955 (relative to City-employee participation in Social Security - and inclusion of eligible employees in agreement between the State and Federal Security Administrator), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127890, stating that The City of San Diego, designated as "Public Agency", designated as "Public Agency" desires to include its eligible employees 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 eligible employees under insurance system established by Title II of Federal Social Security Act as amended; authorizing the City to execute application and agreement, providing for a referendum; requesting the Governor to authorize the referendum and designate an agency or individual to supervise its conduct, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127891, directing notice of filing of Assessment 2391 made to cover costs and expenses of work done upon paving and otherwise improving Alley Block 255 Pacific Beach, Resolution of Intention 121325, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127892, directing notice of filing Assessment 2389 made to cover costs and expenses of work done upon paving and otherwise improving 69th Street, Resolution of Intention 121532, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127893, directing notice of filing of Assessment 2390 made to cover costs and expenses of work done upon paving and otherwise improving Soto Street and Castelar Street, Resolution of Intention 120008, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD 127894, accepting bid of A. R. Kingard, and awarding contract, for paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, Resolution of Intention 126463, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 0.1% below estimate.

RESOLUTION OF AWARD 127895, accepting bid of A. R. Kingard, and awarding contract, for paving and otherwise improving Alley Block 72 City Heights, Resolution of Intention 126464, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION OF AWARD 127896, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract, for paving and otherwise improving Alley Block 34 Ocean Beach, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 12.2% below estimate.



RESOLUTION 127897 approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Gregory Street, Document 517694; approving Plat 2742 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127898 approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Orange Avenue, Document 518033; approving Plat showing exterior boundaries of district to be included in assessment for work and improvement (2779); directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 127899 approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving South Lane and Alley lying easterly of and adjacent to Block A South La Jolla; approving Plat 2773 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127900, for paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, Resolution of Intention 127128, was on motion of Councilman Schneider, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 127901, for paving and otherwise improving Hugo Street, Resolution of Intention 127129, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 127902, for installation of sidewalks on Vale Way, Bernardine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, Resolution of Intention 127127, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 127903, for paving and otherwise improving Alley Block 80 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127904, for paving and otherwise improving Gregory Street, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 127905, for paving and otherwise improving Orange Avenue, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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RESOLUTION OF PRELIMINARY DETERMINATION 127906, for paving and otherwise improving South Lane and Alley lying easterly of and adjacent to Block A South La Jolla, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127907, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current for lighting Five Points Lighting District No. 1, for 11 months and 27 days from and including August 5, 1955, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127908, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Everts Street, Resolution of Intention 121531, and to be assessed to pay expenses thereof, made by City Engineer; directing Clerk of the City at same time of approval to certify fact and date thereof and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127909, adopting recommendation of City Engineer, Document 518036; authorizing City Engineer to amend proceedings for improvement of Gillmore, Southlook Avenue and Oliverwood Terrace in accordance with the recommendation, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

The next item was numbered out of order.

Resolution authorizing City Manager to do work re water main and appurtenances at Kearney Mesa Industrial Site, was presented.

Councilman Schneider moved to continue the Resolution until Thursday.

The City Attorney stated that the City had sold the land to the Magnatron Corporation, that 6 months had been granted "to do the job", and the Council appears to be impeding the work if it holds the resolution.

Councilman Evenson said that the specifications for the work should be according to City requirements.

The City Attorney spoke of 30 to 60 days to advertise for bids.

Mayor Dail spoke of going to have more (of similar conveyances of City-owned property). He said that the schedule has to be followed, and that the new owners have to have zoning. He stated that the City can't delay the project, and still make it attractive.

Councilman Williams said that the City would be in a position to grant additional time under a sales contract. He said that the Council should be on record with its policy, if done on a private or public basis. He said that he wants to see this go to private bids. Mr. Williams said that the City "should not bog down the whole deal".

The City Attorney said that circumstances are such regarding deal on the Mesa that the buyers are contributing, and that the City has to do everything on its part to expedite its part of the bargain. He declared that the City should not throw out impediments.

The Mayor said that all the Council wants is by contract, but that it is not violating the policy. He stated that the "situation has been altered considerably".

RESOLUTION 127910, authorizing and empowering City Manager to do all work in connection with installation of approximately 2,500 feet of 12-inch A.C. water main and appurtenances at the Kearney Mesa Industrial Site, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127911, granting petition, Document 517497, for paving and otherwise improving Alley Block 40 Ocean Beach; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be

assessed to pay costs, damages and expenses of improvements, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127912, granting petition for paving and otherwise improving Roanoke Street, Document 517319; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, and improvement in Reo Drive, if necessary; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution 126493, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127913, granting petition, Document 517923, for installation of sewers in portions of Pueblo Lot 1199, including area adjoining Birmingham 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 127914, granting petitions, Document 517924, for installation of sewers in portions Pueblo Lots 1280 and 1281, including area along Avenida de la Playa; 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 Schneider, adopted.

RESOLUTION 127915, Ordering Work, for paving and otherwise improving Tourmaline Street, Resolution of Intention 127130, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Resolution concurring in recommendation of U.S. Army Engineers that dam and reservoir be constructed at Hodges Dam Site, in County of San Diego, to impound runoff waters of San Dieguito River and its tributaries, to store and impound water for conservation purposes and flood-control purposes; agreeing to aid in construction of project by paying for cost of lands, part or all of cost of highway relocation U.S. Highway 395, etc., was presented.

RESOLUTION 127916, referring to Council Conference proposed Resolution re recommendation of U.S. Army Engineers re Hodges Dam Site reservoir, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127917, commending Edward E. Wallace, on behalf of the Council members and citizens of The City of San Diego, for his long faithful and capable service in this community and recognizing his outstanding engineering contributions made as District Engineer for District 11 of the State Division of Highways in this area; congratulating Mr. Wallace upon his splendid civic activities so generously made and performed, in addition to his onerous official duties, while a resident of The City of San Diego; directing the City Clerk to forward certified copy of Resolution to Mr. Wallace, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

(Copies were sent to the Mayor's office for forwarding).

Proposed Resolution recognizing abilities of present engineering corps

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in the Engineer's office of District Engineer for District 11 of the State Division of Highways; urging that the new District Engineer be appointed from among present corps so that the splendid work so far developed (has to do with retirement of Edward E. Wallace) may be continued without interruption or change, etc., was presented.

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

RESOLUTION 127918, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, Utilities Agreement No. 6324, between State of California, acting by and through Department of Public Works, Division of Highways, and The City of San Diego, providing for rearrangement of water and sewer facilities in connection with freeway construction on Road XI-SD-77-SD, between Fulton Street and Aero Drive, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The project referred to is in the Chesterton-New Riverside section of Kearny Mesa).

RESOLUTION 127919, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with San Diego Unified School District, leasing to the District Balboa Stadium in Balboa Park for 5 years beginning July 1, 1953, under terms and conditions of Document 518424, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

The Resolution listed next on the agenda, re water main and appurtenances at Kearny Mesa Industrial Site, is shown earlier in these Minutes.

RESOLUTION 127920, authorizing and empowering City Manager to do all necessary work in connection with the installation and relocation of guard rail on Sunset Cliffs Boulevard, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127921, authorizing and empowering City Manager to do all work in connection with removal and replacement of water mains on University Avenue, from Euclid Avenue to alley east of Euclid Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127922, 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 23 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127923, 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 23 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Curran, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 127924, 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 23 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127925, 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 24 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127926, 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 24 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127927, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Pueblo Lot 180 of the Pueblo Lands of San Diego, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127928, approving request of Rogers Construction Company, July 27, 1955, Change Order 6, for extension of 30 days to and including August 29, 1955, Document 518337, in which to complete contract for construction of San Vicente Aqueduct Connection, Contract Document 502828; extending time of completion to August 29, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 127929, granting permission to Ocean Beach Chamber of Commerce, a non-profit organization, to conduct its Sixth Annual Carnival and Bazaar on City-owned parking lot at foot of Newport Avenue, in Ocean Beach, August 19, 20, 21, 1955, without payment of license fee, subject to conditions of the Resolution; waiving requirement for \$500. deposit for cleanup, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 127930, approving claim of Mrs. J. A. Florentin, Document 517446, in amount of \$6.93; directing City Auditor & Comptroller to draw warrant in favor of Mrs. Florentin, 2807 28th Street, San Diego, in full payment of the claim, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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RESOLUTION 127931, approving claim of Mrs. William Persky, Document 517505, in amount of \$14.91; directing City Auditor & Comptroller to draw warrant in favor of Dortha Persky and William Persky, 2378 Juan, San Diego 3, in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

On motion of Councilman Schneider, 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 prior to day of final passage a written or printed copy.

ORDINANCE 6611 (New Series), dedicating portion of Public Highway in Kearny Mesa area and naming it Clairemont Mesa Boulevard, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

ORDINANCE 6612 (New Series), changing name of portion of Ridge Street in Kearny Mesa area to Ruffner Street, and dedicating street easements adjacent to Ridge Street and naming them Ruffner Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

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

ORDINANCE 6613 (New Series), appropriating \$53,700. from Capital Outlay Fund, for providing funds for construction of Los Penasquitos Creek Bridge, and necessary approaches, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

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

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

ORDINANCE 6614 (New Series) appropriating \$16,000 from Capital Outlay Fund, for providing funds to pay City's share of cost of installation of water and sewer facilities at the Kearney Mesa Industrial Site, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

On motion of Councilman Curran, seconded by Councilman Williams, the next ordinance was introduced.

On motion of Councilman Curran, 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 final passage a written or printed copy.



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ORDINANCE 6615 (New Series), appropriating \$12,700. from Capital Outlay Fund for providing funds for construction of Sanitary Sewer in Talbot Street, between Leroy Street and point 350 feet southerly of Scott Street, was on motion of Councilman Curran, seconded by Councilman Williams, adopted, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Burgener.

Ordinance incorporating portions of Pueblo Lots 1202 and 1203 of the Pueblo Lands of The City of San Diego, California, into RC-1A Zone as defined by Section 101.0409.2 of San Diego Municipal Code and repealing Ordinance 13457 approved February 15, 1953, insofar as it conflicts, was presented.

Councilman Evenson moved to introduce the ordinance.

Mayor Dail said that it had been stated last week that there might be a full Council present today. Councilman Burgener is not here, he said. He said that votes of 5 members needed are here.

City Attorney J. F. DuPaul said that the Council can introduce the ordinance by 4 votes; it takes 5 to adopt.

The Mayor asked if the Council wants discussion today.

Eugene Glen, attorney, said that everything has been said pro and con.

The Mayor said that a technicality had been raised about the ordinance being before the Council for the first time (on August 2, at which time it was continued until this date).

John Butler, attorney, said that there are points that the Council should hear before the ordinance is introduced.

The Mayor asked how many were present, interested. The response of raised hands indicated that almost the entire audience was here on this subject. He then announced that proponents would have 15 minutes.

Frank Frye, attorney stated that Mr. Butler wanted the first comment.

The Mayor said that a half hour would be allotted; 10 minutes each side, with 5 minutes for rebuttal for each side.

Mr. Butler said that his presentation is designed to be helpful, and not repetitious. He asked if it was decided in December. He stated that the Planning Commission has not recommended to rezone the property, and that as a result it needs 5 votes of the Council to adopt an ordinance. Mr. Butler said that it is the position of opponents that this is spot zoning, and dangerous - and sets a commercial zone where there is to be survey made of Miramar and Montgomery airfields. He referred to an article in the San Diego Union (this morning's issue) regarding home loans in the area. He stated that both lending institutions will not guarantee the zone. He said that bans both Veterans' Administration and Federal Home Owners' loans. He said that the zoning cuts off the area. He declared that action to zone commercially would not be wise. Mr. Butler stated that there are a number of property owners here interested on commercial zones. He said that the same could be expected in this area. He said to the Council that petitions (asking for the commercial zoning) cover residents from great distances. He said that the spot zoning would be for enhancement of the Safeway property. He said that even if recommended by Rick (City Planning Director) and department heads, this would not be timely for rezoning.

Mayor Dail spoke to Mr. Butler regarding there being no housing in the area.

Mr. Butler stated that there are some already committed, but that it has been indicated there will be no further commitments until the issue is resolved. He said that request to rezone the property is predicated upon development of property in the area.

Ewart Goodwin told the Council that his position results because of a management contract in Cabrillo Heights, with the Ed Fletcher Company. He spoke of being interested in the matter of competition. He told the Council that this hearing "takes a little different color". He said that the Council seems to have made up their minds a while back. He stated that it puts an extra burden on the Council, if it votes today. He spoke of this not preserving property values. He said that it would destroy the existing businesses, and that it does not serve the people. He declared that it would

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in competition with Linda Vista. He said that it would best serve the people to zone so that it can have "walls". He stated that this is a 1-car district, and that it is isolated by the hospital and the school. He said that many will never see the district, and that it would be only for the automobile trade. He declared this to be an example of bad guessing. Mr. Goodwin said that this would be zoning in advance. He said that Mr. Carlstrom and Ed Fletcher expected large taxpayers. He said that people are entitled to know the thinking of the basic reasons on the vote. He stated that the Cabrillo Heights people have had disappointments in connection with the flight pattern. Councilman Schneider spoke to Mr. Goodwin about the Food Basket at College and El Cajon.

Mr. Goodwin replied to Councilman Schneider that it is 8 or 10 blocks from the A&P.

Councilman Schneider asked about being over a mile from the existing shopping center. He said that when a shopping center is being developed he thinks the developers must see a prospect.

Mr. Goodwin asked if the Council would not be creating a "better mouse trap", to provide for a new shopping center through zoning, in opposition to the existing one. He stated that the area becomes encumbered.

Eugene Glen recommended that the Council hear from the people.

Thomas L. Pruitt, from Magnolia Downs, was heard. He said that at the last meeting former Councilman Godfrey had stated that he had received calls of protest to the rezoning. Mr. Pruitt told the Council that he had canvassed the area, and had been unable to find anyone who protests. He told of having a letter from residents of Magnolia Downs and Vista Park stating that they have never called Vincent Godfrey or anyone else in protest to the zoning of P.L. 1202 & 1203 from R-1 to RC-1A. The letter, which contains a large number of signatures, requests the Council to consider the signers' request, and that there be granted the very badly needed Shopping Center. He filed it. He stated that he is convinced of the need for a new and modern shopping area. He told of having spot checked the Linda Vista area, and of having found more than 75% in favor. He said that he had a petition from Linda Vista people. He filed it. He told of people refusing to shop in the debris-and-ramshackle area of Linda Vista. He passed around pictures of the Linda Vista plaza. He declared it to be a civic disgrace. He stated that the only way to improve the situation is through competition. Mr. Pruitt said that rezoning would do that. He said that residents are sufficient to support 2 shopping areas. He asked for approval of the zone change. He asked people in favor of the change to stand. ((Almost the room full did)).

Samuel Lopez, 7626 Cullen Street, said that people of the area are in need of a shopping center. He said that there could have been a start 3 years ago. He said that Mr. Butler and Mr. Campbell whom he identified as head salesman, had promised a shopping area. He said that he does not want to go to Linda Vista. He said he has to beg a ride to go and shop. He spoke of need for a center close at hand. He said canvassing was done in Linda Vista, Magnolia Downs and Vista Park. Mr. Lopez said that the ordinance had been ordered drawn up. He stated that there has been an expenditure of at least \$250.00 of the taxpayers' money to draw the ordinance.

Mr. Phelps was asked to testify. B. D. Phelps, engineer, said that the FHA came out with a fine piece of news. He said that all the people within the area would use the shopping center. He stated that it is in an area of walking distance.

Esther Lopez, Cullen Street, told the Council that she has to walk a mile, if her husband has the car. He spoke of need for a shopping area. He said that planes will not be traveling over the hospital and the school.

Frank Frye, attorney, told the Council that a petition says that Safeway are speculators. He stated that the lease on property is wanted, so that the store can get built.

Vincent T. Godfrey was recognized by the Mayor. Mr. Godfrey expressed dissatisfaction with the order in which the hearing was being conducted. ((It was not a scheduled hearing, but was opened again as a courtesy)).

Mayor Dail said that he did not know if the Council was bound by court rules or Roberts' rules of order.

Mr. Godfrey said that Roberts' rules of order have always been followed (while a member of the Council).

There was continued discussion between the Mayor and Mr. Godfrey on that point.

Mayor Dail said that it was John Butler who had raised the technicality, at the meeting a week ago, that the Ordinance was before the Council the first time. ((As a result, an unscheduled hearing was held at that time)).

Mr. Godfrey continued, saying that there is an accepted procedure. He said that this had been put in reverse, at the request of Mr. Frye.

Mrs. Margaret Hoddle, Coolidge Street, said that she was at the Planning meeting, and represented herself. He spoke of being sold a bill of goods, which is not so. She said if the zoning takes place..... Then she said that Mr. Carlstrom is here regarding the 2-1/2 year lease to Safeway, with options. She said that Safeway may never build the store (in the area proposed to be rezoned). Mrs. Hoddle said that Safeway has purchased a large number of plats on which it never intends to build. She spoke of the Medical Center having signed a lease for 5 years, and that they will not build in that time. She said that they will not build in the 2 years as promised. She said that in 2-1/2 years the Center (Linda Vista) will take its own course. She said that already there are buildings in process that will bring in competition. She stated that if the property is rezoned, and the Center not forthcoming, people are being led to believe that they are getting something that they will not get. She spoke of businesses having been wanted for years.

Councilman Schneider spoke to Mrs. Hoddle about there being no plans.

Mrs. Hoddle said she thinks Safeway will not build. She referred to the Safeway lease, and option in Linda Vista. She said that there is a threat that if there is not the rezoning, they do not go into the area.

Councilman Williams said that since the lease situation has become an issue, the Council should hear from Mr. Carlstrom (the Linda Vista shopping area), or from Mr. Frye (the attorney).

Mr. Frye told of having telephoned the real estate division of Safeway, and having been informed that they are paying \$500 per month (in Linda Vista), and offer of \$1,400. per month. He said that they want a short lease, to build. He said that Safeway wants a 6 months' lease, with cancellations. These statements had been made in answer to Councilman Williams' request.

Mr. Carlstrom stated that the Safeway representative had called him with a 2-1/2 year offer, and that there was a counter offer.

Councilman Williams spoke to Mr. Carlstrom.

Mr. Carlstrom said that it could be 2, 2-1/2 or 3 years; they wanted to see what the Navy does (regarding the airport).

Councilman Schneider spoke to Mr. Carlstrom about refurbishing the area.

Mr. Carlstrom said that there has been agreement to remodel.

Mr. Frye said that he has not seen the statement regarding the remodeling.

James Focht asked the Council to "make haste slowly". He spoke of lack in definitions. He identified himself as a lawyer, and being used to bringing out all phases. He said the dye would be cast, and that in purchase 2 would benefit.

Eugene Glen, attorney, representing the Frost family that owns and has owned the land for 50 years, was heard. He said that the City is being asked to take the first look at the best use. He said that property had been zoned R-1 in 1932, when it was just sagebrush - before Linda Vista. He said this is the best use. He said that opposition to the rezoning is being entered because of competition, and they say there is hoodwinking. He spoke of having engaged an engineer to get a layout of the subdivision. He declared that they are ready to go ahead. He asked if the zoning was to be used to freeze out competition. He stated that is immaterial if there is building of houses under the flight pattern. He stated that Mr. Goodwin is interested in his subdivision. He spoke of going to zoning to prevent competition. Mr. Glen said that his clients are ready to go; there is no financing problem. He said he asked just a favorable vote.

Councilman Schneider moved to close the hearing.

Mr. Godfrey said that there is an error on somebody's part, regarding Linda Vista residents. He told of a Bratton call regarding Magnolia Downs.

Mayor Dail stated that last week Mr. Godfrey had stated that he "represented neither side".

Mr. Godfrey said that both have the right to what they want; Linda Vista people are divided regarding the story told. He spoke of petitions having been signed. He said that people of Linda Vista are not happy; he is not; Mr. Carlstrom is probably not. He stated that the government has granted monopolistic, restricted leases in Linda Vista. He said that the basic point is not relative to need for more C Zone. He said that it is regarding the use. He said "things expire in December, 1955". He said that zoning laws are not set up to be restrictive, but for welfare. He asked if more needed, and stated that there is more C Zone in the Shopping Center (Linda Vista) than is used. He said that the Linda Vista people aren't interested in "progress back-

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ward". He spoke of not wanting the shopping center split. He declared that it can't be in both places. He referred to there having been a beautiful picture. Mr. Godfrey said that Bank of America is to be in Linda Vista, and said that grave doubt is left. He stated that there is confusion regarding Safeway. He said that Safeway's 1st choice was in Linda Vista, and bid \$100,000 per acre in Linda Vista, and made 4 bids. He said that several are still available at the same price/bid. He said that there are 2 sides to granting C Zone. He said that the doctors' group is active in seeking a new zone, but they have made a new lease in Linda Vista Shopping Center. He said that 15 merchants have signed in opposition to the rezoning, and that many people are opposed. He stated that Safeway is a fine organization, but it wants to see what the Navy is going to do. Mr. Godfrey said that it is alleged that Safeway has 700 parcels, and does not want to have stores on all of them; they are investments in land. Mr. Godfrey said that he speaks for Linda Vista. He said that before he left the Council, the Planning Commission was asked to make a report. He agreed that there is need for something adjacent to homes, but a super shopping center is not needed. He stated that a huge shopping center will not blossom out as soon as the Council says "yes". He said that restricted leases (in Linda Vista) will be off. He told the Council that Mr. Carlstrom and associates have been prevented from doing what they want. He said that all will not be going out, as reported. He stated that if the property is rezoned, then there is no turning back. He said "time is on the Council's side".

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Williams.

Mayor Dail said at the last hearing over an hour had been provided; the hearing was closed; then it was re-opened. He stated that the Council has been more than fair to both sides. He asked for patience, and said 2 more would be heard.

Don D'Agostino said he was in favor of zoning. He spoke of having listened to Mr. Godfrey, who was not in favor. He said that Vista Park has broken ground.

John A. Anderson, Cullen Street, asked for a counting or a tally. He said that there are about 30,000 people, and that there should be plenty for 2 shopping districts. He asked Mr. Godfrey why he was not in favor.

David Paine, attorney, said that the doctors did not ask for the additional hearing. He stated that Henry Cramer, the doctors' landlord had said that the lease is out; they would take a new lease, or get out. He declared that the doctors will not be speculators; they are going to develop. He said that it would be a good thing to have 2 groups.

A man, later identified as Gene Larson, of Burton Street, said that there had been statement of monopoly, but that Safeway is not one to talk. He said he would hate to see a monopoly. Then he referred to the doctor situation. He stated that his daughter almost died, and that not 1 doctor came out when he called 5 times. He said he had to take her to the County hospital.

The Mayor ordered the hearing closed.

Councilman Schneider moved to introduce the ordinance. Motion was seconded by Councilman Evenson.

Councilman Schneider said that the people need a store; not only Safeway does. He stated that the community needs service - and will get it.

Councilman Curran declared that the Council's integrity had been challenged by Mr. Goodwin. He pointed out that the Council would not be voting for adoption of the ordinance; just for its introduction. He said that there will be a vote to introduce; he might vote against adoption. He said that if it is consistent to rezone property for the Big Bear (Market), it is consistent for others.

Mayor Dail spoke to Mr. Rick about orderly development of an orderly C Zone. He wondered if it would not be just setting up "zones in that respect".

Mr. Rick replied that the City zoning has been hit and miss, with much string-type of development. He said that shopping centers are now the method of approach. He said that the City can't always go back to history, in that the situation is different now. He said that a great deal of evidence has been found to support shopping centers, before development.

Mayor Dail asked Mr. Rick if he was familiar with the V.A. and the F.H.A. statement on financing. He asked what the effect would be.

Mr. Rick's reply was that it is "going to have quite an effect; a tremendous effect". He stated that the present developers of large tracts need the F.H.A. and V.A. assurances of financing. He said that the statement (reported in this morning's Union is a brand new one. He stated that there will be investigations before development.

Mayor Dail asked if the City should study regarding M-1 zone.

Mr. Rick said no; the City has already zoned 1,200 acres, and is studying 1,000 to 1,500 more acres.

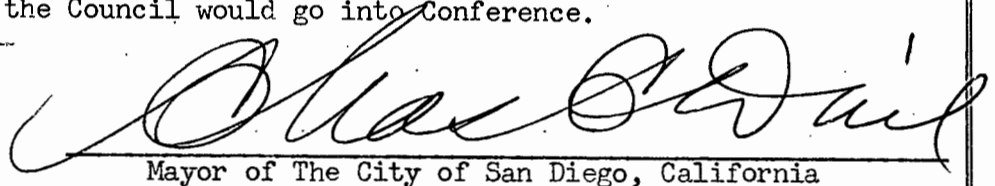
The Mayor said that the property would lie idle.

Mr. Rick said that he thinks there would be a greater potential, if the zone is changed.

On motion of Councilman Schneider, seconded by Councilman Evenson, Ordinance incorporating portions of Pueblo Lots 1202 and 1203 of the Pueblo Lands of The City of San Diego, California, into RC-1A Zone as defined by Section 101.0409.2 of The San Diego Municipal Code, and repealing Ordinance 13457 approved February 15, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-Mayor Dail. Absent-Councilman Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portions of Blocks 37 and 55 La Jolla Park into RC Zone as defined by Section 101.0409 of The San Diego Municipal Code, and repealing Ordinance 13294 approved August 31, 1931, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:39 o'clock A.M. It was announced that the Council would go into Conference.

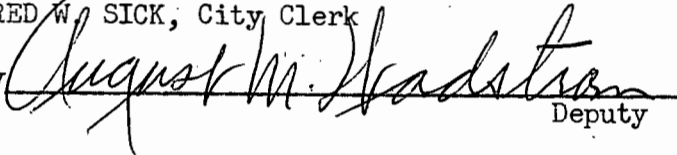


Mayor of The City of San Diego, California

ATTEST:

FRED W. SICK, City Clerk

By



Deputy



## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, August 11, 1955

Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail  
Absent--Councilmen Burgener, Williams, Kerrigan  
Clerk--Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance establishing a 5-foot setback line on Lots 128 to 130, inclusive, and Lots 135 to 138 inclusive, Western Hills Unit 1, abutting on Southcrest Street in the City of San Diego, California, pursuant to Section 101.0603 of the San Diego Municipal Code, the Clerk reported that no protests had been received.

The Mayor inquired if anyone was present to be heard.

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

Communication from Planning Commission, by P. Q. Burton, said that it was the finding of the Planning Commission that the shallow depth of the lots affected and the fact that there is now a 5-foot setback on 4 lots at end of the street justified changing setback line from 15 feet to 5. It reports that the Commission voted 5-0 to recommend that the setback be changed as shown on accompanying plat.

Councilman Kerrigan entered

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

ORDINANCE 6616 (New Series), establishing a 5-foot Setback line on Lots 128 to 130 inclusive, and Lots 135 to 138 inclusive, Western Hills Unit No. 1, abutting on Southcrest Street, pursuant to Section 101.0603 of The San Diego Municipal Code, was adopted, on motion of Councilman Schneider, seconded by Councilman Kerrigan, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams.

Petition of Walter Bollenbacher for revising condition 13 of Resolution 127684, re final map of Allied Gardens Unit 6 - to permit filing of map without dedication of portion of Navajo was presented and read.

Asked about the situation by the Mayor, Glenn A. Rick, City Planning Director, stated that he was familiar with it "in a general way". He said that if there is to be discussion, Mr. Haelsig should be here. He said that subdivision was approved; Navajo Road on the edge was to be extended. He said that another map was contingent on this. He said Mr. Boland has sold property affecting Navajo. He said that it is a question if it should be excluded, and get it from the other property. He declared that it is a question of policy.

Councilman Burgener entered

Mr. McLean told the Council of having a deed in the Attorney's office for Navajo Road. He said that a portion had been sold for development of the Jackson-Scott property. He stated that a deed description would be premature. He said that Fogg's department (City Engineer) was not ready to describe it. He maintained that Navajo Road should be part of the adjoining subdivision.

Councilman Kerrigan spoke to Mr. McLean regarding ownership.

Mr. McLean told of having sold 10 or 12 acres "on the top corner", of necessity developed with the Jackson-Scott property.

Mr. McLean added that deed is for 4,000 feet.

Mr. Rick showed the Council a map.

Meeting convened  
Hearing

6616 N.S.  
Petition, with discussion



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Mr. McLean showed the Council a smaller scale map. He spoke from the map. He spoke of having deed up "to 100 feet this side of State College Extension". He pointed out the property on the map. He said that it had been sold with the understanding that it was to come out for road. Answering a question, he stated that there is no correspondence on that point. He said that Scott, Phelps and Freeland have been in his office. He said that there would be no question of road to be dedicated.

There was discussion between Councilman Kerrigan and Mr. McLean.

Councilman Kerrigan asked Mr. McLean if he could get a letter from Jackson-Scott regarding knowing of the dedication.

Mr. Rick showed Navajo Road on a map.

Mr. McLean said that it is not positively identified.

Mr. Rick wondered about a letter from the purchaser.

Mr. McLean's statement was "not the purchaser".

Mr. Rick said that the City wants a commitment.

Mr. McLean spoke of being approved, subject to a letter.

Councilman Kerrigan asked Harry C. Haelsig, Asst. Planning Director, if a letter would be sufficient evidence.

Mr. Haelsig said that if put on notice, they would have to acquire.

Mr. McLean said that it was deeded out on July 29.

There was discussion between Councilman Kerrigan and Mr. McLean.

Mr. McLean said there is a question about width.

City Attorney J. F. DuPaul asked Mr. McLean if it is in escrow.

Mr. McLean said that the deed is recorded; escrow is regarding the other property.

Mr. DuPaul said that the City should do the same thing as on the above property. He said that there were 7 lots up against the road. He said that it was worked out with "Kamp" on an agreement. He said that he knows nothing of this situation, but if it is near the Sam Berger deal it should go to Conference.

Mr. McLean spoke of there being a great deal of objection to that. He said that there had been many meetings and conference. He said he would do anything to get Navajo Road.

Mr. DuPaul said he is just asking to work this out on the same basis as the other.

Mayor Dail suggested this be referred to Conference on Tuesday.

Mr. McLean said that this has been delayed, and pushed around.

Councilman Burgener said that a conference could be had today - right after this meeting.

It was agreed to hold the item, and consider it again later.

(It will be found again, after the recess).

Petition of Harold G. Krag and Harold W. Scoville, 3343 Clairemont Mesa, for temporary and experimental variance in the code requirements concerning painting of house numbers on curbs.

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

Petition from members of the Balboa Park Men's Golf Club, and players at the Balboa Golf Course, petitioning the Council that they approve operation of Torrey Pines Golf Courses included in the City's master recreation plan, as a municipal operation and that Council reject any projected operation by lessees or as private enterprises, for detailed reasons set out.

RESOLUTION 127932, referring to Council Conference petition re Torrey Pines Golf Courses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of golfers at Rohr Aircraft Corporation suggesting that proposed Torrey Pines Golf Course be operated as a municipal golf course, was presented.

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RESOLUTION 127933, referring to Council Conference communication from employees at Rohr Aircraft Corp re Torrey Pines Golf Courses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on combined bids received by Purchasing Agent of San Diego Unified School District on July 22, 1955, and bids for requirements of City of San Diego - for period commencing August 3, 1955, and ending May 31, 1956, was presented. It recommended awards on the low bids to:

- (a) Jim Fournier Sporting Goods (3 items sporting and athletic and athletic equipment) \$1,735.50 plus State Sales Tax;
- (b) Higgins & Crosthwaite Sport Supply (5 items) \$1,626.68 plus Tax;
- (c) San Diego Sporting Goods (4 items) \$327.48 plus Tax;
- (d) Stanley Andrew Sports Goods Co. (3 items) \$2,202.80 plus Tax;
- (e) Wm. Lane Company (6 items) \$1,034.56 plus Tax;
- (f) Southwest Athletic & School Supply Co. (8 items) \$2,230.84 plus Tax.

It reports that there were 13 bids received.

RESOLUTION 127934, accepting bid of Jim Fournier Sporting Goods for furnishing Sporting and Athletic Goods, listed in Resolution; \$1,735.50 plus Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127935, accepting bid of Higgins & Crosthwaite Sport Supply for furnishing Sporting and Athletic Goods, listed in Resolution; \$1,626.68 plus Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127936, accepting bid of San Diego Sporting Goods for furnishing Sporting and Athletic Goods, listed in Resolution; \$327.48 plus Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127937, accepting bid of Stanley Andrews Sport Goods Co. for furnishing Sporting and Athletic Goods, listed in Resolution; \$2,202.80 plus State Sales Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127938, accepting bid of Wm. Lane Company for furnishing Sporting and Athletic Goods, listed in Resolution; \$1,034.56 plus State Sales Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 127939, accepting bid of Southwest Athletic & School Supply Co. for furnishing Sporting and Athletic Goods, listed in Resolution; \$2,230.84 plus State Sales Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, recommending awards on low bids for furnishing Fire Hydrant Valves and Fire Hydrant Bronze Valve Seats and Cast Iron Nozzle Caps, was presented. It mentions identical bids on some items.

RESOLUTION 127940, accepting bid of Albro Fire Equipment Co. for furnishing Fire Hydrant Parts, listed in Resolution; \$2,847.00 plus State Sales Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 127941, accepting bid of Standard Iron Works for furnishing Fire Hydrant Parts, listed in Resolution; \$2,129.70 plus State Sales Tax; awarding contract; authorizing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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Report of Purchasing Agent, approved by City Manager, on low bid of California Electric Works for installation of traffic signal and safety lighting system on Ash Street between 9th Avenue and Kettner Boulevard; \$57,815.40 - 3 bids - was presented.

RESOLUTION 127942, accepting bid of California Electric Works for installation of traffic signal and safety lighting system on Ash Street between 9th Avenue and Kettner Boulevard; 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, approved by City Manager, on low bid of Moore Business Forms, Inc. for furnishing 135,000 Meter Reading Record Sheets; \$1,296.00 plus State Sales Tax - 3 bids - was presented.

RESOLUTION 127943, accepting bid of Moore Business Forms, Inc., for furnishing 135,000 Meter Reading Record Sheets; 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, approved by City Manager, on low bid of George F. Cake Co. for furnishing 1 Stoelting #22495 Deceptograph, Standard Model (for Police Dept. Property Room); \$1248.50 plus State Sales Tax - 2 bids - was presented.

RESOLUTION 127944, accepting bid of George F. Cake Co. for furnishing Deceptograph; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on sole bid of W. V. Hutchison Company, Inc., for Small Water Main Replacements Group 22 at bid price of \$55,973.33; ~~\$55,973.33~~ - 9 bidders notified; 8 sets of plans and specifications issued - was presented. It states that the single bid was approximately \$4,000 below Water Department estimate. The report gives a statement given by each of 7 probable bidders for reasons that bids were not entered.

RESOLUTION 127945, accepting bid of W. V. Hutchison Co., Inc., for Small Water Main Replacements, Group 22; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract for work pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127946, suspending Sections 102.05, 102.12-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for Leonard Heights, resubdivision of Lots 3 and 4 Hollis Heights, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127947, approving Tentative Map of Leonard Heights, resubdivision of Lots 3 and 4 Hollis Heights, located on northerly side of Jennings Street westerly of Albion Street, subject to 2 conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(Resolutions 127946 and 127947 were ordered prepared by the Council, following hearing before the Council on August 4, 1954)

RESOLUTION 127948, adopting Map of Pederson Knolls, portion of Pueblo Lot 1780; accepting on behalf of the public unnamed easements shown for public purposes, declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that unnamed easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Curran, sec-



Vista. He protested the so-called improvements of sidewalks in Linda Vista. He told of City requirements for installation of the sidewalks. He said that Mrs. Faye Hartman, representing the Federal Housing Authority, had asked for sidewalk elimination, that the Council had agreed, and adopted a Resolution. He then said that sidewalks were torn out, and new sidewalks were put on the opposite site, tearing into the front yards. Mr. McGee told the Council that the contractor is more than living up to his name: Hazzard. He stated that the area now has curb, instead of sidewalk. He said that is an example of the so-called improvements in Linda Vista. Mr. McGee stated that Linda Vista is receiving shabby treatment from the Council and from PHA, and are apparently being regarded as second class citizens. He told the Council that the cost of the improvements was added to the price of the homes, but that PHA spent more money on the first 2 units, and requested deletion. He stated that some have improvements; some not - yet they pay the same cost. He said that rather than appeal to Washington, PHA had appealed to the Council for deletion. Mr. McGee declared that it is a case of government serving government. He said that residents of Linda Vista were not apprised of the changes. He said he feels that the Council has been used by PHA, and referred to the original requirements. He asked for restoration of sidewalks, and for monitoring of improvements in Linda Vista to see if they are living up to their agreements.

Councilman Schneider spoke to Mr. McGee.

Mr. McGee said that part of the many homes had been sold before the installation.

The Mayor spoke to Mr. McGee.

Mr. McGee told the Mayor that there were asphalt concrete sidewalks; they were to be removed and replaced.

Mayor Dail stated that they were sub-standard. He spoke of work done to get the children off the streets. The Mayor stated that sidewalks are paid for by the property owners under the 1911 Act. He asked what is wanted.

Mr. McGee asked the Council to "delete Resolution 123469". He said that the original resolution required sidewalks.

Councilman Kerrigan said that Mrs. Hartman (special representative for the Public Housing Administration) asked for amendment - the same as is asked today. He said she came in and asked for deletion.

Councilman Burgener said that this is Councilman Evenson's district, and wondered if Mr. Evenson wanted to be heard.

Councilman Evenson indicated that he would just as soon have Mr. Burgener make his statement.

Councilman Burgener said that steps should be taken to correct the situation. He apologized, if the residents of the area feel they have been treated shabbily. He spoke to Mr. McGee about "not rigid to hold back, in order to get the property back on the tax rolls". He said that now there is a different kind of pressure. Mr. Burgener said that maybe the City acted too fast. He said that they (PHA) should have made a differential in price, in connection with the change. He said that Mrs. Hartman thinks that there may be a differential.

Councilman Schneider spoke to Mr. McGee regarding trying to do the job as best it could be, in order that the people could get homes. He said that people were impatient to get homes. He said that there had to be a compromise. Mr. Schneider stated that he does not see that it is a City responsibility; it was done as a necessity.

Ray Hoag said that there was pressure on the Council to hasten the sale of the property. He said that in haste to sell (by the Federal Government) in Linda Vista, and compromises, there may have been the best of intentions, but it has created hazards. He said that the contractor has graded right up to the eucalyptus trees, which may fall. He said that there was not "enough publicity on what they were getting". Mr. Hoag said that 90% of the houses would be vacant, if they had known what they were getting. He stated that the sidewalks were put on the other side, and the contractor filled in with dirt. He declared that the only recourse is to turn to the Council. He said that people of Linda Vista are asking the issue to be opened up for investigation, and are asking for it to be worked out. Mr. Hoag stated that the \$30,000 which was to be used for improvements, had been used to move power poles (which had been an issue, and held up sales).

Mrs. Anderson, Comstock Street, said that she talked to the Engineer about sidewalks, and that Mr. Peters said that they were going to have concrete walk. She said that then there was reference to a higher up, Mr. Patterson, who looked at a map and said the same. She said that Housing had said they were going to have asphalt.



Mrs. Anderson said that 3 City Engineers came out yesterday, and "said asphalt". She said that Shellaby (J. F. Shellaby, civil engineer with US Public Housing Administration) is to blame for calling for asphalt. Then she spoke of filing petition.

Arthur Wood, West Jewett, told the Council that he bought his home with the understanding that street was to be widened and that there would be sidewalks on both sides. He said he has to climb a 5-foot wall; there are no steps - "no nothing". He said alongside steps is a tree, and that if you lean against it, it would fall over.

He said he spoke to Mr. Hazzard about moving the trees, and he said he would - for \$15.00 each. He said that when his wife puts out the garbage, she has no steps to get down. He said the can had been left, and Hazard had rolled over the can. He spoke of having a petition to Mrs. Hartman, and that he got a letter back saying they could do nothing. He said he lived there since 1950, and had a nice lawn.

Mayor Dail said that the City would like to work it out, but is not in a position to provide sidewalks. He pointed out that there have been other subdivisions with substandard improvements. He repeated that the City is not in a position to provide improvements. He said that "Shellaby and Howe are here".

Dail Brownell, of Linda Vista, said that by moving sidewalk on West Jett - there are many children, 30 of them 12 years or under - who have to cross the street to use. He said that there is "a nice alley" behind, which had become a speedway. He said he is not asking the City to improve.

Mayor Dail said that it is a question of violation, and a question of the City being in a position to help the Linda Vista residents.

Mr. Hoag spoke again, and stated that Mrs. Hartman had said that money was sufficient to cover..... He said that Linda Vista citizens feel danger of being penalized - twice. He spoke of need to check the records. According to Mr. Hoag, the beautiful alley means nothing. He declared that citizens should not be subjected to what they have.

The Mayor said that in the north of San Diego a suit had been brought, and improvements put in.

Mr. Hoag referred to the Resolution which required sidewalks.

Councilmen Schneider and Kerrigan pointed out that it had been modified later.

Councilman Burgener stated that the Council can't take action until it is aware of the problem. He said it should be referred to a committee, and hear from the Public Housing people.

Mrs. Henry said that she can make many accusations, which can be checked by the Council. She stated that her house on Comstock is 3 feet above the street; another is 6 feet at the back, above. She asked the Council to drive out and look at the situation.

Mayor Dail said that the Council recognizes there is a bad condition.

Councilman Schneider asked Mrs. Henry if the houses were sold before or after the improvement.

Mrs. Henry replied that they were just beginning to dig ditches on her street. She said that it would be necessary to take each individual house to make a determination. She stated that sales keep going on, and repeated that they would have to check each piece.

Councilman Curran said that several times grade changes have been mentioned. He asked who established the grades.

Mr. Haelsig said that the City Engineer, who was seated in the audience, can tell about the grade establishments.

Captain Fogg, City Engineer, said that plans "were prepared, as in any other". He told the Council they were approved. He referred to alleys, and said that there are cuts for 5 or 6 feet. He stated that there were grades submitted, which were satisfactory. He said that it would be necessary to have had storm drains, if they had been different. He said that the alleys could have been "humped", with storm drains. He said that the choice was that of Housing. Captain Fogg stated that he did not design the subdivision. He stated that the resolution has been adhered to. He spoke of having made no changes. He said it came through Planning and City Council.

Mr. Costello, apparently representing the Public Housing Administration, said that not much can be added. He agreed that it would be well to have a conference. He said that it has always been a compromise, in connection with funds appropriated by Congress. He repeated that it has been a matter of compromise all the way.

Councilman Evenson asked who passes on the acceptance.

The Mayor said that the City Engineer does.



The City Engineer stated that it has not been accepted. He said that there are a lot of things, like steps and trees involved, which are beyond the scope of the plans. He stated that those are things between the Housing people and the property owners. Captain Fogg stated that there are places where adjustments have been made. He said he thinks that the City has not accepted anything.

Councilman Schneider spoke to the City Engineer about completion.

Captain Fogg replied that it is essentially complete, but re-iterated that it has not been accepted.

Councilman Evenson moved to refer the matter to the City Manager, the City Attorney, the Planning Commission, City Engineer, Public Housing and the Linda Vista Action Committee. Motion was seconded by Councilman Burgener.

Councilman Burgener spoke to the City/Attorney about buying homes in a subdivision.

City Attorney DuPaul said that the Final Map was accepted, and the Federal Government, by PHA had agreed to do work. He said that the City required adherence. He said that the Federal Housing came to the Council with a plea that they did not have enough money appropriated by Congress. He spoke about holding the map and keeping as a unit, or of selling as amended. Mr. DuPaul said that the Council met with the people and with PHA. He said that as a result, standards were lowered, and many things down which are not allowed in subdivisions. He said that if the government complies with the City contract, it has no choice. He said that there is no choice, anyway, since the City can't require the government to put up a bond.

Mayor Dail said that the motion is a good one, and that there should be a report.

Councilman Schneider spoke to people regarding what the City had been told, on account of there being not enough money. He said that Mrs. Hartman is under obligation to dispose of the property. He emphasized that there is no desire to short change property owners.

Councilman Burgener spoke to Mr. McGee about this being the first time the question had been raised. He said that he resents the statement about second class treatment and shabby treatment.

In accordance with the motion, the file was referred to the City Manager, the City Attorney, City Engineer, and Planning Commission - for report back to the Council - conference to include Public Housing and Linda Vista Action Committee.

Communication from Luce, Forward, Kunzel & Scripps, Suite 1220 San Diego Trust & Savings Building, San Diego 1, by Fred Kunzel - dated August 5, 1955, was presented. It gives notice that Harbor Boat and Yacht Company, lessee's successor and assignee, will exercise option for additional 5 year period to commence 1 December 1955. It asks to be advised when there can be a meeting relative to determination of rental for the ensuing period.

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

Communication from San Diego County Building & Construction Trades Council, 3909 Centre Street, San Diego 3, dated August 5, 1955, by W. J. DeBrunner, business manager, was presented. It refers to having been advised that specifications for work on 10th Street pier may be written so that rock, estimated at cost of \$700,000 may be imported from a foreign country (reportedly from the Coronado Islands, in Mexican waters). It says it is hoped that the rumor is unfounded, but if specifications were inadvertently so written, a positive protest is registered.

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

Communication from United Slate, Tile & Composition Roofers, Damp & Waterproof Workers' Association, dated August 5th, 1955, by Harry B. Feldman, Business Manager, Financial Secy-Treas. was presented.

It says that if specifications for work on 10th Street pier may be written so that rock estimated at cost of \$700,000. may be imported from a foreign country, "the voice of our protest will be loud and long".

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

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Communication from Carpet, Linoleum and Window Shade Workers, Local 1711, by Robert H. Rees, Business Manager, dated August 8, entering a vigorous protest any specifications for construction of Tenth Street Pier that would permit importation of building materials from any foreign country, was presented. Protest is against any any specifications that make possible purchase of materials mined and processed by "peon labor" outside of the United States. It was a request and demand that Council do all in its power to prevent approval which would permit cheap foreign labor to compete with American worker and tax payer.

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

Communication from Partido Revolucionario Institucional, Comité Municipal de Tijuana, Baja California, Calle 8a No. 130, dated Agosto 8 de 1955, signed by Ernesto Pulido Arroyo, el Secretario General, was presented. The communication, written in Spanish notes with deep regret the attitude assumed by local companies with respect to work pending of cutting rock from Coronado Islands for construction of a mole pier at foot of Tenth Avenue in San Diego. It says that Union laborers will be employed in cutting and loading the rock in question, and will be paid prevailing salaries acceptable by the companies. It says it is understood that the Pier may be constructed easily to facilitate exportation and importation of earth grown products, which consists of Mexican Cotton, etc. It mentions the many other products which the pier will move. It speaks of the millions of dollars of American products imported into Lower California which compete with the Mexican industries, none of which are boycotted nor use curtailed, neither blacklisted by companies or by Mexican people. It hopes for cooperation with good understanding between the respective cities. It was filed.

Communication from Federacion de Obreros y Campesinos de Tijuana, Comité Ejecutivo, Tijuana, Baja California, Mexico, signed by Reg. Antonio Banuet Olea, was presented. The communication, written in Spanish says it has had knowledge that in construction of 10th Street Pier with object of giving access to products such as Mexican cotton and other items which are in demand abroad and which present piers cannot handle, there are persons who oppose or are opposing use of rock from Coronado Island in Lower California, without taking into consideration that in such work laborers whose families will be deprived of earning money necessary for support of their families. It states it is known definitely that by transport of Mexican Cotton San Diego gains, adding movement of cotton seed oil and other cotton by-products. It protests attitude assumed by those who object to use of Mexican rock and prays to the San Diego City Council that they concede and authorize use of the rock. It was filed.

Communication from Camara Nacional de Comercio, de Tijuana, Baja California (Confederada), Apdo. Postal 89, Tijuana, Baja California, dated Agosto 8 de 1955, signed by Sixto Acevedo Perez, was presented. The communication written in Spanish says it is understood that there has been some difficulty in connection with exporting quantities of rock from Coronado Islands to San Diego to be used in construction of a pier. It says that Union Workers, both Mexican and American are employed, that it is not understood the opposition to use of the rock. It states that in bringing the matter to the Council's attention it asks that there be permission to manifest that the National Chamber of Commerce would like to see a solution to the conflicting matter, and asks cooperation and aid to reach an agreeable end. It was filed.

Communication from San Diego County Jewelers Association, 647 Broadway, dated Aug. 8, 1955, signed by John Cook, Pres., was presented. It requests the Council to authorize the City Attorney to confer with San Diego County Jewelers Association committee to amend "Auction and Action" sales ordinance to conform with the one of San Francisco.

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

RESOLUTION 127951, giving notice of proposed annexation to The City of San Diego of portions of Lots 64 and 65 Rancho Mission of San Diego, to be known and designated as "Allied Gardens Tract No. 1, which territory if annexed shall be added to San Diego Unified School District, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127952, prohibiting parking of automobiles between 4:00 P.M. and 6:00 P.M., (Saturdays and Sundays excepted);  
West side of Fairmount Avenue, between Meade Avenue and El Cajon Boulevard;  
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127953, prohibiting parking of automobiles at all times:  
South Harbor Drive between stations 225+50 and 229+74.23, along street side of guard rail at intersection of South Harbor Drive and Harbor Street;  
authorizing and directing installation of necessary signs and markings; resolution to cease to be operative 6 months after receipt by City Council of written notice of withdrawal of approval of Department of Public Works of State of California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127954, accepting the (sole) bid submitted by Union-Tribune Publishing Co., a corporation, Document 516420, to do all official advertising for the City for years beginning 1st day of Aug., 1955, ending 31st day of July, 1957; authorizing and empowering City Manager to execute, for and on behalf of the City, a contract with Union Tribune Publishing Co., a corporation to do all official advertising of the City for that period, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127955, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of the City, a deed quitclaiming to Clifford O. Boren Contracting Co. Inc., portion Lot 151 Morena; authorizing and directing Property Supervisor to return to Floyd A. Beck, Ed Norris Company, Dirk C. Kok, Jr., Martin L. Gleich and Leslie R. Baskerville deposits made by them, and return to Rand Construction Company deposit made; authorizing and directing City Attorney to prepare and present ordinance authorizing and directing City Auditor and Comptroller to pay Floyd A. Beck, 1770 Fifth Avenue, San Diego, real estate broker's commission for sale of property at prevailing rate prescribed and used by San Diego Realty Board, as provided by Section 22.0905 of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. It authorizes Property Supervisor to place quitclaim deed in escrow with directions that it be delivered to successful bidder when all escrow instructions have been complied with. It directs that all costs in connection with the sale shall be deducted from proceeds received from the sale.

The Resolution says that Rand Construction Company, 1426 La Brea Avenue, Los Angeles, had requested sale of the property (also known as Northeast Quarter of Pueblo Lot 1193) and accompanied request by deposit of \$100.00 to cover all costs pertaining to the sale as required by San Diego Municipal Code; that pursuant to direction of the Council the Property Supervisor advertised property for sale at public auction; that prior to date fixed for the sale the individuals mentioned above; as licensed real estate brokers, registered with Property Supervisor their names and addresses and names and addresses of clients willing and able to make bona fide bids at least equal to minimum amount the Council fixed in Resolution authorizing the sale, and at time of registration deposited with Property Supervisor certified checks in amount equal to 5% of minimum price fixed by the Council in resolution authorizing the sale; that the auction the client of Floyd A. Beck: Clifford O. Boren Contracting Co. Inc., submitted highest bid: \$120,500.00, which bid exceeds minimum fixed for sale, and City Manager has recommended that bid be accepted. It accepts the bid.

Resolution authorizing City Manager to execute agreement with Clarence A. Winder, Public Utilities Consultant, was presented.  
It was held for consideration in Conference, and will be found later in these Minutes.

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RESOLUTION 127956, authorizing and directing City Treasurer to exchange \$1,000,000 par value of United States Treasury 1-1/8% Certificates of Indebtedness purchased from inactive funds in the City Treasury, due August 15, 1955, for \$1,000,000 United States Treasury 2% Tax Anticipation Certificates, due June 22, 1956; authorizing and directing City Treasurer to sell all or such amount of said investments whenever additional cash is required for purpose for which funds were original accumulated and placed in Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127957, authorizing and empowering City Attorney to file in action entitled "United States of America vs. 130 Acres of Land, Etc.," filed in United States District Court, Southern District of California, Southern Division, No. 230-SD Civil, disclaimer of The City of San Diego of any interest in and to any of the property described in Complaint in Condemnation as amended in the action, and to any award of compensation to owners of and parties interested in the property, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution says that action has been filed to acquire property situated in County of San Diego for purpose of operating thereon a Naval Destroyer Base, that The City of San Diego was made a party to the action for purpose of acquiring any interests owned by The City; that it has been ascertained and determined that entire property involved is situated outside boundaries of The City of San Diego and The City has no interest; that City Manager and City Attorney have recommended filing of the disclaimer.

RESOLUTION 127958, authorizing and empowering City Auditor and Comptroller to pay J. C. LaForce \$400.00 for and as consideration of employment by The City of J. C. LaForce as agricultural consultant for the months of July and August, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution says that The City and J. C. LaForce entered into and executed agreement wherein LaForce was employed as agricultural consultant from September 1, 1954 to June 30, 1955, for advising City concerning leasing and use of City-owned property, Document 499768; agreement renewing and continuing employment was executed, Document 517598; through inadvertence term of renewal agreement was made to commence September 1, 1955 and terminate June 30, 1956, and neglected to include months of July and August, 1955, and should in all justice and equity be paid for his services at the contractual rate. It says City Manager has recommended the payment.

RESOLUTION 127959, granting Convention Committee of California State Federation of Labor and North Park Sign Shop permission to hang a temporary sign on each side and in front of the marquee at San Diego Hotel, and erect 2 temporary signs on top of marquee at U. S. Grant Hotel, and also hang an oilcloth sign from cable in front of Conference Building Balboa Park; signs to be erected for purpose of welcoming delegates of California State Federation of Labor, at convention to be held August 15 to 19, 1955, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127960, granting L. E. Goodman, 806 Turquoise Street, San Diego, revocable permit to install and maintain private galvanized iron temporary water line under Oliver Court and Reed Street: portions Lots 8 and 9 Block 294 Pacific Beach, exc. easterly 91 feet, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 127961, granting revocable permit to Frank J. Hansen, 432 Pennsylvania, San Diego, to install and maintain private 1" G. I. water line under Galveston street from owner's property City water main in Milton Street at Galveston Street



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(owner's property, Lots 7 and 8 Block 98 Morena), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127962, granting revocable permit to Roy M. Platt, 3710 Wright Street, San Diego, to remove 30 feet of parkway dirt fronting on Wright Street (owner's property, Lots 5 and 6 Block 213 Middletown), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127963, granting Vista Mesa Land Co., 3619 Kettner Boulevard permission to use 1-1/2" "L" Copper pipe in lieu of cast iron vents for automatic washer roughs and sinks only, in Vista Mesa Land Company's models #3-3-A and #4-1-B, 3543 Ashford Street and 3553 Ashford Street, in homes of models; subject to conditions of Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127964, authorizing and empowering City Manager to do all of the work in connection with resurfacing and restriping of south Civic Center parking lot, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127965, authorizing and empowering City Manager to do all work in connection with modernizing dressing rooms, and making other improvements at Stadium, Balboa Park, as provided in Section IX of Lease-agreement between The City of San Diego and San Diego Unified School District, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 127966, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Corporation, trustee, July 18, 1955, wherein they subordinate all their right, title and interest in and to portion Lot 14 Block 3 Sunnyslope Addition, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127967, accepting subordination agreement, executed by Katie Anna Bristow, beneficiary, and Security Title Insurance Company, trustee, July 8, 1955, subordinating all their right, title and interest in and to portion Lot 93 E. W. Morse's Subdivision of Pueblo Lot 1150, to right of way and easement for alley 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127968, accepting subordination agreement, executed by Central Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, July 27, 1955, subordinating all their right, title and interest in and to portion Lots 1 through 5 Block 134 Choates' Addition, to right of way and easement and 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 Curran, seconded by Councilman Kerrigan, adopted.



RESOLUTION 127969, accepting subordination agreement, executed by Home-Builders' Savings and Loan Association, beneficiary, and Paul Endicott and Russell K. Pitzer, trustee, July 27, 1955, subordinating all their right, title and interest in and to portion of Lot 25 Block 93 E. W. Morse's Subdivision of Pueblo Lot 1150, to right of way and easement for alley 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127970, accepting deed of K. L. Mark and Sylvia N. Mark, August 2, 1955, conveying Lot 24 Block "L" Alta Vista Suburb; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127971, accepting deed of William A. Griggs and Dorothyann Griggs, July 28, 1955, conveying portion Lot 14 Miramar Terrace; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127972, accepting deed of Irwin B. Topper and Lillian Topper, Oscar T. Topper and Irene Topper, Samuel H. Lasry and Grace E. Lasry, April 6, 1955, conveying portion Parcel "00" Lot 19 Rancho Mission 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127973, accepting deed of Kate G. Reilly, May 26, 1955, conveying easement and right of way for alley purposes in portion Lot 25 Block 93 E. W. Morse's Subdivision of Pueblo Lot 1150; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127974, accepting deed of Clyde Dauben and Helen A. Dauben, July 19, 1955, conveying easement and right of way for public purposes in Lot 14 Block 3 Sunnyslope 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127975, accepting deed of O. D. Arnold, July 11, 1955, conveying easement and right of way for sewer purposes in portion Lot 43 Arnold Knolls; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 127976, accepting deed of William L. Canning and Jane L. Canning, July 12, 1955, conveying easement and right of way for sewer purposes in portion Lot 2 Hidden Valley Estates; 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 127977, accepting deed of Raymond K. Darby, August 4, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1286; 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 127978, accepting deed of Grant King, August 3, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1286; 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 127979, accepting deed of Willis Richardson and Ruth Richardson, July 13, 1955, conveying easement and right of way for sewer purposes in portion Lots 1 through 5 Block 134 Choates' 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 Curran, adopted.

RESOLUTION 127980, accepting deed of Clyde Dauben and Helen A. Dauben, July 13, 1955, conveying easement and right of way for street purposes in portion Lot 14 Block 3 Sunnyslope 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 Curran, adopted.

RESOLUTION 127981, accepting deed of George Edwin Dunn and Betty Jean Dunn, July 29, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1290; 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 127982, accepting deed of Kate G. Reilly, May 26, 1955, conveying easement and right of way for street purposes in portion Lot 25 Block 93 E. W. Morse's Subdivision of Pueblo Lot 1150; 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 127983, accepting deed of The Roman Catholic Bishop of San Diego, July 29, 1955, conveying easement and right of way for storm drain purposes in portion Lot 128 Morena; 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 127984, accepting deed of John H. Steelquist and Marie H. Steelquist, August 1, 1955, conveying easement and right of way for storm drain purposes in portion Villa Lots 10 and 11 Allen 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 Curran, adopted.

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

ORDINANCE 6617 (New Series), amending Article 2 Chapter III of The San Diego Municipal Code by amending Sections 32.07 and 32.15.6, Regulating Sales Tax, and repealing Ordinance 6598 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, ~~adopted~~, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

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

ORDINANCE 6618 (New Series), amending Sections 32.01, 32.02, 32.02.1 of The San Diego Municipal Code relating to the City Sales and Use Tax, was on motion of Councilman Schneider, 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 Kerrigan, seconded by Councilman Curran, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Curran, 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 6619 (New Series), appropriating \$63,600.00 from Capital Outlay Fund, for providing funds for installation of Traffic Signals and a Safety Lighting System on Ash Street, between Ninth Avenue and Kettner Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Curran, 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 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 Council prior to day of passage written or printed copy.

ORDINANCE 6620 (New Series), appropriating \$6,000.00 from Capital Outlay Fund, for providing funds for making improvements at the Stadium, as provided in Section IX of Lease-Agreement between The City of San Diego and San Diego Unified School District, was on motion of Councilman Burgener, 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 Evenson, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Evenson, 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 6621 (New Series), appropriating \$1,295.00 from Unappropriated Balance Fund for providing funds for painting, constructing and installing Signs on water tower on Kearney Mesa and at Montgomery Field, was on motion of Councilman Evenson, 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 Kerrigan, Ordinance authorizing and directing City Auditor and Comptroller to pay \$6,025.00 out of money received as purchase price for portion Lot 151 Morena (also known as northeast quarter of Pueblo Lot 1193) to Floyd A. Beck, licensed real estate broker, as real estate broker's commission for sale of property, was introduced, 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, Ordinance incorporating Lot 31 and portion Lot 35 La Mesa Colony into R-1 Zone as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance 6195 (New Series) adopted July 13, 1954, was introduced, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Williams.

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

RESOLUTION 127985, expressing appreciation of loyal, ardent and capable devotion to the public good of David Vincent during his 47 years as employee of the Water Department as Statistician before retirement September 16, 1948; directing City Clerk to send certified copy of Resolution to his widow, 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:

RESOLUTION 127986, expressing appreciation of faithful, competent and enthusiastic devotion to public good of Rudolph C. Wueste during his 42 years as Superintendent of Water Impounding preceding his retirement March 1, 1955; directing City Clerk to send a certified copy of Resolution to widow of the deceased, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

Communication from Planning Commission by Jack Van Cleave, recommending granting request for suspension of Section 102.02.1 of San Diego Municipal Code as it relates to subdivision of Rancho de la Nacion, which was approved by Resolution 126121. It refers to letter addressed to Councilman Curran, and says that if request is granted it would not be detrimental to public welfare nor injurious to property in the territory.

RESOLUTION 127987, approving filing of record of survey map in lieu of Final Subdivision Map under Section 102.02.1 of The San Diego Municipal Code - tentative map of portion of Southwest Quarter of Northwest Quarter Section 104 Rancho de la Nacion; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The City Manager requested, and was granted unanimous consent to present the next item (which had been referred to conference August 9, 1955), not listed on the agenda:

RESOLUTION 127988, agreeing with and concurring in recommendation of U.S.



Army Engineers that a dam and reservoir be constructed at Hodges Dam Site, in County of San Diego, to impound runoff waters of San Dieguito River and its tributaries at the site, which dam and reservoir will be sufficient in size not only to store and impound 290,000 acre feet of water for conservation purposes, but also an additional 85,000 acre-feet for flood-control purposes, or a total in all of 375,000 acre-feet; agreeing that The City of San Diego will sponsor the project provided that the State of California, or an organized local agency, agrees to aid in construction of project by paying for cost of lands, easements, and rights-of-way for that part of the reservoir area required for flood control and of part or all of the cost of highway relocations and bridges to be constructed or reconstructed on State Highways, including United States Highway 395; authorizing and directing City Clerk to forward certified copy of resolution to U. S. Army Engineers and other interested agencies, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

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

RESOLUTION 127989, requesting H. V. Higley, Veterans' Administrator, to postpone contemplated consolidation of Los Angeles and San Diego Veterans' Administration Offices for 6 months to permit earnest endeavor to amicably solve existing problems; directing City Clerk to forward certified copy of the resolution to Mr. Higley, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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

Communication from Frank C. Owen, attorney at law, 1944 Cable Street, San Diego 7, dated August 10, 1955, was presented and read. It says that it is understood that recently there was a petition before the Planning Commission to rezone to R-1 area within bounds of Catalina, Canon and Talbot Streets, was presented. It says the writer is given to understand that the matter went no further than Planning Commission, but parties are apparently going ahead on a commercial development on R-C property within the streets. The communication says that it is the opinion of the writer and many of his neighbors that property should no longer be zoned R-C, that it is felt that it is one of the most desirable residential areas in San Diego, and that there are many, many reasons why the area should no longer be R-c. It requests the Council to refer the matter to the City Planning Commission so that hearing may be had on whether or not property should be changed from R-C to R-1.

Councilman Burgener moved to refer the communication to Planning for hearing.

Glenn A. Rick, City Planning Director, said that would initiate the proceedings, and pointed that it "is a little unusual".

Councilman Burgener moved to refer to Planning for report for Tuesday.

Councilman Kerrigan pointed out that Mr. Owen could deposit \$50. and request a hearing.

Councilman Burgener agreed that it should follow the usual channel.

On motion of Councilman Burgener, seconded by Councilman Schneider, the letter was referred to the Planning Director for report.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the Council took a recess until 11:30 A.M.

Upon reconvening, at 12:01 Noon, the roll call showed the following:

Present: Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

Absent: Councilman Williams

Clerk: Fred W. Sick

The petition of Walter Bollenbacher, on which a hearing was conducted,



was considered again:

RESOLUTION 127990, amending Tentative Map of Allied Gardens Unit 6, Item 13 of Resolution 127684, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item had been considered earlier, and was brought up again:

RESOLUTION 127991, authorizing and empowering City Manager to execute, for and on behalf of the City of San Diego, an agreement with Clarence A. Winder, Public Utilities Consultant, for consulting services on public utility matters, as may be required of him by the City, under Document 518625, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Under unanimous consent, the next item was considered:

RESOLUTION 127992, authorizing Mayor Charles C. Dail and City Manager O. W. Campbell to go to Washington, D.C. immediately, to confer with proper officials regarding moving of Veterans' Administration Offices to Los Angeles, regarding Mission Bay and other city matters authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

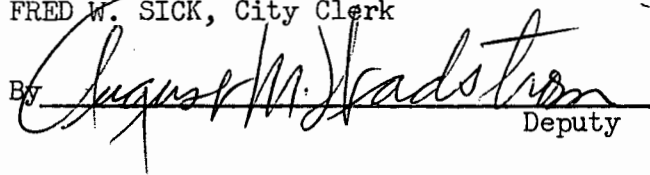
A communication from Western Air Lines, Inc., was presented by Mayor Dail in connection with their application filed with Civil Aeronautics Board for Extension of service between Phoenix and Denver with continuing direct non-stop service to the Twin Cities. The City Attorney was requested to prepare a Resolution authorizing the Mayor and City Manager on this subject.

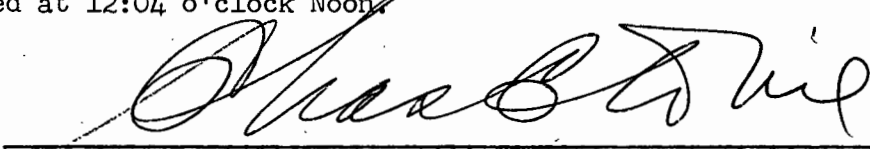
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:04 o'clock Noon.

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,  
 Tuesday, August 16,  
 1955

Present--Councilmen Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
 Absent---Councilmen Burgener, Williams.  
 Clerk----Fred W. Sick

The Mayor asked all present to arise for the invocation, which was delivered to Rev. James Kemp, Reorganized Church of Jesus Christ of Latter Day Saints.

Minutes for this meeting are recorded on Microfilm Roll No. 100 - on Resolutions and Ordinances.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, minutes of the Regular Council Meetings of Tuesday, August 9, 1955, and of Thursday, August 16, 1955, were approved without reading - after which they were signed by the Mayor.

Purchasing Agent reported, in writing, 2 bids for improvement of Alley Block 247 Pacific Beach, opened August 12, 1955, under 1911 Act.

On motion of Councilman Schneider, seconded by Councilman Evenson, finding was made that bids had been opened as reported, and they were referred to City Manager and City Attorney for recommendation.

Purchasing Agent reported, in writing 4 bids for improvement of Morrell Street, opened August 12, 1955, under 1911 Act.

On motion of Councilman Schneider, seconded by Councilman Evenson, finding was made that bids had been opened as reported, and they were referred to City Manager and City Attorney for recommendation.

Purchasing Agent reported, in writing 5 bids for improvement of 37th Street, Logan Avenue, Newton Avenue, Z Street, Boston Avenue, opened August 12, 1955, under 1911 Act.

On motion of Councilman Schneider, seconded by Councilman Evenson, finding was made that bids had been opened as reported, and they were referred to 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 127366 for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue and 41st 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.

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

Councilman Burgener entered

Meeting convened  
 Invocation  
 Minutes approved and signed  
 Purchasing reports  
 Hearing

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 127367 for paving and otherwise improving East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, the Clerk reported protest from Essie L. Wynn, Harry and Bessie Black, Edward B. Castaneda.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127993, overruling and denying protest of property owners against improvement of East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, Resolution of Intention 127367; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to 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 127368 for paving and otherwise improving Gaines 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.

On motion of Councilman Curran, 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 127512 of Preliminary Determination for paving and otherwise improving Northwesterly and Southeasterly Alley in Fort Stockton Heights, 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 127994, determining that proposed improvement of Northwesterly and Southeasterly Alley in Fort Stockton Heights, Resolution 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 Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127513 of Preliminary Determination for paving and otherwise improving Landis 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 127995, determining that proposed improvement of Landis Street, Resolution of Preliminary Determination 127513, 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 Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127514 of Preliminary Determination for paving and otherwise improving Wunderlin 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 127996, determining that proposed improvement of Wunderlin

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Avenue, Resolution of Preliminary Determination 127514, 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 Evenson, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2382 for paving and otherwise improving Alley Block 12 Normal Heights; Resolution of Intention 118275, the Clerk reported written appeals from Mrs. A. E. Allen, N. D. Zinck, Mary M. Holley, Malvin D. Brister, Mary M. Holley and others; Mrs. Powell Porter Straw, legal owner, for Mrs. Elizabeth Porter Evans, resident; John A. Carnes, Paul D. Reed and Myrtle A. Reed, Leonard E. Troy, Myrtle M. McMahon and Frank McMahon.

The Mayor inquired if anyone was present to be heard. John A. Carnes told the Council that it is unfair; there is no benefit to his property. He stated that he had protested originally. He said that if the improvement were of any benefit he would be glad to pay. He said that he signed petition "against".

The City Engineer referred to 1st protest as 48.5% and 2nd protest as 4.5% Mayor Dail asked the City Engineer to check on the map.

The City Engineer spread the maps out on the Council table. He spoke of area assessments. He said that one protests being assessed so much, while the others protest that he is not being assessed enough.

There was discussion between Councilmen and the City Engineer.

The Engineer spoke of the peculiar shape of the property.

Councilman Kerrigan stated that assessment is 80% on frontage; 20% on area.

Mr. Carnes said that it is not the amount; it is the principle.

N. D. Zinck told of having appeared before the Council a year ago, and that the City Engineer assured him that costs would not be over \$275.00. He said that ex-Mayor Butler and Councilmen assured him that assessment would be no more than that of others with same frontage. He said he was told that "alley on the side would be divided up among everybody".

The Mayor said that the Council was not in a position to make positive assurances.

Mr. Zinck said that it was the Engineer who made the statements.

The Mayor stated that the Council says that assessment is not disproportionate, and that guarantees cannot be given. He stated that assessment must be proportionate to benefits.

Councilman Schneider spoke to the City Engineer.

The City Engineer answered him regarding the spread. He referred to this as an extreme case, and said he "tried to smooth out the cost".

Councilman Schneider said that the appellant had been well treated.

The City Engineer said that the protestant does not think so; others think he's not assessed enough. He pointed out the spread to Councilman Burgener.

Willard Olson, of the City Engineer's office, related what had been done.

The City Engineer said that it is an abnormal condition.

Mr. Zinck said that he let the proceedings go, but that he did not want the alley paved; it is not of benefit to anybody.

The Mayor said that the Council had never been in a position to abandon the project. He stated that remedy would be in court.

Mr. Zinck said that his assessment is \$366.25.

Mrs. Eugene Buysse said that it has been spread well, except for Mr. Zinck. She said that the City "arrived at the positive by the negative".

Councilman Schneider discussed the situation with Mrs. Buysse.

Mrs. Buysse agreed that there is good work, but contended that it was not equitably assessed. She said that City people are working regarding zone change, to sell more. She said that Mr. Zinck will benefit.

Paul D. Reed said he never signed for paving; he is a new owner. He said he cannot understand the variance. He said he has no entrance to the alley; it is of no use, but that he would be willing to pay his share.

Councilman Schneider explained the proceedings to Mr. Reed, as well as the assessment.

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Councilman Burgener spoke to Mr. Reed.

Mr. Reed identified his property as Lot 10 Block 12

D. M. Brister told the Council that he just bought his property; he never before heard.... He said he has no frontage or access. He identified property as Lots 1, 2, 3. He said there is a fence between the next property and the alley. He said that it does not seem fair. He agreed, after being asked, that the lot was divided (there is a portion of each of the 3 lots).

Councilman Kerrigan spoke to Mr. Brister about there being portions of lots, and of property having been divided. Councilman Burgener joined in the discussion.

Mr. Brister said that he bought the home which "was already up". He repeated that he has no access.

The Mayor said that Mr. Brister is right from a moral standpoint, but that under the 1911 Act his property has to be assessed. He said that the property is in the block, even though it has no frontage.

Councilman Burgener pointed out that this is done all over the City.

The City Engineer explained from the plat regarding the assessment. He spoke of peculiar proper splits, and said that the whole district is peculiar. He explained the assessment breakdown.

Councilman Kerrigan asked the Engineer questions on the detail.

The City Engineer explained the assessment detail to Mr. Kerrigan.

Mr. Brister said that the amount of money is not the argument. He said that the previous owner did protest.

The City Engineer said that this all refers to the State law.

Councilman Burgener contended that the general value of the entire area has been raised somewhat as a result of the improvement.

There was discussion between Councilman Burgener, and a man identified later as Leonard E. Troy.

Councilman Burgener spoke to Mr. Troy, and said that the City Engineer is guided by the State law, and is charged under the State law with the assessing.

Mr. Troy said that the Council is not elected by "a negative vote".

The Mayor spoke to Mr. Troy regarding access to information and protest. He said that the City had to have a petition of 60% of the property owners to start the work.

The City Engineer said that there was a petition of 57.5%, and that the Council can initiate proceedings. He said that the State law provides that protest be figured on an area basis, and that protests are figured on an area basis.

Councilman Kerrigan spoke to Mr. Troy regarding the petition percentage having been based on an arbitrary figure. He said there was "a firm 57% petition - on frontage". He said that protest was 48% - on area. He told the property owners on the other side of the rail that if they were in the Councilmen's place, they would do the same thing.

Mayor Dail said that the Council has to be guided by the law; it is too late to change the boundaries of the district.

Mr. Troy said that "a few who have the time govern the project".

Mrs. Buysse said that it was "counted negative".

The Mayor said that the Engineer would have to qualify the situation if it were to go to court. He talked to Mrs. Buysse, and said that the Council could initiate the improvements, but does not.

Mrs. Buysse said that she had petitions, but was told that they would not count.

Councilman Burgener said that the law assumes that if owners of property do not protest that they are in favor of the project.

Alan Firestone, Deputy City Attorney, said that if individuals do not vote (against improvement) it is assumed they are in favor.

Mr. Troy said that there is a moral point about there being no access. Members of the Council continued to speak to appellants.

Mrs. Allen said she had not understood why she had been assessed, but that she had received the answer in this hearing.

Mrs. Buysse continued to speak regarding various assessments.

The City Engineer said that assessment is on frontage and area basis, and that if there is no frontage it is only on an area basis.

Councilman Kerrigan said that where a portion of the property has been sold off, the assessment would be against the whole lot.

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Councilman Schneider told about property owners having 10 years to pay the assessment bonds, if they desire.

Councilman Schneider moved to overrule the appeals. Motion was seconded by Councilman Evenson.

Councilman Schneider moved to confirm the assessment. Motion was seconded by Councilman Burgener.

Alan Firestone pointed out that the Street Superintendent had a communication which says that Assessment 30 shows a portion of Lot 19 Block 12 as being under one ownership. He said that split should be made.

Councilman Schneider moved to modify the assessment roll in connection with the property split. Motion was seconded by Councilman Burgener.

Councilman Schneider moved to continue the hearing until Thursday, August 18, 1955. Motion was seconded by Councilman Burgener. (However, when roll was called, the Mayor stated it as 1 week, so roll was called for that date).

The motions were combined, resulting in

RESOLUTION 127997, overruling and denying appeals of Mrs. A. E. Allen, N. D. Zinck, Mary M. Holley, Malvin D. Brister, various property owners, Mrs. Powell Porter Straw, John A. Carnes, Paul D. Reed and Myrtle Reed, Leonard E. Troy, Myrtle M. McMahan and Frank McMahan, from Street Superintendent's Assessment 2382 made to cover cost and expenses of paving and otherwise improving Alleys Block 12 Normal Heights, Resolution of Intention 118275; overruling and denying all other appeals; adopting recommendation of Street Superintendent filed as Document 517448, and directing Street Superintendent to modify and correct Assessment in accordance with his recommendation; continuing hearing until 10:00 o'clock A.M., Tuesday, August 23, 1955, 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 2383 made to cover costs and expenses of installation of sidewalks in Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road, Resolution of Intention 119787, the Clerk reported no written appeals.

The Mayor inquired if anyone was present to be heard.

H. H. Jensen said that he had a question; he is not protesting the bill. He said that he had read in the paper that if City bill is paid there is no recourse. He said that if anyone owed the City, the City would break its neck to get it.

Alan Firestone, Deputy City Attorney, pointed out that the City is acting under the State law as the agent for contractor and others.

Mr. Jensen asked if he could get an itemized statement from the contractor.

Mr. Firestone said that the City has the information, and that he can look at the Engineer's record.

Mr. Jensen said that he is not saying it is wrong.

The Mayor said that Mr. Jensen has access to the records.

Councilman Kerrigan agreed that a property owner can't get any recourse if he pays; only a court could remove an error.

Mr. Jensen spoke to Councilman Schneider.

Councilmen Schneider and Kerrigan answered him.

Mr. Firestone said that the questions and comments should be treated as a protest.

RESOLUTION 127998, overruling and denying verbal appeal of H. H. Jensen from Street Superintendent's Assessment 2383 made to cover costs and expenses of installation of sidewalks in Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Street, Resolution of Intention 119787; overruling and denying all other appeals; confirming and approving Assessment 2383, authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2384 made to cover cost and expenses of installation of sidewalks in Pacific



Beach Drive, Resolution of Intention 122089, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 127999, confirming and approving Street Superintendent's Assessment 2384 for expenses and costs of installation of sidewalks in Pacific Beach Drive, Resolution of Intention 122089; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

\*Report of Purchasing Agent, approved by City Manager, stating that due to retirement and sale of a very old heavy duty compressor, during August and September, 1954, it was necessary to rent a 365 cubic foot per minute air compressor for use with City's gunite machine. It says machine obtained on rental was a new Chicago Pneumatic 365 cubic foot capacity rotary type compressor, rental being \$500.00 per month. It goes into considerable detail and says that during time of use by the City a total of \$4,200.00 has been paid as rental. The report states that The Shaw Sales & Service Company has by letter offered to sell the machine to the City allowing the entire amount paid in rental to be applied against purchase of the new machine - balance due including State Sales Tax would be \$6,275.10. It recommends that Purchasing Agent be authorized to purchase the compressor, and Director of Public Works concurs in the recommendation.

On motion of Councilman Burgener, seconded by Councilman Evenson, the item was continued 1 week - to August 16, 1955 (this date)

\*

Resolution approving plans and specifications, etc., authorizing bids for dredging Bay of San Diego in vicinity of 10th Avenue Marine Terminal, was presented.

It was held temporarily, for consideration in a conference following this meeting. It will be found again at the end of these Minutes.

\*RESOLUTION 128000, authorizing and directing Purchasing Agent to purchase from the Shaw Sales & Service Company 1 365 cu. ft. capacity compressor, authorizing and directing Purchasing Agent to purchase from Shaw Sales & Service Company 1 365 cu. ft. capacity compressor, applying rental paid, amounting to \$4,200.00 against purchase price of \$10,170.00 - making total balance due including State Sales Tax of \$6,275.10, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Distributors Inc. for furnishing 30 Gas Ranges for Municipal Housing @ \$57.65, or total price of \$1,729.50 plus State Sales Tax - 4 bids, was presented.

RESOLUTION 128001, accepting bid of Distributors, Inc. for furnishing 30 Gas Ranges; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, on low bid of M. H. Golden Construction Company for paving Floor of "B" Street Pier Transit Shed No. 2 - \$16,360.00, 6 bids - was presented.

RESOLUTION 128002, accepting bid of M. H. Golden Construction Company for paving Floor of "B" Street Pier Transit Shed No. 2 for Harbor Department; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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Councilman Kerrigan was excused

Report of Purchasing Agent, approved by City Manager on bid of Shaw Sales & Service Co. for furnishing 1 Allis-Chalmers HD-20 Tractor Bulldozer at net bid price of \$21,422.00 plus State Sales Tax (replacement of motive equipment) - 3 bids, was presented.

On motion of Councilman Burgener, seconded by Councilman Evenson, it was continued 1 week - to August 23, 1955.

Resolution approving plans and specifications, etc. for dredging in Bay of San Diego - vicinity of 10th Avenue, appeared at this point on the agenda, but was shown on the previous page.

RESOLUTION 128003, 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 518664; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 128004, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expenses necessary or incidental for construction of Foundation, Floor Slab, and Driveway for Equipment Storage Building, and Miscellaneous Sidewalks - south end of Shelter Island, Document 518662; authorizing and directing Purchasing Agent to publish notice calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution approving plans and authorizing bids for construction of Cyclopean Concrete Quay Wall, 10th Avenue Marine Terminal, Document 518772, and authorizing bids, was presented.

It was held for conference at end of this meeting, and will be shown again in today's meeting.

RESOLUTION 128005 authorizing Purchasing Agent to sell property, listed in the Resolution, which has been recovered by the Police Department of The City of San Diego and which has remained unclaimed for more than 6 months, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION 128006, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Campanile Corporation for installation and completion of unfinished improvements and setting of monuments required for Campanile Terrace Unit No. 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 128007, adopting Map of Campanile Terrace Unit No. 1 Subdivision and accepting Baja Drive, Campanile Drive, named and unnamed easements for public purposes, dedicating them to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that streets and 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 Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of portion Pueblo Lot 339, a 2-lot subdivision of southeast half of northeast quarter of Pueblo 339, was presented.

RESOLUTION 128008, suspending Sections 102.05, 102.11-2, 102.12-4, 102.17-c of San Diego Municipal Code in connection with Tentative Map of portion Pueblo Lot 339, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for 2-lot subdivision of southeast half of northeast quarter Pueblo Lot, located on southwesterly side of Kurtz Street in Frontier Housing area, adjoining City owned lands recently acquired, was presented. It states that property owners, along with the City, are attempting to develop a community plan and may employ a consultant in the near future. It says that the subdivision would not materially change existing conditions and would not appear to interfere with any development plans that may be developed. It makes approval subject to 5 conditions.

RESOLUTION 128009, approving Tentative Map of portion Pueblo Lot 339, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Vista Mesa Unit 2, a 616-lot subdivision of Pueblo Lot 1219, was presented.

RESOLUTION 128010, suspending Sections 102.07-5, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Vista Mesa Unit No. 2, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Vista Mesa Unit 2, a 616-lot subdivision of Pueblo Lot 1212, located on Kearney Mesa, approximately 3/4 mile northerly of new Kearney High School - southern boundary is on alignment of proposed Balboa extension which is portion of Major Street Plan, subject to 14 conditions, was presented.

RESOLUTION 128011, approving Tentative Map of Vista Mesa Unit No. 2, subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by P. Q. Burton, forwarding petition of 100% of property owners on north side of Santa Rita Place, between Mission Boulevard and Strand Way, for establishment of 4-foot setback line where average in block now is 15 feet, was presented. It says that parcels affected are 25x62½ feet; setback on south side of Santa Rita Place is about 4½ feet, and generally structures on south side are garages. In addition to a further detailed report, it states the Commission voted 5-0 to recommend that setback line 5 feet from front property line be established by ordinance on lots on north side of Santa Rita Place between Mission Boulevard and Strand Way, being Lots 21 through 30 Block 389 Pacific Beach.

RESOLUTION 128012, requesting City Attorney to prepare and present ordinance for establishment of 5-foot setback line on north side of Santa Rita Place, between Mission Boulevard and Strandway in Mission Beach, in accordance with Document 518755, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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Communication from Planning Commission, by P. Q. Burton, forwarding Resolution adopted by Planning Commission which proposes to establish standards for planting and maintenance of 10-foot planting strip adjacent to streets, highways and public places required in C-1A and RC-1A Zones, was presented. It says standards contained in resolution have been reviewed by a landscape architect and by the City Park and Recreation Department and the staff of the Planning Department. It reports that the Commission voted 5-0 to approve the standards and recommend that the Council do likewise. It says that Commission also recommended that same standards be adopted by resolution to apply to required 10-foot wide planting strip adjacent to streets and highways in zones M-1A and M-2A. Communication states that it was felt by the Planning Commission that, whereas the 2 "M" zones mentioned require 10-foot wide planting strip, no standards are set up or authorized to be set up in the zones, but that standards for planting and maintaining such areas should be adopted in order to make such requirement effective.

RESOLUTION 128013, referring to Council Conference communication from City Planning Commission submitting resolution to establish standards for planting and maintenance of 10-foot planting strip adjacent to streets, highways and public places in C-1A and RC-1A Zones, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by P. Q. Burton, stating that Planning Commission voted 5-0 to recommend that finding be made that Culligan Soft Water Service, Lot 18 Block 2 Ocean Villa Tract in Pacific Beach, be ruled a business similar to and not more obnoxious than other permitted uses in same zone and vicinity, provided that not more than 25% of floor area is used for processing, was presented.

RESOLUTION 128014, making a finding that use by Culligan Soft Water Service of Lot 18 Block 2 Ocean Villa Tract in Pacific Beach, in C Zone, is a business similar to and not more obnoxious or detrimental to welfare of particular community than uses permitted in C Zone, provided that not more than 25% of floor area is used for processing, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Robert J. McPherson, 2644 Teresita Street, San Diego 4, dated August 10th, 1955, was presented. It asks for a few minutes to appear at today's meeting.

Mr. McPherson told the Council that the industrial committee is trying to support the Mayor. He said that it is understood that the Council is considering the subject, and that it is understood that there is necessity for legislation. He urged "doing something". It was understood, according to Mr. McPherson, that San Diego has no lobbyist in Sacramento working in conjunction with the Legislature. He stated that it is impossible for the legislators to be familiar with all the legislation that comes before them.

Councilman Burgener asked if Mr. McPherson feels that there is a need for somebody in addition to elected representatives.

Mr. McPherson said such a move should be considered. Then he said that there is the matter of waste reclamation phase, in addition to moving of traffic. He said that many cities find it profitable to produce fertilizer and gas from the sewage wastes. He said that the City could recover \$3,000,000. per year. He said there is need for authority to set up a Toll Authority in connection with road to the east. He referred to "The Guaranty Survey, published monthly by Guaranty Trust Company of New York. He distributed copies of July 1955--Vol. XXXV, No. 3, one of which was made a part of the file. He said that the Toll Authority is being done in the east. Mr. McPherson said that the committee is giving consideration to that. He said that there is no enabling legislation in the State. He then filed a letter dated August 16th, 1955, addressed to the Mayor and City Council.

RESOLUTION 128015, referring to Council Conference communication from Robert J. McPherson, in connection with San Diego Industrial Development, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Councilman Kerrigan returned

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Application of H. Wilson for Cabaret License for "The Huntress", 2475 5th Ave., was presented together with recommendations of City departments for granting.

RESOLUTION 128016, granting William H. Wilson permission to conduct cabaret with paid entertainment at "The Huntress", 2475 Fifth Avenue, where liquor is sold, subject to regular license fee and compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from C. S. Goode, Assistant Director, Department of Public Works, for cancellation of 4 assessments on various properties - \$72.12 - and for cancellation of all future charges of similar nature, was presented.

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

Communication from C. S. Goode, Assistant Director, Department of Public Works, for cancellation of 7 assessments on various properties - \$60.26 - and for cancellation of all future charges of similar nature, was presented.

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

Communication from Donald A. Freeman, 3119 Ibsen St. relative to damage of curb by public works truck in front of his residence, was presented.

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

Communication from property owners and business owners on Garnet Avenue, between Morrell Street and eastern limit of Pacific Beach, urging proceeding as rapidly as possible with widening of Garnet Avenue in the area, was presented. It says businesses have been seriously affected as a result of the tow-away signs which have been up for many months. It says it has been observed that many side streets in San Diego have been paved during the period while this bottleneck on a main North Shore thoroughfare has been neglected.

A man, whose name was understood to be Beauregard, on Felspar Street, stated that he had been asked by the people to represent them. He told of a petition in 1954. He said that the City had posted "tow-away" signs on Garnet between Morrell and Balboa. He said that there are many businesses and residences there. He said that the "tow-away" works hardships. He stated that times between hearings could be kept to a minimum.

The City Engineer stated that bids to be opened will be about September 30.

Mr. Beauregard said that the hearings are over the limits. He said that the City is repairing curbs, while some of the curbs are to be torn out.

Councilman Burgener said that a formula has been worked out regarding cost, on which the City is to pay a portion. He stated that the second hearing would be August 30; then to bids. He said that he will furnish the interested residents with a schedule. He said that it should be referred to the City Manager regarding the curb repair. He asked how long it would take to do the work.

The City Engineer replied "1 year, including the assessment hearing". He said that time can be reduced, if the City wants to. He said that they should start work, under the contract, in 30 days.

The City Manager said that contractors go ahead on major jobs.

Councilman Kerrigan said that the City better be careful of promises, where there is a State law which sets certain times.

Mayor Dail said that it can be speeded up.

Mr. Beauregard said that moving of the poles is being held up.

The City Engineer said that poles are moved by the power company, and sometimes it has to hold up the work on account of many jobs.

Communications  
Application  
128016  
Verbal presentation  
re Garnet Ave.

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The City Engineer said that the company knows about this project. There was discussion between members of the Council and another man, who remained unidentified.

RESOLUTION 128017, requesting the City Manager to provide Councilman Clair W. Burgener with a time schedule in connection with improvement of Garnet Avenue between Morrell Street and eastern limit of Pacific Beach, also requesting him to investigate the reported curb repair in the area to be widened, to Councilman Burgener, and requesting him to shorten the time if possible, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Taxpayers' Association, 526 Spreckels Building, San Diego 1, dated August 10, 1955; signed by Edward C. Hall, president, addressed to the City Manager, was presented. It asks a number of questions in connection with "San Diego Sewerage Program Report" made by engineering consultants J. A. Carollo, A. H. Koebig, Jr., and R. R. Kennedy.

RESOLUTION 128018, referring to Council Conference communication from San Diego Taxpayers' Association re San Diego Sewerage Program Report, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The next item was presented by the City Manager under unanimous consent granted by the Council - and was numbered out of order, at this point, by request:

Report of Purchasing Agent, approved by City Manager, recommending amendment to contract awarded to General Motors Corporation, Chevrolet Motor Division, for furnishing cars and trucks, was presented. It says that 1956 model cars which bidder offers to furnish in lieu of 1955 models are worth at least \$150.00 per car more than 1955 models no longer available. It goes into the matter of trading in of used cars or selling cars at auction. The report tells of bidder submitting second low bid having been contacted and asked to submit proposal on 1956 model cars, but that price was increased and allowance for the 43 used cars was less. The proposed modification is to allow furnishing 1956 models at bid price, but delete trade-ins of 43 police cars, which report says is an excellent proposal from City's point of view and one which the City should accept.

\*\*\* RESOLUTION 128020, directing notice of filing Assessment 2393 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision, North and South Alley Block 27 H. M. Higgins Addition, and Broadway, Resolution of Intention 120577, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128021, directing notice of filing Assessment 2392 and of time and place of hearing thereof, for paving and otherwise improving Alley Block A Sunset Crest, Resolution of Intention 121401, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

\*\*\* RESOLUTION 128019, modifying Resolution 127675 accepting bid of General Motors Corporation, Chevrolet Motor Division, for furnishing trucks and passenger cars for Police Department, to allow bidder to furnish 1956 models at bid price on 1955 models, less \$30.00 per car for deletion of voltage converter, and withdrawal of City's requirement that bidder take in trade 43 used police cars, and accepting the modification; authorizing the entering into of a contract in accordance with revised conditions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 128022, accepting bid of A. R. Kingaard, and awarding contract, for paving and otherwise improving Alley Block 332 Choate's Addition,



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and 32nd Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid is 11.0% below estimate.

RESOLUTION OF AWARD 128023, accepting bid of A. R. Kingaard, and awarding contract 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, Resolution of Intention 126627, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid is 11.3% below the estimate.

RESOLUTION OF AWARD 128024, accepting bid of V. R. Dennis Construction Co., and awarding contract for paving and otherwise improving Delta Street, Resolution of Intention 126628, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

City Engineer reported low bid is 9.5% below estimate.

RESOLUTION OF AWARD 128025, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for 1 year in San Diego Lighting District No. 1, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

(The actual period covered is 11 months and 16 days).

RESOLUTION 128026, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street and Akron Street; approving Plat 2723 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128027, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 1 Walker's Addition, and Public Right of Way; approving Plat 2756 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk to file in office of City Engineer the plat, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128028; approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Worden Street; approving Plat 2157 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 128029, for paving and otherwise improving Alley Block 241 Pacific Beach, Resolution of Intention 127274, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 128030, for paving and otherwise improving

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Ozark Street, Imperial Avenue, Public Right of Way in Lot 42 Ex-Mission Lands of San Diego (Horton's Purchase), Resolution of Intention 126852, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 128031, for paving and otherwise improving Quince Street, Resolution of Intention 127275, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 128032, for paving and otherwise improving T Street, Resolution of Intention 127276, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 128033, for furnishing electric current in Loma Portal Lighting District No. 1, for 11 months and 4 days from and including June 28, 1955, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128034, for furnishing electric current in Pacific Beach Lighting District Number Two, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128035, for closing Revere Avenue, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128036, for closing Roland Place and Evergreen Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128037, for paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street and Akron Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128038, for paving and otherwise improving Alley Block 1 Walker's Addition, and Public Right of Way, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128039, for paving and otherwise improving Worden Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128040, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Mission Beach Lighting District No. 2 - and maintenance of appliances - for 11 months and 15 days from and including August 17, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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RESOLUTION 128041, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Ocean Beach Lighting District No. 1, for 11 months and 18 days from and including August 14, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128042, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting University Avenue Lighting District No. 1, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128043, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in University Avenue Lighting District No. 3, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128044, ascertaining and declaring wage scale for paving and otherwise improving Saranac Street, and portion 67th Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128045, ascertaining and declaring wage scale for paving and otherwise improving Thomas Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128046, ascertaining and declaring wage scale for paving and otherwise improving Valley Avenue, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128047, approving diagram of property affected or benefited by work of improvement to be done on paving portion of Akron Street, Resolution of Intention, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128048, approving diagram of property affected or benefited by work of improvement to be done on Mentone Street, Montalvo Street, Temecular Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard and Famosa Boulevard, Resolution of Intention 119653, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128049, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 33rd Street, Durant Street, Webster Avenue, Gillette Street, Steel Street, et al., Resolution of Intention 124575 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

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RESOLUTION 128050, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Electric Avenue, Resolution of Intention 124572 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128051, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on sewers in Inez Street and Gage Drive, Resolution of Intention 123287 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128052, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving La Dorna Street, et al., Resolution of Intention 125825 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128053, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alley Block 10 Normal Heights, and Arthur Avenue, Resolution of Intention 125824 and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

In connection with the next 2 items, Carl Reupsch said that there is provision for reduced area, access to 10th Avenue, changed use; rental review is set, and the minimum rental set.

RESOLUTION 128054, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between The City of San Diego acting by and through Harbor Commission, as Lessor, and San Diego Hockey Club, as Lessee, copy on file in Office of City Clerk as Document 518767, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128055, ratifying, confirming and approving Assignment of Lease between San Diego Hockey Club, a California corporation, Assignor, and California Sportservice, Inc., a California corporation, Assignee, copy on file in office of City Clerk as Document 518770, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128056, ratifying, confirming and approving Concession Agreement, copy on file in Office of City Clerk as Document 518776, between Shelter Island, Inc., Licensor, and Mildred L. Peterson, Licensee (covering portion of property previously leased to Arthur LaShelle and subsequently assigned to Shelter Island, Inc.), was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128057, adopting Map of Addition to Division 7, Section 15, Baby Graves, Mount Hope Cemetery - authorizing and directing Clerk of the City to endorse upon map, as and for act of Council that Map was approved; directing City Clerk to transmit Map to County Recorder of County of San Diego, for recordation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128058, authorizing and empowering City Manager to do all work in connection with making of necessary alterations in City Clerk's Office, in the Civic Center, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 128059, authorizing and empowering City Manager to do all work in connection with rebuilding heating system in laboratory and assembly room at Sewage Treatment Plant, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128060, authorizing and empowering City Manager to do all work in connection with construction and installation of new septic tank drain line from septic tank to the river channel at lower Otay Reservoir, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next Resolution, the City Manager made an explanation. He said that it relates to 14 buildings on Juan Street. He told of having been put up for bid, but there was only 1 bid. He said that there had been check with the Water Department, and a \$6,000 salvage, and would cost the City \$125.00. He said there would not be a gain unless the City could use the material, but there would be a gain on this project.

RESOLUTION 128061, approving and ratifying action of City Manager in using City forces for removing and salvaging City-owned public housing buildings: 2215 and 2233 San Diego Avenue; 2202, 2218, 2234 and 2254 Moore Street; 3873 Trias Street, upon ground that cost of work by City forces was more economical than if it had been done by competitive bids and contract, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 128062, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street at each of 2 locations, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 128063, approving Change Order 2, dated March 16, 1955, filed with City Clerk as Document 518784, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. and W. F. Maxwell Co., joint venture, for improvement of Grand Avenue, Pico to Pacific Highway, Document 506411; changes amounting to increase in contract price of approximately \$180.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128064, granting revocable permit to Elmer James Colborn and German Struiksma, 3865 Delta Street, San Diego, to install and maintain private 1" Galv. water line over Eta Street from owners' property to water main in 42nd Street and Eta Street: Lots 11, 12, 13, 14 Block 6 Nordica Heights No. 2; repealing Resolution 127217, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128065, granting Fraternal Order of Eagles, Aerie 244 Rifle and Pistol Club, P.O. Box 710, San Diego, permission to discharge fire arms on premises described as San-Cal Gardens, 1230 Camino del Rio, Mission Valley, for not to exceed 90 days - premises to be inspected by Chief of police for purpose of determining safety of operation, and for protection of lives and property in vicinity of premises - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128066, authorizing Councilman George Kerrigan to attend

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meeting of Feather River Association, at Oroville, California, August 26 to 28, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128067, going on record, for and on behalf of best interests of citizens of The City of San Diego, in supporting and recommending granting application of Western Airlines, Inc. contained in Docket 5951, proposing new air route from San Diego to Denver, Colorado, via Phoenix, Arizona; directing Clerk of The City of San Diego to send certified copies of Resolution to members of Civil Aeronautics Board in Washington, D.C., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that application has been filed, proposing a new air route, that granting would make possible the first direct air service between San Diego and Denver, and continuing direct non-stop service to Minneapolis and St. Paul, Minnesota, utilizing DC-6B equipment. It says that granting application would make available to citizens of San Diego broader air service to points throughout the country and provide visitors to our city with more direct air service.

(14 certified copies of the Resolution were furnished to the Harbor Department for transmittal, by request - rather than having the Clerk transmit them).

Ordinance - upon which hearing had been held July 21, 1955; introduced August 9, 1955 - incorporating portions of Pueblo Lots 1202 and 1203 of the Pueblo Lands of The City of San Diego, California, into RC-1A Zone as defined by Section 101.0409.2 of The San Diego Municipal Code and repealing Ordinance 13457 approved February 15, 1932, insofar as it conflicts, was presented.

Councilman Burgener moved to dispense with the reading of the Ordinance, and adopt it. Motion was seconded by Councilman Kerrigan.

Mayor Dail said that there are 6 members of the Council here; conditions do not warrant changing the zone. He said that the City does have control.

The roll was called in the motion, resulting in: Yeas-Councilmen Burgener, Schneider, Kerrigan, Evenson; Nays-Councilmen Curran, Mayor Dail; Absent-Councilman Williams.

When individuals came to the microphone to be heard, Alan Firestone, Deputy City Attorney, said that the proposed ordinance has been disposed of (it lost).

Eugene Glen said that it should be continued for a full Council.

Mr. Firestone said that action has been taken; it could be reconsidered on a motion made by a dissenter.

Mayor Dail said that lack of 1 Councilman, on vacation, has been stressed.

Councilmen Curran and Burgener said that it could be reconsidered; if there would be 6 plus the Mayor (a full Council).

Mayor Dail said in that event it would be necessary to keep the item on the docket until all were present. He declared that would be setting a precedent. He said he was not going to have more discussion; the hearing has been closed. The Mayor said that the Council is entitled to more consideration than it is receiving.

Mr. Glen said that there is nothing wrong in reconsiderating; it could be set for a time after vacations are over. He asked if it could be re-opened later.

Mayor Dail's reply was "no".

Councilman Kerrigan pointed out that there is nothing to prevent going through the procedure, and starting again (as had been done in this instance, since it had been before the Council earlier). He, too, said that it would be setting up a dangerous precedent. He said that the zoning can be changed by 5 votes of the Council. Mr. Kerrigan said that if it were reconsidered now, it would be for a full Council. He said that property owners would still have the right to bring the rezoning question before the Council.

Councilman Schneider stated that it would be better to re-institute proceedings.



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Mr. Glen asked Glenn A. Rick, City Planning Director, if property owners would be prohibited from bringing in a similar proposal within 6 months.

Mr. Rick replied "No".

Frank Frye, attorney, said that at the last hearing it was stated that the Council recognized the vote of last Tuesday and today. He said he felt Councilman Curran should not be inconsistent. He said he has not discussed this with anyone on the Council; has not discussed it.

Councilman Curran said that the vote was to introduce the ordinance (last week, at which time Mr. Curran voted "yes").

David Pain, attorney, spoke to Councilman Curran about consistency. He said that if he had realized there would be a different vote, he would have asked for a continuance.

Mayor Dail said that he would not have Councilman Curran abused.

Mr. Pain said that he was claiming surprise.

Mayor Dail said that the position of Councilman Curran was understood last week.

Mr. Pain said that Councilman Curran had made it clear that he was voting in favor of the Ordinance; he was not impugning Mr. Curran. He said that a year had been spent on the project.

Mayor Dail said that unless Councilman Curran moves to reconsider, the matter is closed; it is concluded.

Councilman Burgener asked if he is not entitled to move for consideration.

Mayor Dail said "no"; he had stated that the matter has been concluded.

Councilman Burgener said that it is unfair.

There was no further discussion.

On motion of Councilman Schneider, 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 the Council prior to day of final passage a written or printed copy.

ORDINANCE 6622 (New Series), incorporating portions of Blocks 37 and 55 La Jolla Park into RC Zone as defined by Section 101.0409 of San Diego Municipal Code, and repealing Ordinance 13294 approved August 31, 1931 insofar as it conflicts, was on motion of Councilman Schneider, 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 Kerrigan, seconded by Councilman Schneider, Ordinance amending The San Diego Municipal Code by adding thereto a new section to be numbered 63.17.11, regulating use of Tows and Towing Vessels in the San Diego Bay, was introduced, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Kerrigan, Mayor Dail. Nays--None. Absent--Councilman Williams.

On motion of Councilman Schneider, seconded by Councilman Evenson, the Council took a 5-minute recess at 11:40 o'clock A.M.

Upon reconvening at 12:20 o'clock Noon, the roll call showed the following:

Present--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail

Absent---Councilman Williams

Clerk----Clark M. Foote, Jr.

Discussion on the  
Zoning Ord.  
6622 N.S.  
Ord introduced  
Meeting recessed, re-convened

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RESOLUTION 128068, congratulating playing members of the Disabled American Veterans, San Diego Chapter No. 2, baseball team which won the State championship and commending Richard Cosgriff, manager of the team for his excellent managerial effort; extending to the baseball team the Council's best wishes for its successful participation in the Wichita national finals; directing City Clerk to forward copy of Resolution to the manager, Richard Cosgriff, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The Resolution, introduced under unanimous consent granted to City Manager, was adopted in the earlier session, and numbered here.

RESOLUTION 128069, authorizing John McQuilken, City Auditor and Comptroller, to go to Sacramento, California, to confer with State Retirement Board regarding referendum to be held by members of City Employees' Retirement System on matter of co-ordinating City Employees' Retirement System with Old Age and Survivors' Insurance System; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Resolution, introduced under unanimous consent granted to City Manager, was adopted in the earlier session, and numbered here.

The next item had been continued from the earlier session, considered in Conference, and presented here.

RESOLUTION 128070, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for dredging in Bay of San Diego - vicinity of 10th Avenue Marine Terminal - Document 518663; 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 next item had been continued from the earlier session, considered in Conference, and presented here.

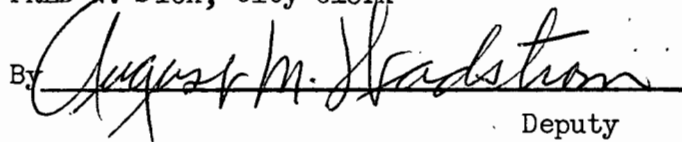
RESOLUTION 128071, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Cyclopean Concrete Quay Wall, 10th Avenue Marine Terminal, Document 518772; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

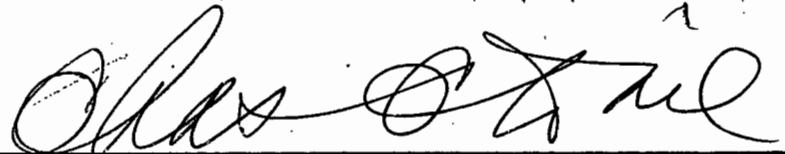
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at 12:23 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

  
Deputy

  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of the City of San Diego, California,  
Thursday, August 18, 1955

Present--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson  
Absent--Councilman Williams; Mayor Dail (in Washington D.C. on City business)  
Clerk---Fred W. Sick,

Vice Mayor Clair W. Burgener called the meeting to order at 10:04  
o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on the matter of incorporating Lot 31 and portion Lot 35 La Mesa Colony into R-1 Zone, and repealing Ordinance 6195 (New Series), 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. (Ordinance was introduced August 11, 1955).

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

ORDINANCE 6623 (New Series), incorporating Lot 31 and portion of Lot 35 La Mesa Colony into R-1 Zone, as defined by Section 101.0405 of The San Diego Municipal Code and repealing Ordinance 6195 (New Series) adopted July 13, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Williams, Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on the matter of application of Whitney Enterprises to re-zone Lots 2 to 5 inclusive Block 2 Bay Shore Addition, at Scott and Talbot Streets, from R-1 to R-2 Zone - extending to the Mean High Tide Line of San Diego Bay - the Clerk reported no written protests.

Report from Planning Commission, by P. Q. Burton, stating that the Tidelands, which adjoin the property on the southwest, are not zoned. It reports that San Diego Yacht Club leases Tidelands adjacent to foot of Talbot Street, and that property on northeast side of Talbot Street is zoned R-4 almost up to Rosecrans Street, where zoning is commercial. It states that property on southwest side of Talbot Street is zoned R-1 up to Rosecrans Street. It states that property proposed to be rezoned is vacant, excepting for 2 small, old houses; adjoining 25-foot lot is also vacant; R-4 zone across Talbot Street, at the northeast, is also vacant, remainder in the area is improved. It reports that petition of protest against the rezoning, containing signatures of over 20 property owners in the immediate vicinity, had been presented, petitioner was not represented. It says that after hearing was closed, Mr. Whitney made himself known and stated that he did not hear when his petition was announced and did not know it was being heard. It reports that he did not make his presence known until a half hour after hearing had been closed and opponents had left the Council Chamber. The Commission ruled that hearing was called as scheduled and could not be reopened after opponents had left the Council Chamber, but Mr. Whitney was informed that matter would be heard by the Council and he should be present. It states that Planning Commission voted 6-0 to deny application to rezone the property shown on accompanying drawing B-665. It is presently zoned R-1 under Ordinance 32 N.S.

Meeting convened  
Hearings  
6623 N.S.

During reading of the report, Glenn A. Rick, City Planning Director, showed a map and notices which had been posted. He said that the point of discussion is if the file should be referred to the City Attorney for the ordinance. He pointed out that it would require 5 votes of the Council to adopt (since Planning Commission had denied it), but that it needed only 4 votes to introduce. He told of other zoning which had been denied.

Councilman Schneider spoke to Mr. Rick regarding the Commission's point, for the denial.

Mr. Rick replied that Talbot Street is well defined, and is the boundary of the residential area. He agreed that there are points in favor of the request, however, especially regarding the entrance to the Yacht Club.

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

William Hillyer, representing the Messrs Whitney, appeared. He said this is an old problem to the Council. He said that 4 lots are on Talbot at the entry to the Yacht Club. He passed around pictures of the property to members of the Council, and showed a colored drawing of the proposed development. Mr. Hillyer declared that the R-2 would provide a buffer between the R-4 and R-1 zoning. He said that if possible, he requested that the matter "be set back for further zoning, because proponents had not put on their case". Mr. Hillyer stated that the younger Mr. Whitney was out of town; the other Mr. Whitney had not heard the item called, regarding his hearing aid.

There was general discussion regarding referring back the item (to the Planning Commission).

Mr. Rick stated that if protestants are here, the Council should hear them.

Councilman Evenson held up the large colored drawing, handed to him by Mr. Hillyer.

The Vice Mayor invited protestants to be heard.

John O. Card, who identified his property as Lot 5 on Scott Street, adjoining property in question, except for a 25-foot lot. He said that protestants have been "heard each time". He advocated holding to the original plan of not breaking the zoning. Mr. Card stated that he is a contractor, and he had bought the property on account of the zoning. He stated that the adjoining property is here.

Mary A. Riling, who has the adjoining lot on the street, which is 50-feet wide on the water, spoke. He said that the lot runs east and west; the lots proposed to be changed run north and south. She said that if zone were changed to R-4, it would make 8 dwellings on her back yard. The speaker stated that she bought the property 10 years ago; it is vacant, but that she hopes to build upon it. He said that taxes had doubled on account of the R-1 zone.

William Fisher, who is "across the street" in R-1 Zone, was heard. He stated that everything south of Talbot Street is R-1. He stated that petition was signed by people on the other side of Talbot. Mr. Fisher stated that this is the 4th time the zone change request has been up. He stated that the property is vacant, and has been for sale for 5 years. He passed around a snapshot, taken 4 weeks ago. He declared that the Whitney Enterprises bought in an R-1 zone, but have tried to rezone the property. He told the Council that if they are sincere, they should apply for a zone variance, for specific buildings. He stated that they are apparently not sincere, on account of the "for sale" sign on the property. Mr. Fisher said that all 26 families involved are opposed to the rezoning. He repeated that the property in question is for sale.

Councilman Kerrigan spoke to Mr. Fisher about the allowed construction in R-2 zone.

Mr. Fisher answered by saying that there can be shabby construction in R-2.

Councilman Schneider spoke to Mr. Fisher regarding securing of a zone variance, in lieu of a zone change.

Mr. Fisher replied that he personally thinks he would be more favorable to a zone variance, but that he could not speak for others.

Councilman Kerrigan spoke to Mr. Fisher about attitude of a zone variance next door. He stated that if there were a zone variance, it would set a precedent.

Mr. Fisher said it is not the same thing. He said that the proposal is like buying a pig in a poke. He pointed out that the owner can sell, and is under no obligation to build. He said that the property is on the market. He said that there

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have been zone variances, with duplexes, which are not good.

Mr. Rutherford, who resides across the street, told the Council that he purchased the property in November - in Zone R-1, and paid a premium because of it. He said that Mr. Whitney would not lose if the property were not rezoned.

Mr. Hillyer said that fears of adjoining property owners are genuine. He said that because of that, the Whitney Enterprises are willing to make whatever guarantees that it can. He said that if the hearing is continued, an agreement with details would be presented.

Councilman Schneider pointed out that it would not be binding on the rezoning.

Mr. Hillyer requested a continuance. He said that if property owners attack any change, their attitude is not sound. He spoke of the crowded road which leads to the San Diego Yacht Club, and of the existing R-4 zone. He said that because proponents had no hearing, they should have a chance. He called Mr. Whitney, Sr., who was present, to stand. Mr. Hillyer stated that Mr. Whitney did not know until a half hour later that there had been a hearing before the Planning Commission.

Vice Mayor Burgener outlined for Mr. Hillyer the Council's alternatives.

Councilman Schneider addressed the people present who were interested.

One of the previous speakers - clerk was unsure which one - said that this has been through the normal channels. He said it is his feeling that he loves San Diego. He said "let's go through the right way", and that he does not mind coming back.

Councilman Schneider spoke to the man who had just been heard. He replied that this is the logical way, and would hate to see a change.

Councilman Schneider moved to close the hearing.

Councilman Kerrigan spoke to Mr. Rick regarding the size.

A previous speaker said "50 x 75".

Councilman Schneider and Councilman Kerrigan both pointed out that it is substandard size.

Hearing was closed on second to the motion made by Councilman Evenson.

Councilman Evenson spoke to Mr. Rick about "a ray of hope".

Vice Mayor Burgener pointed out that if this should come up as a zone variance matter, it would be before the Board of Zoning Adjustment; not the Planning Commission as it had for zone change.

Councilman Schneider moved to file the item.

Mr. Rick said that would be equivalent to a denial.

RESOLUTION 128072, denying petition of Whitney Enterprises for rezoning Lots 2, 3, 4, 5 Block 2 Bay Shore Addition from R-1 to R-2, located at Scott and Talbot Streets, as recommended by City Planning Commission under Document 517879, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting on matter of rezoning about  $5\frac{1}{2}$  acres of R-1 property to zones C and C-1A, northeasterly of main Clairemont development, about  $1\frac{1}{2}$  miles from intersection of Clairemont Drive and Clairemont Mesa Boulevard, was presented. It says that property proposed to be rezoned is the subject of a Tentative subdivision map named Clairemont Villas Unit No. 5. The report says the Planning Department had no objection to proposed rezoning of  $4\frac{1}{2}$  net, after streets are deducted, but recommended that RC-1A zoning be adopted for the entire area. It says petitioners were agreeable to the recommendation, and that it was pointed out that proposed zoning permits only  $\frac{1}{4}$  of the area to be used for store buildings, or actually about 1 acre, and 3 acres then would be used for offstreet parking. Report states that protests were voiced by owners of large acreages in vicinity and the proposed North Clairemont Shopping Center, because they felt it was not good planning to have the small shopping areas spotted in the midst of residential areas, and it would delay development of a major shopping center at Clairemont Boulevard and Clairemont Mesa Drive. The communication states that hearing was continued for 2 weeks to permit the Commission and a representative of petitioner and a representative of opponents to meet on the ground and view the area in question. It says that at the second Planning Commission meeting the matter was further discussed, and it was pointed out that approximately 500 houses are either under construction or planned on tentative subdivision maps in the immediate vicinity. It points out that it was also stated that the area is

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capable of being sewered by gravity would permit 200 or 300 more houses to be built in the immediate vicinity. It says that the Commission also received a petition signed by approximately 300 people who either live in the area or state that they have purchased homes, not yet completed, in which they ask for the proposed neighborhood shopping area. The report states that the Planning Commission voted 6-0 to recommend that area shown on Drawing B-660.1 be zoned RC-1A, to become effective on filing of final subdivision map, and that property is presently zoned R-1 under Ordinance 13456.

The report was read to the Council.

Councilman Kerrigan asked to find out the Council's position, legally. He spoke of there being 5 votes involved.

Alan Firestone, Deputy City Attorney said "no; that is the case only in overruling the Planning Commission" (the Commission had voted 6-0 to recommend the rezoning, as has been shown).

Councilman Kerrigan said there is not a full Council.

Vice Mayor Burgener stated that it is well known, he has been interested in Clairemont for years - but he does not own any property "there".

Councilman Kerrigan said that if this is for preparation of an ordinance, it might have to have the full Council for a hearing.

Councilman Schneider spoke to members of the audience about possibility of wasting.

Louis Karp, attorney, said that it would be a waste of time, regarding the flight pattern, and the additional applications for rezoning for shopping centers.

Beryl Phelps, engineer, posted a map.

Vice Mayor Burgener stated that the Planning Commission has recommended the rezoning, as applied for.

Martin L. Gleisch, the petitioner, said that recommendation is for RC-1A, instead of RC (as petitioned for), but that he is willing to abide by the recommendation.

Mr. Phelps said that there are 442 lots involved, which he pointed out - 7000 feet from Clairemont 2. He said that he has talked with Planning regarding the shopping center. He said that canyon area has been filled, and application has been made for the shopping center. Mr. Phelps told of the Planning Commission having been taken out to the area. He said that houses are completed, or nearly completed - as pointed out by him on the map. Mr. Phelps said that (subdivision) map is ready for filing on the land. He said that he thought it was well for the Planning Commission to look at the land. He stated that it would not be a big shopping center; a small one for the local area. He said that adjacent are 470 some houses, with 2000 to 3000 people who would use it. He said that there should be no question; the people had been sounded out, and there is a petition of 300 names of those who want the shopping center.

Mr. Gleisch said that 330 have already been put under construction, and it is not a proposed construction. He spoke of duplexes being built. He said that it would be a handy shopping area. Mr. Gleisch said that affected by the flight pattern are 77 units which will not be guaranteed by FHA and VA. He said that makes no difference, because they will be built under private finances. He said that many have been built in Los Angeles and in San Diego under private finances, rather than by the 2 agencies. He told the Council that many more will be built under private financing.

Councilman Schneider spoke to Mr. Gleisch regarding the taking off and landing area.

Mr. Gleisch said that it is 18,000 feet from Miramar (air base). He said, also that he doubts if the FHA and VA ruling (refusal to finance housing in certain areas) will stand. He said he intends to build, anyway, since he has the necessary financing. Mr. Gleisch said that it is 7000 feet to the nearest proposed shopping area; 8000 to 9000 feet to the big shopping area.

Mrs. Hess told the Council that she has 2 children, is a housewife. She said that she has to wait 40 minutes, and has 2 children. She said she has no car, and had lived in Boston with no car. She said that neighborhood shopping centers do not have to be large and dirty; it would be a convenience. She said that she would like to see it in, and that it would not take business away from the "quad". She repeated that it would be, and she would like the convenience.

Mrs. Wiley appeared.

Councilman Kerrigan was excused

Mrs. Wiley said that when her boy goes to the kindergarten, she has to walk 32 blocks.



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Marie Evat, said she has 2 children.

Councilman Kerrigan returned

Mrs. Evat said that it is almost impossible to take the bus. She said that "this" (the rezoning for shopping center) would be a good thing.

Ella Ferris told the Council that she would like a shopping center near her, since her husband has the car. She repeated that she would like it.

Louis Karp appeared to be heard again.

Mr. Karp was asked whom he represented. His reply was Mr. Tavaris and Mr. Kahn. He said that he was sympathetic, but the major problem is transportation. He said that the walking problem will be solved. He pointed out on a map the area where owners are represented, and there are many units. He said this should be considered by the full Council. Mr. Karp said that since it had been considered by Planning "a line has been drawn right down through here", pointing to a map. He said it (announcement of the Federal government re non-financing) will slow down construction. He spoke of 60,000 sq. ft. of additional shopping area. He told the Council that there is before Planning another shopping center on the main Clairemont mesa. He said that would serve the residents more directly, and would be on a bus line. He said it should be referred to Planning for consideration of the 2 petitions together.

Councilman Schneider spoke to Mr. Karp regarding shopping area proposed "by us".

Mr. Karp said that a tower has been moved, and that if it is thought there is need for another shopping area, that is being considered. He maintained that this would be spot zoning, and is a petition to upset the zoning pattern. He said there has been new evidence since the decision.

Councilman Schneider spoke to Mr. Karp regarding the new issue to come up before Planning on Wednesday.

Mr. Karp repeated that it would be spot zoning, and asked where the City would stop. He said that he wanted to protest.

Ed Wilson stated that there is a new condition as a result of the FHA statement. He said it stops further development, and might make business occupancy unstable. He asked to have this referred back to Planning.

Mr. Phelps said that there have been contradictory statements.

Vice Mayor Burgener said that a second hearing cannot be avoided.

Councilman Schneider asked Mr. Phelps what is in mind.

Mr. Phelps pointed out on the map the shopping zone, said it is not spot zoning and strip zoning. He contended the Council should act today. He spoke of this having been planned 6 months. He said the site was planned for a church. He repeated that it is not spot zoning; it is for benefit of people to shop. He said that it is not zoning for control of shopping and for liquor.

The Vice Mayor said that this is the first of a series of hearings. He said that there have been 3 or 4 hearings on the Mesa on other proposals. He said there will be further hearings.

Mr. Gleisch asked to "get the hearing over".

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Curran. Hearing was closed, and individual Councilmen asked questions, leading to the following statements:

Mr. Gleisch said that he has been in San Diego 4 years, and has completed 700 houses. He told the Council that he has completed houses in other places. He said that this is his property; he owns it, and has built the houses.

Councilman Evenson spoke to Mr. Karp about shopping center to the south.

Mr. Karp said it could "not be a success to anyone". He pointed out on the map regarding development. He contended, again, that this would be opening up "spot zoning".

The Vice Mayor spoke to Mr. Firestone.

Mr. Firestone said that it is a matter of convenience, time and effort on the part of tenants. He stated that the question is if it is in the public interest, and that the Council is entitled to hear anyone who would be of aid to the Council in its decision.

Councilman Schneider moved to direct the City Attorney to prepare the ordinance. Motion was seconded by Councilman Evenson.

The Vice Mayor said that the Council can take no action with less than 4 votes.

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The roll was called on the motion, resulting in  
 RESOLUTION 128073, requesting City Attorney to prepare and present to the Council necessary ordinance for rezoning portions of Pueblo Lot 1243 (Tentative Map, Clairemont Villas Unit #5) from R-1 Zone to Zones C and C-1A, in accordance with City Planning Commission Document 517880 recommendation, was adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing of appeal of R. Kenneth Walker from Board of Zoning Adjustment granting conditional variance to Lyle S. Powell and R. Kenneth Walker, re Culligan Soft Water Service on Lots 25 and 26 Block 155 Pacific, 732 Emerald Street, in Zone R-4.

The Clerk presented a communication from Kenneth Walker stating that he wishes to drop his appeal, that he has so notified the Planning Department which will not send out notices to neighboring owners.

RESOLUTION 128074, filing appeal of R. K. Walker, 732 Emerald Street, re Board of Zoning Adjustment's Resolution 9046, application 14201, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of property owners and renters to have garbage picked up in the alley of the 3800 block of Boundary and Nile Streets instead of at the street curbs - to follow the custom of trash disposal pickup vehicles, was presented.

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

Petition of property owners urging that the Council do not grant the petition before it to amend the Major Street and Highway Plan - Metropolitan area of San Diego - by deletion of Hancock Street, and substitution of San Diego Avenue, as proposed in that petition, was presented. (The petition has following names and addresses of signers a column "PROPERTY OWNER (Yes or No)"). The petition goes into considerable detail regarding property investments, effect upon the whole community of substitution, and detailed statement regarding San Diego Avenue plan as proposed.

P. Q. Burton, from the Planning Department, said that Planning study is being made.

RESOLUTION 128075, referring to Council Conference petitions urging the Council not to grant petition to amend Major Street and Highway Plan by deletion of Hancock Street, and substitution of San Diego Avenue, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Balboa Heating & Sheet Metal Works for Ventilation Work to be done on existing installation at Main Library, Eighth Avenue and "E" Street; \$1,452.00 plus State Sales Tax, 3 bids, was presented.

RESOLUTION 128076, accepting bid of Balboa Heating & Sheet Metal Works for furnishing Ventilation work at Main Library; 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, approved by City Manager, on sole bid of Los Angeles Chemical Company for furnishing 10 tons of Large Crystal Copper Sulphate @ \$14.63 per cwt., total price of \$2,926.00 plus State Sales Tax, was presented.

RESOLUTION 128077, accepting bid of Los Angeles Chemical Company for furnishing 10 Tons of Copper Sulphate, Large Crystals; 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.

Communication from Purchasing Agent, approved by City Manager, reporting on sale of 18 items of used equipment (cab and chassis, trailer, trucks, loader, scooter, etc.) to 11 successful bidders, for total of \$3,980.00 which has been deposited with City Treasurer, was presented.

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

Communication from Planning Commission, by Harry C. Haelsig, relative to Item 13 of Resolution 127684 - having to do with Navajo Road, westerly of Unit 6 in Allied Gardens Unit 6 - was presented. It recommends that the item read: "That street alignment, provision for future street, access rights, lot and street design, setbacks, corner cutoffs, and easements shall be provided as shown on tentative map on file in office of City Clerk, excepting that no dedication will be required for Navajo Road adjacent to Unit No. 6. The subdividers have agreed and they are required to grant rights of way and access rights, within 60 days, over and across lands owned by them westerly of the proposed Unit 6, as shown on the attached drawing in the City Engineer's office, to provide a connection to Waring Road near Alvarado Canyon Road".

RESOLUTION 128078, amending Item 13 in connection with Tentative Map of Allied Gardens Unit 6 approved by Resolution 127684 on July 28, 1955 amended by Resolution 127990 on August 11, 1955 (as quoted in the recommendation) was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128079, adopting Map of Beach Club Terrace Subdivision, being portions of Pueblo Lots 1281 & 1285; accepting on behalf of the public unnamed easements for public purposes; declaring easements 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 Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 128080, suspending Sections 102.12-2 and 102.17-c of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for 2-lot resubdivision of Lot 62 Del Norte Addition to Encanto Heights, located within R-2 zone at southwest corner of Tooley and Paradise Streets in Encanto, subject to 7 conditions, was presented.

RESOLUTION 128081, approving Tentative Map of Del Norte Addition to Encanto Heights, subject to conditions of Resolution, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending denial of Tentative Map of Kanaly Vista, a 2-lot resubdivision of portion Lots 11 and 12 Block 132 Roseville, located southeasterly of intersection of Willow and Poe Streets in Point Loma area, within R-1 zone, was presented. Communication says they would be 3750 square foot each, which would be under the required 5000 square feet; there are no lots in the immediate vicinity under 5000 square feet while most of the lots are 7500 square feet.

The Vice Mayor inquired if anyone was here in connection with the subject.

No one responded.

RESOLUTION 128082, denying Tentative Map for resubdivision of Kanaly

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Vista, 2-lot subdivision of portion Lots 11 and 12 Block 132 Roseville, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Harry C. Haelsig for Planning Commission, recommending suspension of portion Municipal code in connection with Tentative Map of Marmil Park, an 83-lot subdivision of portion Lot 12 Rancho Mission, was presented.

RESOLUTION 128083, suspending Sections 102.09-1 & 2, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Marmil Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Marmil Park (formerly United Gardens), an 83-lot subdivision of portion of Lot 12 Rancho, located on northerly side of Lisbon Street adjacent to Hermosillo Manor subdivision in Encanto and southerly of subdivision of Encanto Heights which is outside City limits, was presented. It says Tentative Map is not in compliance with Major Street Plan in that a 200-foot freeway is shown on alignment of Lisbon Street; City Engineer and Planning staff have proposed that the Major Street be re-aligned to a new location southerly of Hermosillo Manor. In view of that, and since the Council recently approved a 1-lot subdivision without requiring additional dedication of property for the Major Street, the Commission recommended approval subject to 13 conditions.

RESOLUTION 128084, approving Tentative Map of Marmil Park, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with Tentative Map of McLemore Subdivision, a 2-lot resubdivision of Lots 12 through 15 Block 111 City Heights, was presented.

RESOLUTION 128085, suspending Sections 102.07-5, 102.12-6, 102.08-3, 102.17-c of San Diego Municipal Code in connection with Tentative Map of McLemore Subdivision, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of McLemore Subdivision, a 2-lot resubdivision of Lots 12 through 15 Block 111 City Heights, located at northwesterly corner of 39th and Thorn Streets, subject to 4 conditions, was presented.

RESOLUTION 128086, approving Tentative Map of McLemore Subdivision, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Director, stating that at the last meeting of the Planning Commission it was decided that the Commission had no objection to adoption of amendment to Trailer Park ordinance to set forth limits under which cabanas would be permitted in trailer parks within the City, provided that regulation be no less restrictive than contained in recently-adopted Orange County ordinance or law of State of California. The report says that it was pointed out that Department of Public Health and Building Inspection office are 2 departments more concerned with the type of ordinance than the Planning Department, and that the matter should be referred to the departments for recommendation prior to enactment of such an ordinance. It attaches copies of both the State Law and the Orange County ordinance.

RESOLUTION 128087, referring to Council Conference communication from City Planning Director re amendment to Trailer Park Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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Communication from Planning Director stating that at a recent City Council Conference, following a joint meeting between Councilmen and Board of Architectural Review, a resolution was passed relieving Architectural Review Board of passing upon issuance of permits for signs, was presented. It recommends that Architectural Review Board that resolution be augmented by amendment to Municipal Code, Section 101.0703, and suggests that City Attorney be requested to prepare necessary ordinance amending the Code to exclude signs from jurisdiction of Architectural Review Board.

RESOLUTION 128088, referring to Council Conference communication from Planning Director communication re duties of Board of Architectural Review, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by the Planning Director, forwarding copies of City Planning Department's summary of problem of proposed annexation of South Bay Area Tract, which report was submitted to City Planning Commission August 10, 1955, was presented. It says that survey was requested by City Manager's office as result of petition filed with City Clerk's office under Document 510162 dated April 2, 1955, which petition asked for permission to start proceedings for annexation to the City. It reports that the Commission considered the matter on August 10, 1955, and heard a representative from Imperial Beach request that his area - west of 14th Street to the ocean - be left out of proposed annexation temporarily, because they are attempting to incorporate. It states that Planning Department's summary indicates that main benefit to the area would be an adequate water supply; it was also stated that there would be no immediate benefit to the City of San Diego because for every dollar collected from taxes, the City would spend \$2.00 on City services. The communication states that the Commission suggested that if it is the City's long-term policy to bring together under one governmental agency all of the area tributary to San Diego Bay, then annexation should be encouraged. The report states that the Commission voted 5-0 to make no recommendation as to whether or not permission should be granted to commence such proceedings in the South Bay area, but did recommend that if permission is granted to commence proceedings, conditions which are set out in detail should be part of such annexation.

Vice Mayor Burgener said that the Council had received the report from the City Manager, and has not had the opportunity to read it. He recognized Paul Engstrand, attorney, and asked if he wished to be heard.

Mr. Engstrand said that when the Council is reading and studying the report, it should consider the fringe area problem. He said that the California League (of Municipalities) is trying to solve it. He said that "these are people who are trying to help solve", and are willing to help solve even though at cost to the City".

Councilman Curran spoke to Mr. Engstrand regarding City service.

Mr. Engstrand replied that the residents do not need the same services as in the City. He said that there should be planned development.

The Vice Mayor spoke to Mr. Firestone regarding the procedure.

Mr. Engstrand said that the proponents would have to get consent from

RESOLUTION 128089, referring to Council Conference communications from City Manager and City Planning Commission reporting on request for permission to start proceedings for annexation of territory in South Bay Area, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from O. D. Arnold and Sons, 6122 El Cajon Boulevard, San Diego 15, dated August 15, 1955, signed by O. D. Arnold, was presented. It requests abandonment for public utilities easements in Ravenna Park Unit #1, described in detail in the communication.

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

Communication from Percy H. Goodwin Company, Suite 300 First National Bldg., San Diego, dated August 10, 1955, signed by J. W. Martin, Manager, Insurance Department, was presented. It thanks the Council for time allotted in meeting of July

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26 in presenting thinking on the City Liability and Property Damage Insurance Program. It goes into the situation generally, expressing views regarding City coverage.

RESOLUTION 128090, referring to Council Conference from Percy H. Goodwin Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from La Mesa Trust Deed Service, 4730 Palm Avenue, La Mesa, California, dated August 10, 1955, by Robert E. Cullmer, W. R. Rundell, C. L. Crogan, was presented. It requests for break in the center island in University Avenue, east of Aragon Drive.

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

Communication from May Fee Moore, 6336 Crossway Drive, Rivera, California, dated August 15, 1955, advising that she had acquired from Allied Farms, Inc. a parcel of property lying immediately southeast and adjoining Allied Gardens Unit 6 property, that at time it was acquiring the property she was told that Planning Commission of San Diego had under consideration plans for extension of Navajo Road across the northerly portion of the property. Among other things, the letter suggests that the Council instruct the department which has jurisdiction thereof, to send a description of location of Navajo Road across the property, and that upon receipt of the description, she will arrange to give the City an easement which is to become Navajo Road.

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

Communication from Peninsula Women's Club, P.O. Box 113 San Diego 6, California, dated Aug. 15, 1955, signed by Elizabeth O'Leary, corresponding secretary, protesting the \$1.00 parking fee on approaches to the jetty at recent Channel opening ceremonies in Mission Bay, was presented. It asks who authorized the charge, and for what purpose the money collected is being used.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the Mission Bay Park Commission and the Mission Bay Director for reply.

Communication from H. R. Stephens, 4367 Reville Drive, San Diego 15, dated August 15, 1955, stating that there is danger of homes being flooded with water from the 100-acre drainage watershed which empties into a drain across 4367 Reville and goes through an inadequate pipe underground to south of University near Rolando Boulevard, was presented. It goes into a detailed statement of conditions, and a County survey, and asks for help. It offers co-operation.

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

Copy of communication from Donald L. Swenson, 2421 Sumac Drive, San Diego 5, dated Aug 16, 1955, addressed to City Engineering Department, Att. R. A. Hall, was presented. It refers to previous letter expressing concern regarding proposed street level for Sumac Drive between Modesta and Laurel Street. It refers to reply, and to surveyors who had been out working on the streets. It requests answer regarding grade level of the street.

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

RESOLUTION 128091, prohibiting parking of automobiles at all times:



Southeasterly side of Aloha Place between Whitman Street and Witherby Street;

Both sides of Whitman Street between Witherby Street and Aloha Place;

South side of San Gabriel Place between Mission Boulevard and Ocean Front Walk;

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

RESOLUTION 128092, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Island Avenue, between 14th Street and 15th Street;

Both sides of 15th Street, 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128093, prohibiting parking of automobiles between hours of 3:30 p.m. and 6:00 p.m., Sundays and holidays excepted:

Southeasterly side of Taylor Street between Juan Street and Whitman

Street;

authorizing any officer of the Police Department to remove or cause to be removed, any vehicle from the street, parked in violation of the provisions; authorizing and directing necessary signs and markings, including Tow Away Zone, to be made on the street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128094, declaring intersection stop:

32nd Street and Imperial Avenue, affecting north and south-bound traffic on 32nd Street only;

authorizing and directing installation of necessary signs and markings; rescinding any Resolutions or portions of Resolutions in conflict, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128095, authorizing City Manager to accept work on behalf of The City of San Diego in Cabrillo Heights Subdivision (agreement No. 444343 filed in office of City Clerk), completed to satisfaction and approval of City Engineer - and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128096, authorizing City Manager to accept work on behalf of The City of San Diego in La Jolla Cliffs Subdivision (agreement No. 430228 filed in office of City Clerk), completed to satisfaction and approval of City Engineer - and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128097, authorizing and empowering City Manager to do all work in connection with construction of screened burning pit at Barrett Reservoir, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128098, authorizing and empowering City Manager to do all

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work in connection with construction of septic tank at Barrett Reservoir, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128099, agreeing by and between The City of San Diego and County of San Diego that the City shall reseal with slow-curing asphalt, resurface and restripe the south parking lot adjacent to the Civic Center Building, and shall make such other repairs as are necessary to place the parking lot in a serviceable condition; estimated cost \$5,937.00; City and County to each bear one-half of cost; resolving that agreement shall not become binding upon County or City until resolution setting forth same terms and conditions of agreement is adopted by Board of Supervisors of County of San Diego, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128100, waiving penalty imposed by terms and provisions of contract for improvement of Soto and Castelar Streets, contained in Document 504191 with Griffith Company, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128101, granting Recreational Institute of Northern California permission to enter into agreements with lessees of The City of San Diego for purpose of advertising and stimulating better public relations by distribution of complimentary invitations to use facilities of lessees through distribution of booklet entitled "Sport Sampler" published by the Institute, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128102, approving request of Walter H. Barber, Change Order 2, for extension of 30 days to and including September 1, 1955, Document 518892, to complete contract for construction of storm drain - University at Rolando - Contract Document 515447, and extending completion to September 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128103, approving Change Order 2, dated August 4, 1955, Document 518894, issued in connection with contract between The City of San Diego and Charles J. Dorfman for construction of Bonair Street Storm Drain, contract Document 507793; changes amounting to increase in contract price of approximately \$352.00; approving request of Charles J. Dorfman, August 4, 1955, Change Order 2 for extension of 10 days to and including August 25, 1955, in which to complete contract for installation of the Storm Drain, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128104, approving Change Order 2, dated August 4, 1955, Document 518896, in connection with contract between The City of San Diego and Charles J. Dorfman for installation of storm drain at 3rd and K Streets, contract Document 507794; changes amounting to increase in contract price of approximately \$218.70; approving request of Charles J. Dorfman, August 4, 1955, Change Order 2 for extension of 10 days to and including August 23, 1955, in which to complete contract, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128105, approving Change Order 1, dated July 21, 1955,

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Document 518898, issued in connection with contract between The City of San Diego and Griffith Company for improvement of College Avenue south of University Avenue, ~~Document 518898, issued in connection with contract between The City of San Diego and Griffith Company~~; contract Document 515074; changes amounting to increase in contract price of \$818.51, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128106, approving request of Griffith Company, July 21, 1955, Change Order 1, for extension of 5 days to and including August 26, 1955, Document 518900, in which to complete contract for improvement of College Avenue south of University Avenue, contract Document 515074; extending completion time to August 26, 1955, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128107, approving request of R. E. Hazard Contracting Co. and M. F. Maxwell Co., a joint venture, July 14, 1955, Change Order 3, for extension of 70 days, to and including February 8, 1956, filed with City Clerk as Document 518902, in which to complete contract for improvement of Grand Avenue, contract Document 506411; extending completion time to February 8, 1956, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128108, approving Change Order 3, August 3, 1955; Document 518904, issued in connection with contract between The City of San Diego and Larsen Bros. Plastering Company for plastering Municipal Frontier Project, contract Document 516640 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$178.00, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128109, 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 24 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 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 Evenson, adopted.

RESOLUTION 128110, 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 West Half of Southwest Quarter of Pueblo Lot 1199, 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 Evenson, adopted.

RESOLUTION 128111, granting revocable permit to Robert E. Gallagher, 1861 Clove Street, to install and maintain retaining wall and steps 5'4" from curb: Southwesterly 67 feet Lots 3 and 4 Block 9 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128112, granting revocable permit to O'Doul-Angus Sports, Inc., 4861 Lila Drive, San Diego, to install and maintain sewer line over, under and across

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52nd Street near Orange Street - 4141 52nd Street, golf club: Lot 15 Lemon Villa, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Proposed Resolutions denying claims of Paul C. Loeber, Jr., Documents 518269 and 518270, was presented.

Also presented were also 2 amendments (filed with the City Clerk August 17), to the claims.

Alan Firestone, Deputy City Attorney commented on amendments which have been received. He recommended that all be referred back to the City Attorney.

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

RESOLUTION 128113, authorizing and empowering City Attorney to file petition with Board of Supervisors of County of San Diego, State of California, requesting re-establishment of assessments for all prior unassessed years, together with all penalties and other expenses in connection therewith, against Lots 45, 46, 47, 48 Block 4 Bayside; authorizing and empowering City Attorney to take whatever steps he may deem necessary otherwise to secure reinstatement of taxes and penalties, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128114, authorizing and empowering City Attorney to file petition with Board of Supervisors of County of San Diego, State of California, requesting that board re-establish assessments for all prior unassessed years, together with all penalties and other expenses in connection therewith, against undivided one-half interest in and to Lots 22 and 23 Block 32 Mission Beach; authorizing and empowering City Attorney to take whatever steps he may deem necessary otherwise to secure reinstatement of taxes and penalties, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128115, accepting quitclaim deed executed on 9th day of August, 1955, by Clifford O. Boren Contracting Co., Inc., 4965 El Cajon Boulevard, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named "Clifford Point", a subdivision of south 25 acres of Wouthwest Quarter of Northeast Quarter Section 33 Township 16 South, Range 2 West San Bernardi Meridian; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128116, accepting quitclaim deed executed on 9th day of August, 1955, by Clifford O. Boren Contracting Co., Inc., 4965 El Cajon Boulevard, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named "Delta Heights Annex No. 1", a subdivision of portions of Lot 19 and Lot 20 Wadsworths Olive Grove; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128117, accepting deed of Alexander Nazemetz and Murray Goodwin, August 2, 1955, conveying portion Pueblo Lot 256; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128118, accepting deed of R. M. Switzler and Amy G. Switzler, Laura A. Leutscher, April 29, 1955, conveying portion Block 44 Roseville; 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 128119, accepting deed of Morris Bakken, Jr. and Ruth E. Bakken, July 22, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1288; 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 128120, accepting deed of H. Lincoln Chadbourne and Evelyn S. Chadbourne, August 1, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1288; 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 128121, accepting deed of Philip Harkins and Anita N. Harkins, August 4, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1288; 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 128122, accepting deed of Union Title Insurance and Trust Company, August 15, 1955, conveying easement and right of way for sewer purposes in portion Lot 1538 Clairemont Unit No. 8; 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 128123, accepting deed of Robert E. Zimmerman and Laura E. Zimmerman, July 12, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1288; 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 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 final passage a written or printed copy.

ORDINANCE 6624 (New Series), authorizing and directing City Auditor and Comptroller to pay \$6,025.00 out of money received as purchase price for portion Lot 151 Morena (also known as northeast quarter Pueblo Lot 1193) to Floyd A. Beck, licensed real estate broker, as real estate broker's commission for sale of property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Councilman Williams, Mayor Dail.

Acting City Manager E. W. Blom, requested and was granted unanimous consent to present for Glenn A. Rick, City Planning Director, the following item:

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Communication from Glenn A. Rick, Planning Director, reporting on communication from Frank C. Owen - referred to him by the Council August 11, 1955 - was presented. The Rick letter was read. It has to do with property on Point Loma bounded by Catalina Boulevard, Talbot and Canon Streets. Report says that area was originally placed in residential zone in 1924 (Zone A) and again in 1932 (Zone R-1); in 1937 frontage along Talbot Street and Catalina Boulevard was placed in RC for depth of 100 feet, leaving rest of property in R-1. It states that on December 27, 1950, City denied zone variance for service station on Talbot Street; May 2, 1955, owner filed petition for zone variance to use R-1 portion for parking in connection with proposed shopping center on RC portion. It says that after a number of protests were received, owner withdrew request for zone variance and his offer to dedicate 10 feet to widen Talbot Street; that on May 25, 1955 Board of Zoning Adjustment tabled matter for 6 months. The report states that on August 1, 1955 JMB. Development Company, 5233 El Cajon Avenue, and Reis Construction Company, 5234 El Cajon Avenue, filed plans for commercial building 100 feet x 170 feet, together with off street parking space for 97 cars in RC; plans are being correct to meet zone requirements and are being processed by Building Inspection Department, and it is expected that permit will be ready for issuance soon. The communication says that one important feature involves widening of Talbot Street. It says that unless the City decides to move on widening Talbot, the owner proposes to build a 6-foot high wall along the street frontage. It says that in view of fact that the Department once asked owner to dedicate 10 feet for widening Talbot, it is it is considered that future traffic requirements will show need for widening - but it cannot be expected that owners dedicate land unless they receive compensation. It says that the Owen's letter asks the City to rezone RC property to R-1, but he has stated to Mr. Rick that he and neighbors would protest super market but would not object to small store or group of small stores. The communication says it is believed that the Commission and Council in adopting RC it was intention to use property for small neighborhood shopping center, but nothing was written into the ordinance limiting size of structure. It says City Attorney's office does not believe permit could be refused if plans comply with RC conditions.

Councilman Kerrigan said that if the City wants a street, it should buy the property.

Mr. Blom said that it is up to the City to acquire the property. He said that there is a way to do it. He recommended filing the petition. He pointed out that site grading is being done.

Councilman Curran said that the area had been discussed by City Beautiful, and that survey had been made of people in the area had been made. He contended that there is nothing the City can do.

Councilman Kerrigan said that nothing could be done, unless the City needs the property.

Councilman Curran spoke to Alan Firestone, Deputy City Attorney.

Mr. Firestone said that it is a dangerous thing regarding setbacks to acquire property. He said it is not clear if setback is proper in C Zone. He said that if Planning is talking about widening the street, it ought to so plan.

Mr. Blom said that plans are being modified to comply.

Councilman Curran said that a report should be obtained from the Engineer regarding acquisition.

Councilman Schneider moved to refer the item to the City Manager for investigation, and for notification to the owners. Motion was seconded by Councilman Kerrigan.

P. Q. Burton, from the Planning Department, said that the Major Street plan calls for 80 feet, there are requirements for dedication on a portion.

RESOLUTION 128124, referring to the City Manager for report the question of property on Point Loma Bounded by Catalina Boulevard, Talbot and Canon Streets for investigation of development, need for street widening, and for notification to owners of the property in connection therewith - in connection with communication from Frank C. Owen, attorney at law, 1944 Cable Street, San Diego 7 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

There was discussion between Councilmen and Acting City Manager E. W. Blom regarding Hancock and Major Street Plan. There was no action.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 11:38 o'clock A.M.

FRED W. SICK, City Clerk

By August M. Hadston Mayor of the City of San Diego, California  
Deputy

128124



## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, August 23, 1955

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail  
Absent---Councilman Burgener  
Clerk----Fred W. Sick

Ordinances and Resolutions for this meeting are recorded on Micro-film Roll 100.

At the request of the Mayor, all arose for the invocation which was given by Father Gregory Sheridan, pastor of St. Jude's Shrine.

The Minutes of the Regular Council Meetings of Tuesday, August 16, and Thursday, August 18, 1955, were approved without reading, after which they were signed by the Mayor.

The Purchasing Agent reported in writing that 6 bids had been received and opened Friday, August 19, 1955, for improvement of Kurtz Street, Rosecrans Street, et al, under 1911 Act proceedings, was presented.

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

Purchasing Agent reported in writing that 4 bids had been received and opened August 19, 1955, for improvement of Macaulay Street and Willow Street, under 1911 Act proceedings, was presented.

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

Purchasing Agent reported in writing that bids had been received and opened August 19, 1955, for improvement of Warrington Street, under 1911 Act proceedings, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, finding was made that bids had been opened as reported, and they were referred to City Manager and 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 127511 for paving and otherwise improving Alley Block 6 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 presented.

On motion of Councilman Curran, seconded by Councilman Williams, proceedings were referred to City Attorney.

Invocation  
Meeting convened  
Minutes approved  
Reports on 1911 Act Bids

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127634 of Preliminary Determination for improvement of Alley Block 274, Pacific Beach, 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 128125, determining that paving and otherwise improving Alley Block 274 Pacific Beach, Resolution 127634 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127635 of Preliminary Determination for improvement of Commercial Street, Alley Block 317 San Diego Land and Town Company's Addition, Hensley Street, 28th Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

RESOLUTION 128126, determining that paving and otherwise improving Commercial Street, Alley Block 317 San Diego Land and Town Company's Addition, Hensley Street, 28th Street, Resolution 127635 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127636 of Preliminary Determination for improvement of 63rd Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

RESOLUTION 128127, determining that paving and otherwise improving 63rd Street, Resolution 127636 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing for furnishing current in San Diego Lighting District No. 2, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

RESOLUTION 128128, confirming and adopting as a whole San Diego Lighting District No. 2, filed in office of City Clerk July 15, 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 continued hearing on Assessment 2382 made to cover costs and expenses of paving and otherwise improving Alleys Block 12 Normal Heights, Resolution of Intention 118275;

RESOLUTION 128129, confirming and approving Street Superintendent's modified and corrected Assessment 2382 made to cover costs and expenses of paving and otherwise improving Alleys Block 12 Normal Heights, Resolution of Intention 118275; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment Roll 2385 made to cover costs and expenses of paving and otherwise improving portions of 45th Street, Ocean View Boulevard, Elizabeth Street, Resolution of Intention 120006, the Clerk reported no protests or appeals.

The Mayor inquired if anyone was present to be heard.

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

Letter from Superintendent of Streets asking for modification of the assessment roll, was presented. It states that sewer lateral is to be omitted from 1 lot and sewer lateral to be added on another. It asks for continuance of hearing until Thursday August 25, 1955, to correct and modify the assessment.

RESOLUTION 128130, directing Street Superintendent to modify Assessment 2385 made to cover expenses of paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, Resolution of Intention 120006; continuing hearing on the Assessment until 10:00 o'clock A.M., Thursday, August 25, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2386 made to cover cost and expenses of installation of sidewalks on Tipton Street, Rincon Street and Ewing Street, Resolution of Intention 121403, the Clerk reported no protests.

RESOLUTION 128131, confirming and approving Street Superintendent's Assessment 2386 made to cover cost and expenses of installation of sidewalks on Tipton Street, Rincon Street and Ewing Street, Resolution of Intention 121403; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in office of Street Superintendent the warrant, diagram and assessment, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Councilman Burgener entered

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2387 made to cover costs and expenses of paving and otherwise improving Long Branch Avenue and Spray Street, Resolution of Intention 119347, the Clerk reported written appeal (in the form of a number of questions).

The City Engineer said that information is requested.

Councilman Curran moved to overrule the appeal; it was seconded by Councilman Burgener. Councilman Burgener moved to confirm the assessment; it was seconded by Councilman Schneider.

RESOLUTION 128132, overruling and denying appeal of Lilla B. Bailey from Street Superintendent's Assessment 2387 made to cover costs and expenses of paving and otherwise improving Long Branch Avenue and Spray Street, Resolution of Intention 119347; 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 Burgener, seconded by Councilman Schneider, adopted.

The next item, which had been continued from the meeting of August 16, 1955, was presented again.

It was report from Purchasing Agent submitting Resolution accepting of Shaw Sales & Service Co. (the next-to-low bid, of 3 bids) for furnishing 1 Allis-Chalmers HD-20 Tractor Bulldozer at net bid price of \$21,422.00 plus State Sales Tax - replacement of motive equipment.

On motion of Councilman Evenson, seconded by Councilman Schneider, to disapprove the recommendation, the roll call was as follows: Yeas--Councilmen Gurgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays--Councilman Kerrigan. Absent--None.

Report of Purchasing Agent, approved by City Manager, on low bid of

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Los Angeles Chemical Company for furnishing 10 tons of Sodium Polyphosphate @ \$11.37 per cwt., or total of \$2,274.00 plus State Sales Tax, was presented. Report says that as Los Angeles Chemical Company maintains a branch office and warehouse in San Diego, and has requested 5% preference for low bidder, and since the company is tied with Braun Corporation for low bid, recommendation for award is to Los Angeles Chemical Company.

RESOLUTION 128133, accepting bid of Los Angeles Chemical Company for furnishing 10 tons of Sodium 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 Williams, adopted.

Communication from Purchasing Agent reporting on low bid of Acme Pipe Company of San Diego - 4 bids - for furnishing approximately 10,000 lineal feet 6" and approximately 5,000 lineal feet 8" Cement Asbestos Pipe together with Fittings at total price of \$30,503.16 terms net, plus State Sales Tax, was presented. It says Acme Pipe Company and Crane Company of San Diego were c-low bidders with identical prices; recommendation for award was decided by lot.

RESOLUTION 128134, accepting bid of Acme Pipe Company for furnishing Cement Asbestos Pipe together with Fittings; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent on bid of Machinery Sales Company of Los Angeles for furnishing 1 Twist Drill Grinder at \$1,522.25 plus State Sales Tax, for additions to Shop Equipment, was presented. There were 2 bids received.

It says bid of Acme Tool & Supply Company at \$335.00 and \$340.00 is based on furnishing equipment not in conformance with City specifications and inadequate for City use; equipment offered by Machinery Sales Company at \$1,522.25 plus State Sales Tax meets specifications and is \$777.75 less than amount budgeted.

On motion of Councilman Curran, seconded by Councilman Williams, the item was continued 1 week - to August 30, 1955.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, in connection with revised tentative map of Cabrillo Village, a 230-lot subdivision of portion of Lots 21, 22, and 34 New Riverside, was presented.

RESOLUTION 128135, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.17-c of San Diego Municipal Code in connection with revised tentative map of Cabrillo Village, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of revised tentative map of Cabrillo Village, located on Kearny Mesa, northerly of Wherry Housing Project of Cabrillo Heights, southerly of Montgomery Field, easterly of Afton Road and bisected by Sandrock Road (Palm Avenue), was presented. It says the Tentative map of the subdivision was recently approved on May 26, 1955, by Resolution 126522; that revised tentative map was necessitated by certain requirements of F.H.A. It recommends approval, subject to 13 conditions.

RESOLUTION 128136, approving revised tentative map of Cabrillo Village, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion San Diego Municipal Code in connection with tentative map of Euclid Terrace, a 12-lot subdivision of portion Lots 44 and 45 Las Alturas Villa Sites, was presented.

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RESOLUTION 128137, suspending Sections 102.11-2, 102.17-c of San Diego Municipal Code in connection with tentative map of Euclid Terrace, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Euclid Terrace, located on northerly side of Olvera Avenue, easterly of Euclid Avenue, adjacent to Euclid Manor and Donna Estates Subdivisions, subject to 7 conditions, was presented.

RESOLUTION 128138, approving tentative map of Euclid Terrace, subject to 7 conditions, was on motion of Councilman Williams, 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 Hartley's Muirlands Estate, a 1-lot subdivision of portion Pueblo Lot 1256, was presented.

RESOLUTION 128139, suspending Sections 102.11-1, 102.17-c of San Diego Code in connection with tentative map of Hartley's Muirlands Estate, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Hartley's Muirlands Estate, located adjacent to Muirlands Acres Unit No. 2, northerly of Buckingham Drive, along proposed Calle Majorca, subject to 7 conditions, was presented. It says that area is within area served by Muirlands Outfall under Sec 64.25 of San Diego Municipal Code. It reports that Dr. Hartley has made cash contribution of \$500.00 toward cost of sewer.

RESOLUTION 128140, approving tentative map of Hartley's Muirlands Estate, was on motion of Councilman Williams, seconded by Councilman Schneider - subject to conditions of Resolution - was adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of revised tentative map of Judkins Estate, a 4-lot subdivision of portion Block 2 Amalfi, located on Torrey Pines Road between Princess and Charlotte Streets, adjacent to La Jolla Vista, was presented. It states that it was approved as a tentative map of 2 lots; this is 4-lot. Recommendation for approval is subject to 5 conditions.

RESOLUTION 128141, approving revised tentative map of Judkins Estate, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Naso Park, a 5-lot subdivision of Lots 1 through 4 Block 26 Sunset Cliffs, was presented.

RESOLUTION 128142, suspending Sections 102.11-1, 102.17-c of San Diego Municipal Code in connection with Naso Park, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Naso Park, subject to 5 conditions, was presented. It identifies property as adjacent to Spalding Park and the Pacific Ocean, bounded by Cordova Drive, Sunset Cliffs Boulevard and Hill Street, adjacent to Azura Vista

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Housing Project. It reports that subdivider proposed at first to divide the block into 7 lots, but that at a Planning Commission hearing held July 27, 1955, a compromise was proposed to reduce number of lots to 5, since most of lots in the area are considerably larger than lots proposed by subdivider. It states that compromise plan was accepted by both subdivider and protestants.

RESOLUTION 128143, approving Tentative Map of Naso Park, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map of Tommasa Subdivision Unit 2, a 10-lot subdivision of portion Lot 24 La Mesa Colony, was presented. RESOLUTION 128144, suspending Section 102.17-c in connection with tentative map of Tommasa Subdivision Subdivision Unit 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Tommasa Subdivision Unit 2, subject to 12 conditions, was presented.

RESOLUTION 128145, approving Tentative Map of Tommasa Subdivision Unit 2, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Acting City Manager, reporting on petition of Harold G. Krag and Harold W. Scoville, requesting that Section 62.11 of Municipal Code, regulating painting of house numbers on curbs in certain respects, was presented. It states that request was referred to Police Department for recommendation, since the department regulates the operation. The communication states that the Police Department opposes the suggested amendments for the several reasons stated. Also, it says that there is little or no public demand for house numbers on curbs and there is small advantage in having them there. It reports that a parked car hides the number, most houses are adequately numbered on the structure, and there is nothing to be gained by curb numbering. The Police Department recommends, and City Manager's office concurs, that there be no change made in existing regulations governing the operation.

Councilman Curran moved to deny the request.

Councilman Burgener said that there was a man here (Harold G. Krag, one of the petitioners).

Mr. Krag came to the microphone.

The report of the Acting City Manager was read by the Clerk to the Council.

City Manager O. W. Campbell said that the Council is familiar with the activities, which have been a continuing problem. He told of requirements which the petitioners want upset.

Mr. Krag agreed that some house number painters have made themselves obnoxious. He said that his group has done this successfully in several cities, and has just finished in Coronado. He said that operation has not been obnoxious. Mr. Krag said that this would be a test or trial as in other cities. He told the Council that they would leave a card a couple of days before the painting; if no card is left out marked, they proceed with the painting, and the householder can contribute if they wish. He stated that there are many who are not contacted. He stated that this painting is uniform, and that most like it; police, doctors and fire departments like it.

Councilman Burgener referred to the present requirement, and said that the main difference is getting the owners' consent. He pointed out that many have been penalized by operations in the past.

Mr. Krag said that many cities require performance bonds, and that it can be controlled. Answering Councilman Burgener, he said that they have not worked under the Code as written.

RESOLUTION 128146, adopting recommendation of Acting City Manager



that no change be made in existing regulations governing painting of house numbers on curbs; denying petition of Harold G. Krag and Harold W. Scoville requesting permission to paint house numbers on curbs, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Copy of letter from T. M. Heggland, Chief Administrative Officer of the County of San Diego, August 4, 1955, addressed to Board of Supervisors, was presented. It recommends adoption of an ordinance amending (County) Ordinance 1189 N.S. by adding Section 3.1 regulating parking of motor vehicles by officers and employees - in the north parking lot of the Civic Center - which would parking for "City" cars in the "County" lot.

Councilman Schneider moved to refer the letter, together with the attached Ordinance 1499 (New Series) to the City Manager.

The City Manager stated that this is just informational. He said that the north lot has adequate space; the south lot is used for parking by the public.

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

Postal card from Marion E. Kennedy, 7640 Hillside Dr., La Jolla, undated, pleading with the Council not to put the new auditorium downtown for reasons stated, and urging building on an undeveloped site, was presented.

Councilman Curran said that there is going to be a conference on this subject (the Stanford Research Institute's recommendation for 4-block area for convention hall, etc.)

Mayor Dail said that the Council is going to take action, and this should be referred to Planning.

Councilman Kerrigan moved to refer the item to City Manager and Planning Commission.

The City Manager said that it would have to be in the master plan

Councilman Schneider moved to refer it to Planning.

Councilman Kerrigan said that determination does not have to be immediate.

The City Manager said that the Council should express interest - then refer to Planning.

Councilman Curran said this should be place to put these items.

The City Manager then said it should be referred to Conference. He said that it should be checked out regarding value of land. He told the Council that it had been "taken on the assessed valuations". The Manager stated that the report creates indifferent value. He declared that it should be pinned down, and property owners "should not be up in the air".

Councilman Kerrigan said that if the Council files it, the Clerk will file it and have custody. He said that when the Council has a conference on the subject, they can ask the Clerk for the file.

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

(The Clerk was requested to refer future items on the subject to a file, to be available to the Council when called for).

Communication from Kimball and Smith, by Ned A. Kimball, attorneys at law, 626 San Diego Trust & Savings Bldg., dated August 18, 1955, referring to previous letter which was referred to the City Manager, regarding objection by City Traffic Engineer to left-hand turn signal at intersection of Grand Avenue and Pacific Highway, was presented. (Mr. Burgener did not say of what he had been advised).

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

Communication from Fred W. Payton, 738 Temple Street, San Diego 6,

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expressing favorable impression by recent efforts to inaugurate an effective clean-up and anti-litter campaign in San Diego, was presented. It says it might be well to consider use of City Jail inmates on clean-up details if investigation showed it would be feasible. It also requests opportunity to outline views to the Council at first opportunity.

Councilman Schneider asked if the suggestion is possible.

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

Communication from Alma Skinner, 7044 Monte Vista, La Jolla, voicing objection to proposed recreational project as outlined in the San Diego Union, was presented. It expresses objection to "needless expense of condemning the property in that area". (It is presumed that the letter refers to the civic auditorium, convention hall, etc. on which study was made by Stanford Research Institute).

The letter was read.

Councilman Curran stated that it is a companion piece to item 29 on today's agenda (letter from Marion Kennedy).

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

RESOLUTION OF AWARD 128147, accepting bid of John B. Henry, and awarding contract 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.

City Engineer reported in writing that low bid is 4.7% below estimate.

RESOLUTION OF AWARD 128148, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Morrell Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 5.3% below estimate.

RESOLUTION OF AWARD 128149, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract, 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.

City Engineer reported in writing that low bid is 10.4% below estimate

RESOLUTION 128150, approving plans, drawings, typical cross-sections, for paving and otherwise improving Alley Block 49 Ocean Beach; approving Plat 2763 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 128151, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sidewalks on Grape Street, Sultana Street, 54th Street; approving Plat 2757 showing exterior boundaries of district to be included in assessment for work and improvement, directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 128152, approving plans, drawings, typical cross-sections,

profiles and specifications for paving and otherwise improving San Fernando Street; approving Plat 2759 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 128153, for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue; 41st Street, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 128154, 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 128155, for paving and otherwise improving Gaines Street, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 128156, for paving and otherwise improving Saranac Street and 67th Street, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 128157, for paving and otherwise improving Thomas Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 128158, for paving and otherwise improving Valle Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128159, for paving and otherwise improving Alley Block 49 Ocean Beach, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128160, for paving and otherwise improving Grape Street, Sultana Street and 54th Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128161, for paving and otherwise improving San Fernando Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128162, directing notice inviting sealed proposals for electric current for Loma Portal Lighting District No. 1: 11 months and 4 days from and including June 28, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128163, ascertaining and declaring wage scale for paving and otherwise improving Northwesterly and Southeasterly Alley in Fort Stockton Heights, between southeasterly line of Hortensia Street and northwesterly line of Witherby Street, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128164, ascertaining and declaring wage scale for paving Landis Street, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128165, ascertaining and declaring wage scale for paving and otherwise improving Wunderlin Avenue, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128166, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in Pacific Beach Lighting District No. 1: 11 months and 27 days from and including November 5, 1955, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128168, approving diagram of property affected or benefited by work of improvement to be done on paving portions of Carleton Street, Plum Street and Dickens Street, Resolution of Intention 121184, 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 certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

directing City Engineer to furnish  
RESOLUTION 128169, approving diagram of property affected or benefited by work of improvement to be done on paving Northerly and Southerly Alley Block 262 Pacific Beach, and Easterly and Westerly Alley Block 262 Pacific Beach, Resolution of Intention 124571 and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, recommending that proceedings be amended for improving portions of Sterling Court, Landis Street, et al, to include additional improvements in portion of 52nd Street, was presented.

RESOLUTION 128170, adopting recommendation of City Engineer, Document 518945; authorizing City Engineer to amend proceedings for improvement of portions of Sterling Court, Landis Street, et al, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Street Superintendent recommending 120-day extension of time on Al E. Riley, Inc. contract for paving and otherwise improving Alley Block 1 Wilshire Place, was presented.

RESOLUTION 128171, authorizing Street Superintendent to grant Al E. Riley, Inc. a 120-day extension of time for completion of contract for improvement of Alley Block 1 Wilshire Place, recommendation Document 518974, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128172, granting Richard Lock permission to install sanitary sewer in North Avenue, from 69th Street easterly for approximately 200 feet, by private

contract, under Document 518674, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128173, authorizing and empowering City Manager to do all work in connection with construction of sprinkler system at Pacific Beach Community Center, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128174, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with The County of San Diego, that portion of San Diego Police Station shown on City Property Division plats 145 and 146 dated August 6, 1953, for 2 years beginning August 1, 1955 at \$416.67 per month, leased by County from City for purpose of municipal court, bail office, matrons' quarter, and judges' quarters, Document 519160, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128175, authorizing and directing San Diego Gas & Electric Company to install 2 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128176, authorizing and directing San Diego Gas & Electric Company to install 7 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128177, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southerly half of Lot 4 and all Lot 5 Block 3 Asher's Clover Leaf Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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 Curran, adopted.

RESOLUTION 128178, approving Change Order 1, dated August 11, 1955, Document 519092, issued in connection with contract between The City of San Diego and Royal Pipeline Construction Co. for installation of Small Water Main Replacements, Group 18; contract increased in amount of \$121.38, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128179, granting permission to California Elks Association, B.P.O. Elks No. 168, 168 Broadway, San Diego, to erect and maintain tent 20' x 40', and canopy 10' x 40' for handling registration on property of Elks Lodge 2720 4th Avenue, from October 2 to October 8, 1955, during 41st Annual Convention of California Elks Association, subject to condition of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128180, authorizing and empowering the City Auditor, subject to consent in writing of the City Attorney, to destroy records in his office which are more than 5 years old and have served their purpose, and are no longer required -

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as listed in the resolution - was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128181, approving bill of San Diego Convention and Tourist Bureau, August 16, 1955, for payment in sum of \$675.74 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1955-1956, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128182, authorizing and empowering Mayor and City Clerk, for and on behalf of, and as act and deed of The City of San Diego, to execute quitclaim deed quitclaiming to United States of America Housing and Home Finance Agency Public Housing Administration, all City's right, title and interest in Lots 2 to and including 20 Block 32 Linda Vista Unit No. 5, excepting 10-foot pedestrian walkway on Lots 7 & 8; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to deliver it to Public Housing Administration when he shall have received from the Public Housing Administration a deed conveying property required by the City, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution states that U.S.A. Housing and Home Finance Agency Public Housing Administration conveyed to The City of San Diego portion of Pueblo Lot 1189 situated in Linda Vista, for conducting a 'boys' club; subsequent to conveyance subdivision of property, Linda Vista Unit No. 5 disclosed slight discrepancies in distances and bearings shown on original deed, that they are insignificant and do not in any affect the City's interest in and to the property; in order to correct discrepancies and overlapping between the deed and the subdivision map, the City should quitclaim the property and receive in exchange a quitclaim deed to Lot 26 Block 32 Linda Vista Unit 5 which covers all of property conveyed to City in above-mentioned deed excepting the discrepancies. It says the City Manager has recommended that the City effect the exchange.

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

ORDINANCE 6625 (New Series), amending San Diego Municipal Code by adding new section to be numbered 63.17.11 regulating use of Tows and Towing Vessels within the San Diego Bay - and repealing Ordinance 6609 (New Series), was on motion of Councilman Burgener, 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 in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE 6626 (New Series), appropriating \$4,600.00 from Capital Outlay Fund, for purpose of providing funds for acquisition of portion Lot 14 in Miramar Terrace, in connection with improvement of Fay 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 Williams, seconded by Councilman Kerrigan, the next ordinance was introduced.



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

ORDINANCE 6627 (New Series), appropriating \$3,000.00 from Unappropriated Balance Fund, for providing funds for producing a 30-minute color film, complete with sound, of Mission Bay area, in accordance with agreement to be entered into between Film Laboratories of Hollywood, California, and The City of San Diego, was on motion of Councilman Williams, seconded by Councilman Kerrigan, was adopted, 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 Kerrigan, Ordinance changing name of portion of 67th Street to Rosenfield Drive and portion of Rosenfelt Drive to 67th Street, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

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

ORDINANCE 6628 (New Series), appropriating \$3,190.00 from Unappropriated Balance Fund of The City of San Diego, and transferring same to "Personal Services", City Council Fund, for providing funds for payment of salary of 1 intermediate stenographer clerk in the City Council Office from August 1, 1955, to June 30, 1956, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

RESOLUTION 128183, being a Resolution and Order of The City Council of The City of San Diego electing to pay out of municipal funds all of amount of tax which would otherwise be levied upon property within the City of San Diego by and for Metropolitan Water District of Southern California, for Fiscal Year beginning July 1, 1955, and ending June 30, 1956, and providing for payment thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Resolution was introduced under Unanimous Consent to the City Manager.

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

RESOLUTION 128184, requesting Public Utilities Commission, State of California, to grant application of San Diego Transit System for authority to re-route line 10 in downtown district of The City of San Diego; directing City Clerk to forward copy of Resolution to Secretary of Public Utilities Commission of State of California, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

He submitted letter from the International City Managers' Association, 1313 East 60th Street, Chicago 37, dated August 19, 1955. It requested, on behalf of the program committee, a brief report at annual business meeting of ICMA on Friday evening October 7 on work of National Committee on Urban Transportation.

The City Manager told the Council that he had received the request for his participation, that he has a resolution for Council consideration. Asked for details, the City Manager stated that it is a meeting of managers, on professional problems - somewhat like the League.

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

Councilman Burgener spoke of a handbook having been just prepared.

The City Manager said it is for the purpose of giving a report on urban transportation, and he had the letter yesterday.

Councilman Williams said that it would be an advantage.

The City Manager said that it is like the League, and the Bar Association, and that a lot of things are always learned. He said that San Diego is kind of an example city (regarding urban transportation).

Mayor Dail said that it can be evaluated on what the City gains.

Councilman Williams stated that it would be interesting for the City Manager to brief the Council, when he returns.

The roll was called, resulting in

RESOLUTION 128185, authorizing O. W. Campbell, City Manager of The City of San Diego, to attend annual meeting of International City Managers' Association, to be held at Bretton Woods, New Hampshire, October 5, 6, 7, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The next 2 items were brought up, not on the agenda:

RESOLUTION 128186, accepting the report made by Stanford Research Institute, Stanford, California, in connection with Resolution 122862 adopted February 24, 1955, which authorized City Manager to enter into agreement for furnishing a definite plan and report in writing as to appropriate program to be followed by the City in acquisition, construction and completion of a sports arena, legitimate theater and convention hall, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128187, referring to Council Conference the report made by Stanford Research Institute, Stanford, California, relative to acquisition, construction and completion of a sports arena, legitimate theater and convention hall, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

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

Mrs. Gertrude Paradise, 1835 Republic Street, appeared to talk about chickens. She spoke of having been "fooled by the Ordinance 1 time". It is worse now, she stated. She told of having had a petition (to eliminate chicken business operated by "Mr. Butts", which had been referred to City Manager July 7, 1955, by the Council). Mrs. Paradise told of having called the Board of Health, and said that situation complained of is gone by the time investigation is made. She told of pile of manure in front yards. She said that as a result of the condition, homes can't be sold.

Mayor Dail spoke of the Council having an ordinance up for consideration of how long there can be operation under non-conforming uses.

Alan Firestone, Deputy City Attorney, told of having conducted an investigation in the matter. He said that the Health Department had investigated and reported. He stated that individual against whom complaints have been made, is operating within his rights. He said that there is no way of determining the size of operation before Ordinance was adopted. Mr. Firestone said that the only the situation can be attacked is by Health Department investigation, and action taken by the City Attorney. He said that action could be taken regarding non-conforming use, but that it would be difficult to determine the size of operation for such an action. He said that the Council could adopt a general ordinance regarding general time use when operation would have to be discontinued. He said that it could be attached on that basis. Mr. Firestone said that there is now a State law on non-conforming uses. He told the Council that there would be the matter of amortization,

in connection with not suffering. He stated that the operator has portable coops, which could be moved. He said that time could be shortened. Mr. Firestone told of a gas tank use in the east, for 2 years' allowance for discontinuance. He said that the Los Angeles City and County ordinance could be used as an example.

Councilman Schneider said that he has been out, and found that the folks are in distress. He said that when a complaint goes in, action is slow and case is relieved. Mr. Schneider said that the City should help the folks. He said that it should be coordinated with the Health Department, to help the problem.

Councilman Curran said that the people have a problem, and should be given a definite answer. He charged that this has been pushed back and forth. He said that people have not been told that nothing can be done. Mr. Curran said that even if operation were cut down to 2 years, they would still have to smell the stuff, and would have it over their yards.

Councilman Williams asked if Health Department had given a report. Mayor Dail replied "yes".

Councilman Williams said that it is a question of being a nuisance; it is a nuisance as far as he is concerned.

Mr. Firestone stated that the Health Department had conducted an investigation and made findings. He said that it had been declared to be no health problem, but a private or public nuisance. He said that there should be an open hearing. He said that the condition could be declared, and that the Council could do nothing until it has been declared to be a nuisance.

Mayor Dail said that City Attorney J. F. DuPaul had stated that it depends on officers of the City. He said that it fell back on abatement, on the non-confirming ordinance.

Councilman Burgener asked why not pursue both methods.

The Mayor said that can be done. He said Butts comes up with an attorney. He referred to a "weak letter". He said that over years residents have been affected. The Mayor declared that "it is an outrage", but that Council's action has to be legal.

Mrs. Paradise said that Mayor Dail had told Mr. Buttes that he should not build more, but that he does. He said he is piling manure, and will not put on other land on account of labor cost.

Councilman Kerrigan said that this is regarding the final removal, and that the Council can't remove the operation.

Mrs. Vaughn told the Council that it is a health nuisance. She said that the Health people will testify, but not force the operator out. She said that the Council should have a meeting with the Board of Health.

Councilman Curran said that there is a great deal of difference in impressions. He asked if it would be feasible to refer the question to Conference.

Mayor Dail said that Dr. Askew should quote himself in a hearing.

Councilman Kerrigan said that the Council is going to have to depend on a court for decision. He said that the Council has to decide about the evidence. He asked what would be gained if a court says "no".

There was discussion between Councilman Kerrigan and Mrs. Vaughn regarding the Health Officer.

Mrs. Paradise said that she had a private attorney who wrote out that Mr. Butts could be brought into court regarding being a public nuisance.

Mrs. Vaughn spoke to Councilman Kerrigan regarding violation of the noise ordinance.

Councilman Williams said that the Council will have to set a date for a hearing. He said that all interested parties should be present; to determine what avenues are open to the Council.

Councilman Williams moved to hold a hearing on September 15, 1955, at 10:00 o'clock A.M. Motion was seconded by Councilman Burgener (hearing time was changed, by motion and second, to 2:00 o'clock P.M.).

RESOLUTION 128188, setting hearing for 2:00 o'clock P.M. Thursday, September 15, 1955, on the chicken operations of Olin C. Butts, 6230 Tooley Street, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Councilman Curran spoke of letter from Mrs. Vaughn. He filed it with the Clerk.

Discussion continued on this subject, when Councilman Burgener said that it could be found to be a public nuisance, but not a health nuisance.

Mr. Firestone pointed out to the Council that a court might say that

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the operation may remain, if the operator cleans up the place. He said that he can't guess what a court would do.

Councilman Evenson spoke to Mr. Firestone regarding expansion.

Mr. Firestone said that it is a question of fact, based on testimony.

Mr. Butts cannot enlarge his operation, he has been told, according to Mr. Firestone. He pointed out that in the poultry business there are seasonal operations. He said that there might have been a seasonal low at the time of investigation. Mr. Firestone said that is a tough problem, which the people and the Health Department have to estimate.

Mayor Dail pointed out that the operator has built up additional facilities.

Councilman Williams spoke to Mr. Firestone regarding possibility of Council direction being a jeopardy. He asked if it would be well to pursue the question of limiting the operation.

Mr. Firestone pointed out that it is a Council policy, covering general over-all use.

Councilman Williams said it might be well to have an ordinance regarding time limitations.

Mr. Firestone repeated that it is a policy matter, and said that it is "legal as an opinion says". He said he felt that an opinion should not be expressed. He said that it is legal to do (it not being clear if he meant to permit the operation, or to limit it).

Mayor Dail said that the Council could have another hearing, but that would not be well. He said that this is the only complaint. He said that it had been set out regarding zones where operations are non-conforming.

Councilman Williams spoke to Mr. Firestone regarding non-conforming uses.

Mr. Firestone stated that Los Angeles City and County have an ordinance on the subject, which has been adjudicated.

Councilman Curran stated that the City has been working on the non-conforming uses. He said that it has ramifications beyond "this" (the chicken operations).

Councilman Burgener pointed out that there had been action on the first motion, and that it might be well to act on the other phase.

RESOLUTION 128189, directing the City Attorney to brief the Council, in Conference, regarding an ordinance such as in effect in Los Angeles City and County, in connection with non-conforming uses of property, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Councilman Schneider said that the Council has had information from the Civil Service regarding Rule X.

Mayor Dail said that the City Manager has been asked for a report.

There was no action.

A man, who was not identified, came to the microphone and thanked the Council for its action on item 5 on today's agenda. (It was the hearing on Resolution 127635 of Preliminary Determination for paving and otherwise improving Commercial Street, Alley Block 317 San Diego Land and Town Company's Addition, portions of Hensley and 28th Streets).

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:05 o'clock A.M.

The Mayor announced that the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Charles D. Dail*  
Mayor of The City of San Diego, California

Hearing (unscheduled) on  
the Chicken ordinance & operation  
128189  
Comment re Rule X  
Comment from unidentified man

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, August 25,  
1955

Present--Councilmen Burgener, Williams, Schneider, Curran, Evenson  
Absent--Councilman Kerrigan (out of town on City business), Mayor Dail  
Clerk---Fred W. Sick

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

Resolutions and Ordinances are recorded on Microfilm Roll No. 100

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2385 made to cover costs and expenses of paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, which had been continued until this date at request of the Street Superintendent for correction -

RESOLUTION 128190, confirming and approving Street Superintendent's modified and corrected Assessment 2385 made to cover costs and expenses of paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, Resolution of Intention 120006; authorizing and directing Street Superintendent to attach warrant thereto and issue same in manner and form provided by law; was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Mayor Dail entered the meeting and assumed duties of Chairman.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on petition to rezone portions of Lots 4 and 12 Ex-Mission lands, located on south side of Home Avenue east and west of Fairmount Avenue from R-1 Zone to C-1A Zone, the Clerk reported no protests.

Communication from Planning Commission, by P. Q. Burton, forwarding petition for proposed rezoning of approximately 10 acres, was read to the Council. It states that property lies in a canyon with only enough width to develop 1 or 2 tiers of lots along Home Avenue. It reports that a 50-foot wide strip of land in bottom will have to be used for stream channel. The communication says that within one-half mile of the intersection are probably between 300 and 400 houses, that some are closer to existing C zones than they are to this intersection and some of them, especially on north side of Home Avenue would probably have to drive through existing C Zone on Fairmount Avenue in order to get to proposed business center at Home and Fairmount Avenues. It says that it was also pointed out by the Planning Department that there are existing C Zones between 3,000 and 4,000 feet away in both directions on Home Avenue and approximately same distance north and south on Fairmount Avenue. It reports 3 protestants to the rezoning. For the reasons given, it states that Planning Department recommended that proposed C zoning be reduced in area to fit needs of neighborhood. As a result, proposed C-1A zone was reduced to approximately 2 acres. It says that after proponents of rezoning had given reasons for their request, the Commission reduced proposed business center by about 2 acres and changed some of the C-1A zone to CP, as shown on Plat B-664.1, with approximately 2.3 acres of C-1A Zone and approximately 1.4 acres of CP. The report states that acreages are computed after deducting from proposed rezoning unusable areas composed of hillside to the south and 50-foot drainage channel at foot of south slope.

Beryl Phelps, engineer, told the Council of having final map of subdivision ready to file.

Hearing was closed on motion of Councilman Schneider, seconded by Councilman Williams.

RESOLUTION 128191, requesting City Attorney to prepare and present

Meeting convened  
Communications  
Hearings  
128190



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ordinance for rezoning portion Lot 4 and portion Lot 12 Ex-Mission Lands, at Home Avenue and Fairmount Avenue, in accordance with Document 518444, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, the set for hearing on appeal of property owners from decision of Board of Zoning Adjustment granting permission to Earl B. and Constance A. Smith to use Lots 5 and 6 Block 196 Pacific Beach, on southerly side of Felspar Street between Cass and Dawes Street, in R-4 Zone, as parking lot in conjunction with paint store across alley on Lots 35 and 36, report of Zoning Administrator was read. It states that the Board made 5 conditions as outlined in detail, and made finding of facts.

Mr. Smith told the Council that he had talked with objectors, and that objections were only regarding cars coming. He contended that use of the lot would slow down traffic. He stated that objectors say that granting would form a pattern. He asked for the granting of permission to him.

Councilman Schneider asked if it would be for day-time use only.

Mr. Smith replied that it would be day-time parking, but that he had not intended to chain or police the lot. He contended that would not be necessary, due to sufficient parking at night.

Sam Dunaway told the Council that he is supporting Mr. Smith - as an old timer. He spoke of having talked to neighbors, and said that he hoped the Council would grant the permission. He said he has a lot of money involved.

Katherine Ammerman, 4371 Ohio Street, said that she has income property, and that she lives across from a parking lot on Ohio. She stated that if Mr. Smith puts on black top it will be expensive. Mrs. Ammerman stated that she goes out to the area twice a month, and that she can always park. She said that his customers could use the street, too. She stated that Mr. Smith had called her about buying property for another parking lot. She contended that the stores are small, and that 1 could be taken for a parking lot.

Mary Fazekas said that she lives next to Mrs. Ammerman (it developed, after questioning, that it is next door to Felspar Street property in Pacific Beach - not on Ohio Street). She spoke of having 1 building. Mrs. Fazekas apparently opposed use of the lot.

Mrs. Williams, who lives on Felspar, stated that she has 2 apartments, and is not in favor of the parking lot.

Dora Meyer said that she was speaking for Mrs. Luky and herself. She stated that they both object, in connection with having youngsters. She stated that traffic would be tremendous. She said she would not like the appearance. She said that even with landscaping it is a parking lot.

Antoinette Principe stated that she owns apartments; it would be too much noise, would be dangerous for children. She said it would be not good.

Esther Lovel said that it would decrease value of residences; if one gets in, others will.

Joseph Fazekas told the Council that he was objecting to the parking lot. He said it won't do good to have parking lot across the street. He said it is a residential section.

Councilman Williams asked to have the Smith pictures explained.

Mr. Smith explained them to Councilman Williams.

James Robbins (member of the County Board of Supervisors) told of his interest in the request and of having an 8-unit apartment on Felspar. He said that he does not see how that kind of property can be bought for a parking lot. He stated that he has over \$50,000 invested. He said there is a lot - 2 lots to the west - on which he has appealed to the City every year to have it cleaned. He said that it is a problem. Mr. Robbins said that if a parking lot is wanted in Pacific Beach, the place for it would be south of Garnet Street; not north of Garnet. He said that property south of Garnet is not so high (in price). He stated that there is a 1/2-block of parking behind the Penny Store, also at the Security Bank.

Mayor Dail left the meeting, and Vice Mayor Burgener took the Chair.

Mr. Robbins continued, by saying that this would be a detriment to the property. He said that granting would be a terrible mistake. He registered an objection.



The Vice Mayor pointed out that there might be objections made to statements by Mr. Robbins regarding the area south of Garnet.

Councilman Schneider spoke to Harry C. Haelsig, Asst. Planning Director (probably Acting Planning Director, since the Planning Director has retired recently). He said that next door there is commercial property. He asked if the property owner asked to rezone to C if there would not be a strong case to rezone.

Mr. Haelsig replied that the City "has to make a break somewhere". He said that the existing line has been the break for 20 years.

Councilman Schneider wondered if the objecting property would be better protected by a parking zone.

Mr. Haelsig said that it would be a buffer.

Dave South, Zoning Administrator, read the conditions attached to the variance which had been granted by the Board of Zoning Adjustment, at the request of Councilman Schneider.

Mrs. Ammerman appeared again, and said that Mr. Smith owns business lot on Felspar. She said he had tried to buy property from her for parking lot. She contended that if this goes in, it would be a lot of parking. She said that the Pacific Beach Business Club could go in south of Garnet and buy property for parking. She said that parking lot would be used at night by patrons of the Roxy Theatre. Mrs. Ammerman told of having to call the City to clean up the Carnation trash.

Vice Mayor Burgener spoke to Mr. South regarding commercial property south of Garnet.

Mr. South said that it is commercial, generally 100 feet each side from Cass Street. He said it would be a zone variance. He pointed out to the Council that the Commission has been trying to require off-street parking.

The Vice Mayor spoke about the law for parking use.

Councilman Schneider said that there are only 5 votes here.

Councilman Williams suggested polling the Council.

The Vice Mayor stated that it would need 5 votes to overrule the decision. He said he would be glad to look at the property, and has received no calls from either side to go out and look at it. He said he was inclined to go ahead with the objections. He said expression could be obtained from the Council. Mr. Burgener said it would extend the pattern for parking lot, but might not set a pattern.

Councilman Schneider asked the people who oppose the parking lot, know of the conditions imposed. He reviewed them. Mr. Schneider pointed out that it is a variance, instead of a change. He said that cars lose their rights for such parking if there is not a variance. He said that he is not convinced that other property will be harmed severely. He said that there could be stipulation regarding no night parking.

Councilman Williams told of having a feeling for both sides, and would be inclined to vote with the opposition. He said that there is the question of need.

Mayor

The Vice/ stated that either side can ask for continuance.

Mr. Robbins then asked for a continuance.

Councilman Schneider said that he would like to see the property.

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Mayor Dail returned, but did not take the Chair.

Councilman Schneider moved to continue the hearing 1 week. Motion was seconded by Councilman Evenson.

Mayor Dail brought with him a delegation from Mexico City, consisting Senator Jesus Yuren; members of trade groups; Manuel E. Garzon, Vice Consul from Mexico at San Diego. The Mayor told of the government in Mexico.

Senator Yuren made a lengthy statement, in Spanish, interpreted in part by Senor Garzon.

Senator Yuren then introduced each of the representatives present (there where 8 in addition to the Senator).

One of the group, Francisco Carballo S, expressed in English, thanks of the delegation for the welcome.

The Mayor left the meeting with the visitors, and returned almost immediately.

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The Council returned to the hearing, at which time Mr. Smith said that he is not trying to buy property to make money. He said that he is trying to look ahead, and asked for completion of the hearing today.

Hearing  
Mexico City visitors  
present during  
hearing

Councilman Williams stated that the Council is not in a position to say what is financially and economically sound. He said that this is on its merits regarding service to the community. He stated that he will look at the property.

Councilman Burgener, who no longer presided, after return of the Mayor, said that when either side requests a continuance it is definitely in order. He called for the question on the motion.

An unidentified man, who said he had tried to speak earlier but had not been recognized, was heard. He said that Mr. Smith's idea was a fine one.

The roll was called, and the hearing was continued 1 week - to Thursday, September 1, 1955.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of J. H. Barker for Walter Bollenbacher and Louis L. Kelton from the Board of Zoning Adjustment's decision denying permission to erect a neon sign extending 20 inches from the building and 8 feet above a fire wall, on Lots 500 and 501 Allied Gardens No. 4 on the west side of Waring Road between Orcutt Avenue and Zion Avenue, in Zone R-C, report from Zoning Administrator, was read.

Jim Willis, with the Neon Co. involved, was heard. He said that the Boyd Television Co. wants to use the sign which has used at another location. He passed around photographs of an existing sign, and 1 marked with proposed sign. He said that there is already a sign there.

Dave South, Zoning Administrator, told the Council that there was a variance for service station sign.

Councilman Williams talked to Mr. South about signs in CP zone.

Mr. South told of the regulations.

Mr. Willis said that it is a 20" x 10' vertical sign.

Councilman Williams said that the restriction is tough.

Councilman Burgener spoke to Mr. South about protests in the area.

Mr. South said that there were none.

Mr. Willis said that precedent has already been established with the tremendous display, by the service station. He read from the finding of facts. He said that people in business should be permitted to put up signs.

Mayor Dail spoke to Mr. South regarding upsetting the precedent.

Harry C. Haelsig, Acting Planning Director, spoke regarding the shopping center. He said that in the original design there was to be a shopping center of 9 acres. He said that there was discussion regarding R-4 and 1 service station, with a tier of residences adjacent to the back for a buffer. He said it was adequate for a shopping area. Mr. Haelsig told of requests for rezoning. He said that there were varying conditions from the original zone, with displays and signs. He declared the shopping center to be too great for needs of the area. He said that it was for the interim until the shopping center goes in. He said that notification could not be given on account of new owners, not yet of record.

Councilman Burgener said that it was to fulfill regarding a larger need. He said that if this is granted today, it establishes a pattern.

Mr. Willis said that the market did not wish to invest in the cost of a sign, and had one painted on. He said, when asked, that he is the sign man.

Councilman Schneider asked Mr. Willis if he was familiar with R-C.

Mr. Willis replied that he knows what he can't do. He asked for some variances in RC and granting.

Councilman Schneider pointed out that this had not come before the Council, and that it would establish a new pattern for RC all over the City.

Mr. Willis said that he wants to give the owners what is wanted.

Councilman Burgener said he wanted to hear from the tenant (rather than from the sign man).

Mr. Boyd, who did not give his first name or initials, spoke. He said that he is attempting to establish a radio and television <sup>store</sup>. He said that Planning does overrule, and that the Council is superior. He told of having erected 2 signs under variances. He said that a billion dollar corporation (Standard Oil, which has the sign), makes it bad to sign next door to the big sign. He stated that it is necessary to advertise. He said that if there were no variances in RC he could see the Planning's hesitancy. He said that there is no reason not to grant the variance.

Councilman Burgener spoke to Mr. Boyd regarding attitude of the owner.

A man, who identified himself only as a representative of Mr. Bollenbacher (who was one of the applicants for the zone variance), said there was no objection.

Mayor Dail said that it could be made a C Zone, and all would be the same.

Mr. Haelsig said that this is across from a large shopping center, and is a buffer zone.

Mr. Boyd said that C Zone has housing.

Councilman Schneider moved to deny the appeal.

Councilman Burgener moved to grant the sign (which would be to grant the Zone Variance on Lots 500 and 501 Allied Gardens Unit No. 4), and overrule the Commission (The Board of Zoning Adjustment).

Councilman Burgener then stated "it's their property".

Councilman Williams seconded Councilman Burgener's motion. Then he stated that any shopping center, secondary or not, is a shopping center, and has the right to advertise businesses. He said he cannot understand about the RC. He said that perhaps the zoning was incorrect. He stated that property owners would be justified to request rezoning.

Councilman Schneider said that they would have the remedy by requesting rezoning. He stated that property owners have right to relief. He said that this key moment to request rezoning.

Councilman Burgener said that C Zone might not be wanted, although owners do not object to signs.

The roll was called on the motion, resulting in: Yeas--Councilmen Burgener, Williams, Mayor Dail. Nays--Councilmen Schneider, Curran, Evenson. Absent--Councilman Kerrigan. (The motion to grant lost).

Report of Purchasing Agent, approved by City Manager on low bid of William H. Clint for construction of storm drain in Webster Avenue near 33rd Street, and in Lot G Block 7 and Lot B Block 8 Central Homestead - \$8,294.14; 5 bids - was presented.

RESOLUTION 128192, accepting bid of William H. Clint for construction of Storm Drain; 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 Burgener, adopted.

Report of Purchasing Agent, approved by City Manager on low bid of Jesse B. Worthington, Inc. for painting exterior of buildings in Frontier Housing Project south of Flood Control Project, west of Kurtz Street - \$28,977.00, 3 bids, was presented.

RESOLUTION 128193, accepting bid of Jess B. Worthington, Inc. for painting exterior of buildings in Frontier Housing Project south of flood control project; 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager reporting on bids for furnishing Valves for Alvarado Second Reservoir, Murray Second Pipe Line and Polk Street Connection, was presented. There were 4 recommendations:

(a) Crane Company of San Diego, Item 1, 2 - 36" Flanged Gate Valves @ \$5,373.45 ea; and Item 2, 1 - 36" Bell End Gate Valve @ \$5,718.75, with proviso that they would accept items 1 and 2 on an "all or none" basis. It says their combination of items 1 and 2 is the low bid for the 3 valves by \$611.50, and it recommends award at total price of \$16,465.65, terms net, plus State Sales Tax;

(b) Henry Pratt Company, Item 3, 1 - 24" Flanged Butterfly Valve @ \$1,962.00 terms net, plus State Sales Tax, low bid meeting specifications - W. S. Rockwell Company entered alternate bid, which failed to meet specifications;

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(c) W. S. Rockwell Company, low bidder meeting specifications on Item 4, 2 - 30" Butterfly Valves @ \$2,942.00 ea; Item 5, 1 - 36" Butterfly Valve @ \$3,375.00; Item 6, 1 - 42" Butterfly Valve @ \$4,579.00 totaling \$13,838.00 terms net, plus State Sales Tax. Builders-Providence, Inc., submitted slighter lower bids on items 5 and 6, not complying with specifications;

(d) S. Morgan Smith Company low bidder Item 7, 1 - 60" Butterfly Valve @ \$6,350.00 terms net, plus State Sales Tax.

RESOLUTION 128194, accepting bid of Crane Co. for furnishing Valves for Alvarado Second Reservoir, Murray Second Pipe Line and Polk Street Connection - Items 1 and 2; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128195, accepting bid of Henry Pratt Company for furnishing Valves for Alvarado Second Reservoir, Murray Second Pipe Line and Polk Street Connection, Item 3; awarding contract, authorizing and directing 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 Curran, adopted.

RESOLUTION 128196, accepting bid of W. S. Rockwell Company for furnishing Valves for Alvarado Second Reservoir, Murray Second Pipe Line and Polk Street Connection, Item 4; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128197, accepting bid of S. Morgan Smith for furnishing Valves for Alvarado Reservoir, Murray Second Pipe Line and Polk Street Connection, Item 7; awarding contract, authorizing and directing 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager reporting on bids for furnishing City's requirements of Desks for fiscal year 1955-1956 - 8 bids, was presented.

(a) Item 1, 15 Flat Top Desks @ \$121.83 each; Item 2, 1 - Flat Top Desk @ \$130.27 - San Diego Office Supply and Equipment Co.; Item 3, 9 Typewriter Desks @ \$150.15 each; Item 4, 4 Typewriter Desks @ \$150.15 ea; Item 5, 1 - Typewriter Desk @ \$155.70 ea; Item 6, 1 Flat Top Desk @ \$99.83 ea; Item 8, 1 Flat Top Desk @ \$99.83 - all San Diego Office Supply and Equipment Co. - terms net, plus State Sales Tax;

(b) Item 7, 2 Typewriter Desks @ \$124.27 each, terms net plus State Sales Tax - American Typewriter Company.

RESOLUTION 128198, accepting bids of San Diego Office Supply and Equipment Co. for furnishing Desks - Items 1, 2, 3, 4, 5, 6, 8; 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 Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128199, accepting bid of American Typewriter Company for furnishing Desks - Item 7; 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 Evenson, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager reporting on bids, and requesting authorization to purchase from Shaw Sales & Service Company, agent and only supply of parts for overhauling an Allis-Chalmers HD-5 Tractor, totaling \$1,568.00 was presented (plus State Sales Tax); was presented.

RESOLUTION 128200, authorizing and directing Purchasing Agent to purchase from Shaw Sales & Service Company parts (listed in the Resolution) for Allis-Chalmers HD-5 Tractor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, recommending authorization for purchase from Southern Equipment & Supply Co., agent and only source of supply, of parts for overhauling International TD-24 Tractor at total price of \$2,554.04 plus State Sales Tax, was presented.

RESOLUTION 128201, authorizing and directing Purchasing Agent to purchase from Southern Equipment & Supply Company parts (listed in the Resolution) for International TD-24 Tractor, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Allied Gardens Unit 6, subject to posting of adequate bond to insure installation of required improvements and granting required rights of way for Navajo Road westerly of Unit 6, was presented.

RESOLUTION 128202, 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 6 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 128203, adopting Map of Allied Gardens Unit 6 Subdivision, and accepting on behalf of the public Waring Road, Barclay Avenue, Brunswick Avenue, Charter Avenue, Delano Avenue, Easton Avenue, Easton Court, Eldridge Street, Elgin Avenue, Forbes Avenue, Gala Avenue, Galewood Street, Hamill Avenue and Horner Street, walks, unnamed easements, together with all abutters' rights and access rights in and to portion of Waring Road shown for public purposes; dedicating to public use; rejecting dedication for public streets lands shown as "Reserved for Future Street"; 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 and that the 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, California, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Colony Estates, was presented.

RESOLUTION 128204, adopting map of Colony Estates Subdivision and accepting portion of 68th Street and unnamed easements shown for public purposes; dedicating the portion of public street and unnamed easements and declaring them to be dedicated for public use; authorizing and directing Clerk of the City, as and for act of the Council, to endorse upon map 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, California, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by A. L. Kirk, recommending suspension of portion of Municipal Code in connection with (Tentative) map of Helphingstines Addition, Block 422, was presented.

RESOLUTION 128205, suspending Sections 102.18-5, 102.07-5, 102.12-4, 102.17-c of the Municipal Code in connection with tentative map of Helphingstines Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lots 45 through 48 Block 422 Helphingstines Addition, located on northwesterly corner of 39th and Boston Streets, subject to 10 conditions, was presented.

RESOLUTION 128206, approving Tentative Map of Helphingstines Addition, resubdivision of Block 422, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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Communication from Mable Crews, 6741 Zane Court, San Diego 11, dated Aug. 22, 1955, telling about having paid \$600 extra on their Linda Vista home in order bring improvements up to City standards, was presented. It says it was to have included sidewalks, water meters, etc., but to date they have not been received. It mentions being disgusted with the way the housing office and construction company are treating the owners (in the former Federal Housing project). It asks if the Council can figure out a way to help before it is too late.

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

Copy of letter from H. E. Dunn, 4630 Seminole Dr., San Diego 15, and Burr Stalnaker, 4570 Seminole Dr., San Diego 15, dated 22 August 1955, addressed to City Planning Commission, City Engineer, City Property Agent, City Council, was presented. It says that perhaps about the fall of 1952 the City Planning Commission and the signers agreed to put in 63rd Street for about 200 feet north from Acorn Street. It says that Acorn Street is soon to be paved, according to all information. The communication says that when Acorn is paved, signers would like to be able to pave their part of 63rd Street at same time, perhaps by same contractor; that they are ready to sign all necessary papers and co-operate in any way.

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

Communication from Kimball and Smith, 626 San Diego Trust & Savings Bldg., San Diego, dated August 18, 1955, signed by Ned A. Kimball, was presented. It was on the agenda August 23, at which time it was filed, Councilman Burgener having stated that Mr. Kimball had been advised. Mr. Kimball's request was for a hearing of at least 1 hour today to present arguments relative to intersection of Grand Avenue and Pacific Highway, and needed improvements in vicinity, desired by his clients. At the request of Councilman Burgener, the communication was listed again today.

Councilman Burgener stated that the Council will recess at 12:00 Noon, and come back into session at 2.

Mayor Dail said that the Council has to recess at 12:00.

Mr. Kimball talked to a delegation present, regarding their wishes. He told the Council that there was a committee of property owners, some of whom could not return at 2:00 P.M.

The proceedings were interrupted by Irvin J. Kahn, attorney, who said that he was here to protest item 64 on today's agenda, having to do with zoning in Pueblo Lot 1243 (the Clairemont area). He asked for continuance, saying that there is petition before the Planning Commission on another zoning in the Clairemont area. He said this and the other would have a direct bearing on zoning of Clairemont.

Martin Gleisch, proponent of the item (which was listed farther down on the docket, but brought up by Mr. Kahn here), appeared. He contended that people interested should not be forced to travel back and forth. He said that the zoning should be considered on its merits.

The Clerk pointed out that the hearing had been held (formal hearing was held by the Council on August 18, 1955).

Councilman Burgener pointed out that hearing had been held on an ordinance before. He said that Butler (former Mayor John Butler), attorney, had raised a technicality, which caused a second hearing on another item. He said that the Council could continue with a hearing, or hold it over until this afternoon.

Councilman Schneider expressed confusion regarding hearings.

Mayor Dail said that the hearing has been held, and that the Council has ordered preparation of the ordinance (listed later, on today's agenda). He said he could not say if the Council would conduct another hearing until the ordinance was before the Council.

Councilman Burgener said that it would be better to refer the subject to conference.

Councilman Schneider said that he was under the impression that the final hearing was to be on the date when the Ordinance was up for adoption.

Mayor Dail said that it could be re-opened, if it is before the Council.



Councilman Williams observed that it was "quite a problem". He moved to continue the ordinance until 2:00 P.M., today.

Mayor Dail stated that the Council will hear the item this afternoon.

Mr. Kahn stated that he has commitments this afternoon, and that he could not be here.

Councilman Curran pointed out that the Council was arguing procedure, having switched from item 17 to 64 (while the item before the Council was side-tracked).

Mayor Dail said that while continuance is opposed, the Council has to go on with the docket.

The Council returned to the item which was being considered.

Mr. Kimball described the area, and referred to maps posted on the wall. He spoke of petition for left-hand traffic lane at Pacific Highway and for removal of the traffic island. He told of property having been developed within the last 10 years. He said that it is \$2,000,000 in value. He said that there has been big property values developed, but that the values have gone down. He said that when Grand Avenue is opened, traffic will by-pass the area completely. He said that business is dependent on off-street traffic. Mr. Kimball outlined the fine motel accommodations, 5 restaurants, 7 service stations, garages, market, trailer spaces. He said that they are available to tourists on the boundary of Mission Bay Park. He told the Council that there are 206 rooms. He stated that Mitch Angus (manager of San Diego City and County Convention and Tourist Bureau) that loss would be serious. He stated that plans drawn the City would deprive visitors of the area.

Roy Edwards, registered engineer, former City Engineer of La Mesa, and Wm. Rick, engineer, were here, according to Mr. Kimball. He said Mr. Rick drew a map.

Mr. Edwards said that when he was called in by Mr. Kimball, he thought of when he was "on the other side", and wondered what he would do. He said he decided to see if he could help, and be safe. He identified drawings regarding City plan, and his suggestions. He said that there is room enough between 2 lines of traffic for a decelerating line. Mr. Edwards stated that 11-1/2 feet would be sufficient. That would require changing the traffic signal to 3-phase, he stated. He said that McGee (Mission Bay Park Director) and Reading (Traffic Engineer) said that it could be done. Mr. Edwards said that it would not be serious, if a treddle were installed. He said that radius is 5 feet longer than designed. He stated that it can be drained on the paving. He said that the design is workable, and would not affect traffic overall, but would be of value to the motels.

Mr. Kimball pointed to the drawings, regarding Mr. Reading's objection. He said that the same traffic (as would be stopped by the left-hand turn) by the City plan in connection with traffic on Grand, and the south-bound traffic on Pacific. He pointed out what he desired on signals on the turns. He said that his clients contemplate installation of a treddle to activate the signal. He said that the signal would not be activated unless auto uses the treddle in the turning lane. He said that if this is not done, the triangular area will die on the vine. Mr. Kimball pointed out that development depends on tourist traffic, off the highway. He said it is important to the City, too. He pointed to the map regarding the island which would prevent traffic from turning into the motels. He said that there are several motels on the west side of the street (the former routing of Pacific Highway, Highway 101). He said that the purpose of a sleepy street has been achieved in connection with the re-design of the highway. He declared that the center island should be removed. He showed post card advertising pictures of the motels, which were added to the file. He handed in petitions, which read: "We, the undersigned, being residents of the area adjacent to the intersection of Balboa Avenue and Pacific Highway, or patrons of business establishments located in that area, do hereby petition the Council of the City of San Diego to construct a left-hand traffic lane in the intersection of Grand Avenue and Pacific Highway, to remove the concrete traffic island dividing Pacific Highway between Balboa Avenue and Grand Avenue and to allow access from Grand Avenue onto Figueroa Boulevard." Then, Mr. Kimball said that a committee was present.

Councilman Schneider spoke to Mr. Kimball regarding the drawing, and asked if the "narrow area" was for cars to travel.

Mr. Kimball replied that it does not affect Grand Avenue. He pointed to the map, and said "traffic on Grand will travel as fast".

Albert Horton, owner of 101 Motel, spoke of having been before the Council before on this same subject. He stated that it is imperative to have the left-hand turn. He said that it (staying in motels) is impulse buying. He said that if travelers have the right impulse, they will come in, but if they go by the motels few

Hearing re left-  
turns, etc. in  
Grand Ave.-Pacific  
Highway area

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have the impulse to come back. He said that when Grand Avenue is put in they will be shunted in. He repeated that individuals will not come back, if they are shunted to downtown. Mr. Horton spoke of having been there since 1947. He pointed out that it is not a resort area, and that the left-turn is needed. Answering questions put by Councilman Schneider, Mr. Horton said that he did improve the premises, but that motorists still use the impulse. He said that if they get by, only 5% turn around and come back. He said that service stations have lost as much as 75%, 50% and 35% business. He said that the restaurant depends on the motels. Mr. Horton told of having a \$200,000 investment, and repeated that the left-turn is needed.

Mr. Kimball referred to identical copy having been delivered to Mr. Reading. He said he had the impression that the opposition is not adamant. He told of copy of map having been given

Councilman Schneider spoke to Mr. Horton about taxes on his motel.

Mr. Horton replied that he did not have the exact figures, since there are so many items, it would be probably \$100.00 per month.

Councilman Schneider asked Mr. Horton if there had been a reduction in taxes because of the change (of routing away from the area).

Mr. Horton stated that taxes were up, slightly - because of the improvements.

Councilman Burgener said that he understands better, because of the drawings.

Councilman Schneider observed that the motels are paying heavy taxes.

Mayor Dail said that if it is a simple left turn, it would not be so bad.

Councilman Curran said it had been indicated by the City Engineer that relief could be given.

The City Manager said that was done; a turning movement had been worked out, but that did not satisfy the protestants.

Mr. Kimball said that Figueroa is a dirt street; left-turn is allowed at Bond Street, with no signal. He declared that this is no freeway. He said that it is ridiculous to turn left onto a dirt street.

Councilman Burgener stated that all had been asked for at once; it has been done piece meal. He said that it makes sense now, regarding the study.

Mr. Kimball asked what the disposition is to be.

Councilman Williams asked if a signal is contemplated.

Captain Fogg, City Engineer, said "yes, but not for a left turn". He said that provisions have been made. He showed another map, which he explained. He said that it "the left turn" would be dangerous. He pointed to Grand and Garnet on a map, and told of channelization of Balboa and Grand. Captain Fogg told of route which can be taken. He said he would not think of 2 left-hand turns across heavy traffic. He said other left turns can be made.

There was discussion over Captain Fogg's map, and the map posted on the wall.

Captain Fogg said that there will be 2 left turns when Grand goes in.

There was discussion between Mr. Kimball and Captain Fogg.

Members of the Council also entered into discussion with the City Engineer.

The Fox and Hounds operator spoke to the City Engineer.

Mayor Dail said that he hated to break this up, but that it would have to be continued until the afternoon, if it can't be concluded.

Councilmen Schneider, Burgener, and Williams all said it was "not bad".

Mayor Dail asked all who had congregated around the Council table over maps to take their seats, so that the Council could make a decision.

Councilman Williams talked to the City Engineer, who pointed out questions raised, on a map.

Councilman Curran moved to refer the item to a Council study committee.

Councilman Burgener said that he is familiar with the area and the situation, and it would not be serious.

Councilman Burgener moved to permit the turn, after study by City Engineering people.

Mayor Dail said that a study has been made.

RESOLUTION 128207, approving a plan which would permit making left-hand turn at the intersection of Grand Avenue and Pacific Highway, and authorizing the City Manager to carry out the physical changes to accomplish permission to make the turn, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Evenson, Nays--Councilmen Curran, Mayor Dail. Absent--Councilman Kerrigan.

Councilman Evenson asked why Mr. Reading, the Traffic Engineer was

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here.

Councilman Burgener stated that it is not the history of the Council of always agreeing with all recommendations.

At 12:10 Noon, the Council took a recess until 2:00 o'clock P.M.

The Mayor called the meeting to order at 2:03 o'clock P.M.

The roll call showed the following:

Present---Councilmen Schneider, Curran, Evenson, Mayor Dail.  
Absent---Councilmen Burgener, Williams, Kerrigan  
Clerk----Fred W. Sick

RESOLUTION 128208, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 a.m., Sundays excepted:

Both sides of Island Avenue between Fifth Avenue and Sixth 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 Curran, adopted.

RESOLUTION 128209, authorizing and empowering City Manager to do work in connection with improvement of A Street, from Kettner Boulevard to 10th Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128210, authorizing and empowering City Manager to do all work in connection with installation of sprinkler system at Ocean Beach Community Center, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128211, authorizing and empowering City Manager to do all work in connection with installation of culverts and catch basins at various points on Sutherland Dam Road, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128212, authorizing City Manager to accept work on behalf of The City (Agreement, Clerk's Document 489994) in Clairemont Point Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128213, authorizing City Manager to accept work on behalf of The City of San Diego (Agreement, Clerk's Document 508708) in Clairemont Regional

Recessed  
Reconvened  
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Business Center Unit No. 1 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128214, authorizing City Manager to employ H. C. Dennis to remove and replace curb, sidewalk, and install concrete pavement on cement treated base, including grading, at northerly corner of Jefferson Street and Ampudia Street; cost not to exceed \$56.05 payable from funds appropriated by Ordinance 5341 (New Series) - in connection with H. C. Dennis' 1911 Street Improvement Act proceeding, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128215, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with County of San Diego, wherein City and County will agree to construction of new court house building over portion of "C" Street, together with other improvements to surrounding streets, under terms and conditions set forth in form of agreement filed as Document 519354, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The City Manager made a brief report on effect of the resolution.

RESOLUTION 128216, authorizing City Manager to modify contract between The City of San Diego and Geological Diving Consultants, Inc., under date of January 30, 1955, which provides that contractor shall furnish reports derived from study of survey of ocean currents in Pacific Ocean at 3 locations to be determined by City Engineer, and which provides that survey should be completed and report made within 120 days from date of execution, contractor was to receive \$2780.00; authorizing contractor to continue work for 9 months dating from date of modification at and for sum not to exceed \$5350.00; details outlined in the Resolution; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128217, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with San Diego Veteran's War Memorial Building, for 1 year at \$50.00 per month, terms and conditions set forth in form of lease Document 519381, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128218, waiving penalty imposed by terms and provisions of contract between The City of San Diego and E. P. Watson for construction of storm drain at Rosecrans and Evergreen Streets, Document 513205, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Prior to adoption Councilman Schneider asked for information.

The City Manager said that work has been completed, and this is a clean up.

RESOLUTION 128219, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Pueblo Lot 1255, 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 Curran, adopted.

RESOLUTION 128220, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all

taxes against northeasterly 5.0 feet Lot 7 Block 99 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128221, 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 Parcel "00" Lot 19 Rancho Mission of San Diego, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Curran, adopted.

In connection with the next Resolution Councilman Schneider asked for information.

Alan Firestone, Deputy City Attorney, told the Council that the City had acquired the property and the certificates which he described as being a standing of record. He said that the Auditor is being authorized to cancel the certificates on property which the City owns.

John McQuilken, City Auditor and Comptroller, said that they are delinquent lighting assessments, and that under the existing procedures the City is the only one that can buy them.

RESOLUTION 128222, authorizing and directing City Auditor and Comptroller to cancel certificates of sale owned by City on Lots A, B, and 8-A Block 16 Kensington Manor Unit 2 owned by the City (certificates listed in the Resolution), authorizing and directing him to cancel certificates of sale owned by the City on Lot 10 Block 4 Kensington Heights Unit 1 owned by the City (certificates listed in the Resolution), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128223, granting revocable permit to CMAC, Inc. (C. H. Tanner, President), 910 Front Street, San Diego, to install and maintain underground storage tank, owner's property at 910 Front Street: Lots G and H Block 56 New San Diego Subdivision, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128224, granting permission to R. E. Hazard to install waste pipe serving floor drains at less than 1/4" per foot grade at 4085 Pacific Highway, subject to conditions of Resolution, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128225, granting permission to H. M. Prior to install half-bath addition to existing building in rear of property at 6074 Meade Avenue, with sewer line at maximum fall of 3/16" per foot to extend approximately 50 feet, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128226, granting permission to San Diego Unified School District to install flat vent in line vents of indirect acid waste system for isolated island fixtures in plumbing installation proposed for shop unit of San Diego Junior College and Vocational School under construction at 1425 Russ Boulevard, subject to conditions of Resolution, was on motion of Councilman Evenson, seconded by Councilman

Schneider, adopted.

RESOLUTION 128227, granting permission to R. A. Wiley & Sons, PO Box 218 El Cajon California (Plumbing Contractors) to install copper vents from kitchen sink in lieu of cast iron, at 2424 Ellentown Road (Russell Raitt, owner), upon conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128228, approving claim of Jack Conn, Document 518123, in amount of \$20.00; directing City Auditor & Comptroller to draw warrant in favor of Jack Conn, 3565 Utah Street in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128229, approving claim of Jim G. Waits, Document 509394, in amount of \$10.00; directing City Auditor & Comptroller to draw warrant in favor of Jim G. Waits and Daubney & Stevens, his attorneys, 207 Mason Bldg., Oceanside, California, in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128230, authorizing City Attorney to settle the \$879.00 claim of Frank A. Huneck and Tillie A. Huneck, Document 515912, for sum of \$779.00; directing City Auditor and Comptroller to draw warrant in favor of Frank A. Huneck, Tillie A. Huneck, and Charles B. Provence, in amount of \$779.00 in full settlement of claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128231, denying claims of Paul C. Loeber, Jr., Documents 518269 and 518270 as amended by Documents 518877 and 518878, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128232, denying claim of Ethel A. Dougherty, Document 517884, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128233, denying claim of Mrs. Grace Rudiger, Document 517621, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128234, determining and declaring public interest, convenience and necessity of The City of San Diego and inhabitants thereof require construction, operation and maintenance of public street and slopes across portions of Pueblo Lot 1202 and portions of Lot 3 subdivision of East Half of Pueblo Lot 1215; and that public interest, convenience and necessity demand acquisition; declaring intention of The City of San Diego to acquire property under Eminent Domain Proceedings; directing City Attorney to commence action in Superior Court of State of California in and for County of San Diego for purpose of condemning the property, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128235, dedicating and setting aside for public use easements in portions Lots 12 and 19 Ex-Mission Lands of San Diego (Horton's Purchase),



directing City Clerk to cause certified copy of Resolution, attested by him under seal, to be recorded in office of County Recorder of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128235, authorizing and directing City Clerk to cause certified copy of Resolution - which dedicates and sets aside for public use easements and rights of way for storm drain in portion Lot 12 Ex-Mission Lands of San Diego (Horton's Purchase) - in office of County Recorder of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128236, dedicating & setting aside portions of Lots 12 & 19 Ex-Mission Lands of San Diego (Horton's Purchase) for storm drain right of way, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128237, accepting quitclaim deed executed 12th day of August, 1955, by Al V. Carpenter and Jane A. Carpenter, 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 Sixty Eighth Street Terrace, being portion of West Half of Lot 36 La Mesa Colony and portion of Saranac Street as closed to public use April 30, 1923; 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 Evenson, adopted.

RESOLUTION 128238, accepting quitclaim deed executed 8th day of August, 1955, by Clairemont Company, a copartnership composed of Carlos Tavares and Louis G. Burgener, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Clairemont Point, being subdivision of portion of North Half of Lot 7 Eureka Lemon Tract; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128239, accepting quitclaim deed executed on 16th day of August, 1955, by R. A. Jones Contracting Co., 928 Grand Avenue, San Diego 9, 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 Inspiration Point, being subdivision of portion of Pueblo Lot 1773; 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 Evenson, adopted.

RESOLUTION 128240, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Continental Auxiliary Corporation, trustee, August 10, 1955, subordinating all right, title and interest in and to portion of Lot 14 Block 3 Sunnyslope Addition, to right of way and easement for public 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128241, accepting subordination agreement, executed by First Federal Savings and Loan Association of New York, beneficiary, and Security Title Insurance Company, trustee, July 28, 1955, subordinating all right, title and interest in and to portion Lot 20 Cosgrove Terrace, to right of way and easement for water main purposes

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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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128242, accepting subordination agreement, executed by Graham M. Kelly and Julia F. Kelly, beneficiaries, and Land Title Insurance Company, trustee, August 18, 1955, subordinating all right, title and interest in and to portion of Lot 5 Block P Riviera Villas, to right of way and easement for public 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128243, accepting subordination agreement, executed by Graham M. Kelly and Julia F. Kelly, beneficiary, and Land Title Insurance Company, trustee, August 18, 1955, subordinating right, title and interest in and to portion Lot 5 Block P Riviera Villas, to right of way and easement for alley 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128244, accepting subordination agreement, executed by Mutual Life Insurance Company of New York, beneficiary, and Union Title Insurance and Trust Company, trustee, June 30, 1955, subordinating all right, title and interest in and to portion Lot 9 Muirlands Terrace Unit 2, to right of way and easement for storm drain purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128245, accepting subordination agreement, executed by Nick Osadchik and Mary Osadchik, beneficiaries, and Union Title Insurance and Trust Company, trustee, August 12, 1955, subordinating all right, title and interest in and to portion of West half of Lot 36 La Mesa Colony, to right of way and easement for street purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128246, accepting deed of Alfred Lo Cascio and Florence E. Lo Cascio, August 18, 1955, conveying easement and right of way for alley purposes in portion Lot 5 Block P, 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128247, accepting deed of Alfred Lo Cascio and Florence E. Lo Cascio, August 18, 1955, conveying easement and right of way for public purposes in portion Lot 5 Block P Riviera Villas; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128248, accepting deed of State of California, May 31, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1203; 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128249, accepting deed of Laurence Cable Wagner and Delores G. Wagner, June 29, 1955, conveying easement and right of way for sewer purposes in portion Lots 33, 34, 35, 36 Block 14 Swan's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128250, accepting deed of United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, January 31, 1955, conveying easement and right of way for sewer purposes in portion Pueblo Lot 1198; 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 128251, accepting deed of William J. Hultgen and Marjorie H. Hultgen, March 2, 1955, conveying easement and right of way for storm drain purposes in Lot 9 Muirlands Terrace 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 Curran, adopted.

RESOLUTION 128252, accepting deed of The United States of America, acting by and through Housing and Home Finance Agency, August 11, 1955, conveying easement and right of way for storm drain purposes in portion Pueblo Lot 1196; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to City Properties Department for recording when escrow instruction have been complied with, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128253, accepting deed of United States of America, acting through Housing and Home Finance Agency, Public Housing Administration, August 11, 1955, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1196; 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 Curran, adopted.

RESOLUTION 128254, accepting deed of Floyd A. Cox and Annabel I. Cox, August 9, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1785; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128255, accepting deed of Robert M. Lattin and Virginia E. Lattin, August 8, 1955, conveying easement and right of way for street purposes in portion of West Half Lot 36 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

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of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128256, accepting deed of Alfred Lo Cascio and Florence E. Lo Cascio, August 18, 1955, conveying easement and right of way for street purposes in portion Lot 5 Block P, 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128257, accepting deed of Pershing Lewis Reiner and Regina G. Reiner, July 7, 1955, conveying easement and right of way for water main purposes in portion Lot 20 Cosgrove 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 Curran, adopted.

RESOLUTION 128258, accepting subordination agreement executed by First Federal Savings and Loan Association of San Diego, beneficiary, and Fidelity and Guaranty Company, trustee, August 11, 1955, subordinating all right, title and interest in and to portion of Pueblo Lot 1785, to right of way and easement for street purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

In connection with the next Ordinance, the City Manager said that the amount had been appropriated, but the City Attorney advised inasmuch as the City does not own the land, but has a long-term lease, the action was not appropriate to appropriate money from Capital Outlay Fund. He said that this would be reimbursing the illegal appropriation.

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

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

ORDINANCE 6629 (New Series), appropriating \$23,532.00 from Unappropriated Balance Fund, and transferring it to Capital Outlay Fund of San Diego City-County Camp Commission, was adopted on motion of Councilman Schneider, seconded by Councilman Curran, by following vote: Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Kerrigan.

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

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

ORDINANCE 6630 (New Series), appropriating \$19,900.00 from Capital Outlay Fund, for providing funds for improvement of Noyes, southerly of Beryl Street, and portions of Academy Street, et al, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Kerrigan.

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

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

ORDINANCE 6631 (New Series), appropriating \$9,200.00 from Capital Outlay Fund, for providing funds for construction of storm drain in Webster Avenue near 33rd Street, and in Lot G Block 7 and Lot B Block 8 Central Homestead, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Kerrigan.

On motion of Councilman Evenson, seconded by Councilman Curran, the next ordinance was introduced.

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

ORDINANCE 6632 (New Series), appropriating \$5,350.00 from Unappropriated Balance Fund, for study and survey of Pacific Ocean Currents, in accordance with provisions of supplemental contract between the City of San Diego and Geological Diving Consultants, Inc., was on motion of Councilman Evenson, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Kerrigan.

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

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

ORDINANCE 6633 (New Series), appropriating \$3,000.00 from Capital Outlay Fund for additional funds for acquisition of rights of way for Genesee Overpass, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Kerrigan.

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

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

ORDINANCE 6634 (New Series), appropriating \$2,500.00 from Unappropriated Balance Fund for providing funds to cover cost of conducting guest housing survey of Mission Bay Park, in accordance with contract to be entered into between City of San Diego and James S. Wollacott, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Kerrigan.

Ordinance appropriating additional moneys for use of various departments of the City of San Diego for fiscal year 1955-1956, supplementing items heretofore fixed for various departments by Annual Appropriation Ordinance 6549 (New Series) adopted July 5, 1955.

Councilman Evenson said that one item had been discussed.

Mayor Dail stated that money had been taken out of the Clerk's budget (for elections), and put in Unappropriated

Councilman Evenson moved to take the money out of Unappropriated Balance

Councilman Schneider said that the City has to have funds for much - needed sidewalk work.

Councilman Evenson said that it was for a purpose, which he thinks won't be needed.

Councilman Schneider spoke of being transferred from Budget.

Councilman Williams entered

Councilman Schneider repeated that funds are needed for sidewalk repairs.

Mayor Dail expressed reluctance....."whether special or not". He said that there might be several issues, in which the City might have to participate.

Councilman Curran said that there is going to be an election in June; that if projects for election were started now, it couldn't be held by December. He said that if consolidated (with County) there would be some expense. He spoke of reduced Unappropriated Balance.

Councilman Evenson said he "thinks not".

The item was held, and considered again later - but is continued here, to keep all the material on the subject together.

Les Earnest, Budget Officer, had arrived. He said that Unappropriated Balance was originally cut. He said that there have been deletions and transfers. He stated that original \$650,000 had not been cut.

Councilman Evenson moved to delete \$76,000.

Councilman Williams said that there is a question, to which the Clerk might know the answer, regarding City's cost (of cost under a consolidated election).

The Clerk referred to a set figure of \$2,000. per proposition, and some items not possible to anticipate.

Councilman Williams referred to talking under \$76,000.

Councilman Williams seconded the motion for the deletion.

Mayor Dail declared that there is not too large an Unappropriated Balance Fund, as it exists today.

Councilman Schneider said that the City ought to begin on the sidewalk problem, and on streets.

Mayor Dail pointed out that there can be unexpected developments. He spoke of having had to throw rock in the channel

Councilman Williams asked if these were specific items.

The City Manager said that item mentioned this morning does not affect this ordinance. He said that will be brought to the Council. He said that there was more surplus in the Water Department than anticipated.

Councilman Williams said that portion was withdrawn; the main thing is regarding holding special election.

Councilman Schneider asked "how about a compromise to leave in \$15,000.

Councilman Williams moved to leave the figure in, and cut \$60,000 off from Unappropriated Balance. Motion was seconded by Councilman Schneider.

Councilman Curran spoke to the Clerk about a consolidated ballot.

The City Manager spoke to Councilman Curran regarding the number of propositions, and said that they might add up to 10 or 12. He said that there has to be a certain size sheet, and that it might be necessary to have another ballot.

There was discussion between Councilman Curran and the City Manager.

Councilman Schneider moved to restore to the Budget \$16,000 - to the Clerk's account.

The City Manager said that there are changes, and doesn't know if they are portion of this item. He said that the Council can't enact the ordinance, if it is not written. He spoke about trying to work up a procedure. He said that this can be taken as instruction to amend the ordinance.

(The City Manager had another ordinance prepared for action by the Council - so this one was filed by the Clerk).



There was listed on the agenda for introduction, an Ordinance approving and adopting proposed Amendment to Rule X of Rules of Civil Service Commission of The City of San Diego.

The City Attorney said that he thought it was not to be read until Tuesday. He said the Civil Service does not want the Ordinance read.

On motion of Councilman Schneider, seconded by Councilman Curran, proposed ordinance approving and adopting proposed Amendment of Rule X of Rules of the Civil Service Commission of The City of San Diego, was held over to Tuesday, August 30, 1955.

Ordinance amending Division 5 Chapter X of The San Diego Municipal Code by adding 4 new sections, to be numbered Sections 101.0521, 101.0522, 101.0523 and 101.0524, respectively, and repealing section 101.0507, all relating to Zoning Administrator, was listed on the agenda.

Alan Firestone, Deputy City Attorney, said that this provides for discretion for the Zoning Administrator.

Mayor Dail said that there had been discussion in Conference on the proposed ordinance.

Councilman Schneider moved to refer the item to conference. Motion was seconded by Councilman Curran.

Mayor Dail said that it would be well to adopt procedure regarding zone Ordinances.

The Clerk said it would be well to investigate the Code.

The item was held, and brought up again, but is shown here to keep the discussion together.

Mr. Firestone spoke of talking only about rezoning ordinances. He referred to the San Diego Municipal Code. He said that if rezoning is recommended, hearing could be had on the date of introduction of Ordinance. He said that if it is not recommended, it is a different situation - there would be a hearing before preparation of an ordinance.

Councilman Schneider spoke to Mr. Firestone about the law on the week's time between introduction, and to have copies available, until adoption.

Mr. Firestone said that is to prevent hasty action. He said that this is of a special nature, only on zoning.

Mayor Dail spoke of Planning making recommendation, and not having the ordinance.

Mr. Firestone said that recommendation should come to the Clerk from the Planning Commission, and the Clerk refer it to the City Attorney for the ordinance.

Mayor Dail said that would simply the procedure, and that hearing would be had on the ordinance.

The Clerk stated that is provided only when Planning Commission makes recommendation on the petition. He said that it was recommended differently. He told the Council that the City Clerk's office has been following procedure prescribed by Mona Andreen (deputy City Attorney).

Mr. Firestone said that the language is peculiar. He read it from the Municipal Code.

The Mayor said it should be settled, and referred to Conference.

Another motion was made, roll not having been called on the first one.

RESOLUTION 128259, referring to Council Conference proposed ordinance amending Division 5 Chapter X of San Diego Municipal Code by adding 4 new sections, to the Code regarding zoning administration - powers and duties - was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The ordinance which had been brought up out of order in the morning, by Irvin J. Kahn, attorney, was now considered in its scheduled order on the agenda.

It was an ordinance incorporating portion of Pueblo Lot 1243 into RC-1A Zone as defined by Section 101.0409.2 of San Diego Municipal Code, and repealing Ordinance 13456 approved February 15, 1932, insofar as it conflicts.

Mayor Dail said this was up this morning.

Robert Carlson, attorney, associated with Mr. Kahn, told the Council

Ord. cont  
Discussion re Zoning  
Administration  
128259  
Ord. discussion (again)

that he had been asked by Mr. Kahn to request a continuance, in connection with there being another item in Linda Vista area before the Planning Commission.

P. Q. Burton, of the Planning Department, said that petition has been received regarding rezoning Clairemont Mesa Drive area - a church to RC-1A. He said it is about 1250 feet away.

Councilman Schneider asked if the Commission recognized priority.

Mr. Burton replied that the Commission holds hearings in order.

Councilman Schneider said that it is not recommended "so close" today. Then he put the statement in the form of a question.

Mr. Carlson replied that he could not answer; he did not know the facts. He said that Mr. Kahn said that it would be better to hear them together.

Martin Gleisch, petitioner for the rezoning, pointed out that he and Mr. Kahn are interested. He said that if it has to be presented, it could be presented by one. He said that many who are involved, were not present. He said that he felt that there is an effort to drag the rezoning on. He told of having started with 440 lots 9 months ago, that shopping area was set aside. Mr. Gleisch spoke of having completed 180 houses, with 150 to be completed soon. He said that there are more under way. He said that Mr. Kahn said this was not the spot for it (a small shopping center), but that it would not hurt the shopping center. He stated that Mr. Karp (Louis Karp, attorney, who had appeared earlier on Clairemont zoning) had said that this would be spot zoning, and not the spot for this shopping center. Mr. Gleisch said that he now wants to get other property, and not build. He said that the people of the area need a minor shopping center. He presented a petition signed by over 300 people. He said that there is no reason to hold this over, and asked that it be passed for introduction. He said that others can be here for the adoption.

Mayor Dail said that it is procedural.

A man stood in the audience.

Councilman Curran asked what is on the man's mind.

Mayor Dail said that the Council can open the hearing, instead of delaying it.

Councilman Williams said that if the ordinance is introduced today, it would be proper for the Council to ask questions at the adoption date. He said that in fairness to opponents, there will be an opportunity to question, later.

Councilman Curran asked if decision on the "second filing" is contingent on the Council's decision "on this".

Harry C. Haelsig, Acting Planning Director, replied that he could not, answer, but that he thought it would have an effect. He told the Council that in the planning of Clairemont, provision was made for 2 major shopping centers, and that there had been spotted at intervals of a mile small shopping centers. He spoke of attempt to coordinate, and not develop adverse effects. He said that it is approximately 1 mile away from the major shopping center, and would serve the residents. Mr. Haelsig said that action today would affect the Planning Commission's action on how much would be needed to serve the area. He said that the Commission would take into consideration the parking.

Councilman Schneider moved to introduce the ordinance.

Councilman Williams said that there will be final questions.

Beryl Phelps, engineer, posted a map on the wall.

The Planning report was read to the Council by the Clerk.

At this point, the Mayor announced that the Council would hear from proponents of the re-zoning.

Major Orr, who did not give his first name or initials, said he was retired and that recently he had purchased a home in the area being discussed. He said that around 4 acres are under consideration, with 3/4 of that being devoted to parking. He said that there would be adequate parking; there are 500 to 800 homes. Major Orr stated that there are 500 to 800 homes. He expressed himself as being in favor of taking up the proposal today. He said that he lives on Linda (?) Drive - .4 of a mile from the perimeter of the area being discussed. He said that it is 1.6 miles by the speedometer. Then he spoke of living .3 of a mile, but having to walk 1.3 to the nearest DeFalco's market. Major Orr said that is 4.2 miles to the "super-duper" shopping area. He stated that the large Quad shopping center is represented by money interests; that is adequate, but too far to go. He said that many women can't drive, or don't have an automobile. He stated that the Planning Commission has twice approved the project in northwest Clairemont. He said that they have facts and figures. He said that he is for the proposal, as much as he would be against it if he were interested in the Quad.

He started to say that people who represent the other 2 shopping centers (but did not finish the statement). Next, Major Orr said that he still lives over a mile away. He said that there is need for a shopping center closer than a mile from home.

Mr. Phelps said that reason to have small center is because Planning recommended a small center. He pointed to the map of Unit 5, and spotted the shops on the map. He said that "an alley had been put around", 130 feet from Clairemont Boulevard. He said that there is a "big canyon", which point had been made earlier. Mr. Phelps stated this has been planned more ideally than other centers. He told the Council that there will be 2,800 people accommodated, plus future development. He spoke of there having been a unanimous vote (by the Planning Commission) after investigation on the ground. He said that there are ladies here who have problems. Mr. Phelps read the "needs" for zoning, as prescribed, and answered each of them. He said that the residents should have the shopping center.

Mrs. Hess, who spoke at the scheduled hearing, appeared again. She said that she lives on Baxter Street; has no car, 2 children. She told of having to get on the bus, and of having to watch her budget. Mrs. Hess expressed resentment at not being able to do competitive buying. She said that the present shopping facility is such that it does not meet the budget. She said that it is a good, growing community, and that it will continue to grow. She said that the shopping facility is needed.

Mrs. Raven told the Council that she was speaking for Navy wives. She said that her husband is overseas, and that she has 3 small children. She said that prices are high, and that the shopping center is needed. Mrs. Raven stated that the greatest population is Navy.

Harry Kipp said that he lives in a duplex on Clairemont Mesa Boulevard. He said that he agrees with statements which have been made. He, too, said that many wives have no transportation other than the bus. He declared that the greatest inconvenience is the transportation. He told the Council that there is need for a place to supply daily necessities, within walking distance.

Councilman Schneider moved to close the hearing.

Mr. Carlson, attorney, who had spoken in behalf of Mr. Kahn, said that it is basically unfair to reach a decision and act today.

Councilman Schneider pointed out to Mr. Carlson that the Council had conducted an exhaustive hearing last week.

Mayor Dail stated, also, that hearing was held last week, and that it had been closed. As a result, the drafting of the ordinance before the Council today was ordered.

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

Councilman Schneider moved to introduce the ordinance.

Mayor Dail stated that members of the Council can ask questions next week (the time for adoption of the ordinance).

Councilman Curran pointed out that a vote for or against introduction, is not final.

Mayor Dail said that Councilmen are not bound next week by their votes today.

Councilman Evenson seconded the motion to introduce the ordinance.

Major Orr arose from the audience and said that Councilman Burgener should disqualify himself (from voting) regarding his interest.

Councilman Williams declared that Mr. Burgener is an honorable person.

Councilman Schneider stated that Mr. Burgener was absent deliberately from this meeting, because of this ordinance.

Ordinance incorporating portion of Pueblo Lot 1243 into RC-1A Zone, as defined by Section 101.0409.2 of San Diego Municipal Code, and repealing Ordinance 13456 approved February 15, 1932, insofar as it conflicts, was introduced on motion of Councilman Schneider, seconded by Councilman Evenson, by the following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

At this time the Council entered into the procedure on Zoning Ordinances.

The Mayor said that the best way would be to draw the ordinance, and then hold the hearing on the ordinance (instead of prior to its drafting by City Attorney).

Zoning Ord. discussion  
Ord. introduced  
Discussion on procedure  
for zoning ordinances

8/25/55

Beryl Phelps asked if there would not be a hearing on Planning Commission's report when it first comes before the Council. He said he wanted to be able to advise his clients on procedure which will be followed.

The Mayor said that it has developed into the holding of 2 hearings; one side or the other presents its case.

There was no action.

Ordinance incorporating portions of Lots 21 and 22 Block 59 Caruther's Add., in the City of San Diego, into C Zone as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance 78 (New Series) adopted November 14, 1932, insofar as it conflicts, was listed on the agenda.

On motion of Councilman Schneider, seconded by Councilman Curran, the Ordinance was introduced, by the following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

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

Ordinance incorporating Lots 395 and 3396 Clairemont Unit 16, and Lots 3435 and 3436 Clairemont Unit 16 Annex into R-1 Zone as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance 6504 (New Series) adopted May 12, 1955, insofar as it conflicts, was listed on the agenda.

On motion of Councilman Schneider, seconded by Councilman Curran, the Ordinance was introduced, by the following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

Ordinance establishing 5-foot setback line on north side of Santa Rita Place between Mission Boulevard and Strandway on Lots 21 through 30 Block 389 Pacific Beach, pursuant to Section 101.0603 of San Diego Municipal Code, was listed on the agenda.

On motion of Councilman Williams, seconded by Councilman Schneider, the ordinance was introduced, by the following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

On motion of Councilman Williams, seconded by Councilman Schneider, ordinance changing names of certain streets in the Kearny Mesa area (listed in the proposed ordinance), ~~was on motion of Councilman Williams, seconded by Councilman Schneider,~~ introduced, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

Councilman Curran brought up the next matter, not listed on the agenda:

Mr. Curran said that there was scheduled for advertising on Sunday, bids for 10th Street pier. He said it would be well to refer the item to Conference, and defer bids 1 week and refer them to Conference.

Councilman Curran made a motion to that effect, which was seconded by Councilman Schneider.

(No Resolution was drafted by the Clerk, because in checking, it was found that advertising had already been done).

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 3:20 o'clock P.M.

ATTEST:  
FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Charles E. Dail*  
Mayor of The City of San Diego, California

Discussion re Zoning ord. procedure  
Ords. introduced  
10th Street Pier discussion  
Meeting adjourned

## REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-  
ornia, Tuesday, August 30, 1955

Present--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail  
Absent--Councilman Kerrigan  
Clerk---Fred W. Sick

The meeting was called to order by the Mayor at 10:02 o'clock A.M.

At the request of the Mayor, all arose for the invocation which was delivered by the Reverend Clark W. Plummer, Pacific Portal Community Church, United Presbyterian.

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 100.

On motion of Councilman Curran, seconded by Councilman Burgener, Minutes of the Regular Meetings of Tuesday, August 23, 1955, and of Thursday, August 25, 1955, were approved without reading. They were signed by the Mayor.

The purchasing Agent reported in writing that 7 bids had been opened August 26, 1955, for sewers in Cotton Street, Hilltop Drive, "C" Street, et al., was presented. On motion of Councilman Curran, seconded by Councilman Burgener, finding was made that bids had been opened as reported. By the same motion, they were referred to City Manager and to City Attorney for further recommendation, and report.

Purchasing Agent reported in writing that 4 bids had been opened August 26, 1955, for paving and otherwise improving Alley Block 201 Pacific Beach, was presented. On motion of Councilman Curran, seconded by Councilman Burgener, finding was made that bids had been opened as reported. By the same motion, they were referred to City Manager and to City Attorney for further recommendation, and report.

The Purchasing Agent reported in writing that 4 bids had been opened August 26, 1955, for paving and otherwise improving Boundary Street, was presented. On motion of Councilman Curran, seconded by Councilman Burgener, finding was made that bids had been opened as reported. By the same motion, they were referred to City Manager and to City Attorney for further recommendation, and report.

The Purchasing Agent reported in writing that 2 bids had been opened August 26, 1955, for paving and otherwise improving Brooklyn Ave., Iona Dr., and Kenwood St., was presented.

Meeting convened  
Invocation  
Bids reported on 1911  
Act proceedings

8/30/55

On motion of Councilman Curran, seconded by Councilman Burgener, finding was made that bids had been opened as reported. By the same motion, they were referred to City Manager and to City Attorney for further recommendation, and report.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 127631 for paving and otherwise improving Garnet Street and Pendleton Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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 127632 for paving and otherwise improving La Jolla Shores Drive, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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, time set for hearing on Resolution of Intention 127633 for installation of sewers in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place, and Public Rights of Way in Pueblo Lot 104, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Schneider, seconded by Councilman Curran, 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 furnishing electric current in San Diego Lighting District 3, for 11 months and 15 days from and after July 16, 1955, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128260, confirming and adopting as a whole, Engineer's Report and Assessment for San Diego Lighting District 3 filed in office of City Clerk July 25, 1955, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current in San Diego Lighting District 4, for 1 year from and after August 1, 1955, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128261, confirming and adopting as a whole, Engineer's Report and Assessment for San Diego Lighting District 4 filed in office of City Clerk July 27, 1955, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2388 made to cover costs and expenses of paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public



Right of Way, Resolution of Intention 119500, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128262, confirming and approving Street Superintendent's Assessment 2388 made to cover cost and expenses of paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street, Public Right of Way, Resolution of Intention 119500; 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 Curran, adopted.

Petition of residents that easement marked "Reserved for Future Street" and adjoining setbacks on Lots 1, 2, 21 Block 14 Linda Vista Unit 6, Map 3135, be abandoned, was presented.

The City Attorney said it should be referred to City Manager.

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

Petition of residents of North West Ocean Beach, requesting the Council to set aside and designate lower or western end of San Diego River Channel as bathing, picnicing and fishing beach, to be used solely by public as recreation area, and to protect it by buoys from airplanes, etc., with heavy fine for entering the area, was presented. It prescribed where buoys should be placed.

The City Attorney said it should be referred to City Manager.

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

It was suggested that it should go to Mr. McGee (Mission Bay Park Director), but it was pointed out that since he is under the City Manager, reference was only to City Manager.

Report of Purchasing Agent, approved by City Manager, which had been continued, recommending acceptance of bid of Machinery Sales Company of Los Angeles for furnishing 1 Twist Drill Grinder at \$1,522.25 plus State Tax (although not low bid; since low bid is on furnishing equipment not in conformance with City specifications and inadequate for City's need, was presented.

RESOLUTION 128263, accepting bid of Machinery Sales Company for furnishing 1 Twist Drill Grinder; 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, approved by City Manager, on need for amending contract for furnishing Pre-Mix Concrete, was presented. It says that inasmuch as Class E concrete is used by The City in substantial amounts, it is necessary to amend contract with Pre-Mixed Concrete Co. by adding the classification - at price of \$11.70 per cubic yard. Price was \$11.67 on contract which expired June 30, 1955.

RESOLUTION 128264, amending contract Document 519098 with Pre-Mixed Concrete Company, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128265, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 191 Cylindrical Rubber Fenders, Document 519395, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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RESOLUTION 128266, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Diesel Oil and Fuel Oil requirements during period October 1, 1955 through June 30, 1956, Document 519396, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128267, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Equipment Storage Building, 306 Yacht Harbor Drive, Shelter Island, Document 519391; authorizing and directing Purchasing Agent to publish notice to contractors, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of the Municipal Code in connection with Tentative Map of Clairemont Park Unit 1, a 215-lot subdivision of portion of Pueblo Lots 1195, 1205 and 1206, was presented.

RESOLUTION 128268, suspending Sections 102.09-1 & 2, 102.11-2, 102.11-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Park Unit 1, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Park Unit 1 - located on easterly side of Tecolote Canyon, adjacent to South Clairemont Shopping Center - subject to 15 conditions, was presented.

RESOLUTION 128269, approving Tentative Map of Clairemont Park Unit 1, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Acre Lot 8 Sorrento Townsite, a 4-lot subdivision in Sorrento Valley, was presented.

RESOLUTION 128270, suspending Sections 102.07-5, 102.11-2, 102.30, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Acre Lot 8 Sorrento Townsite, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of a 4-lot subdivision of Acre Lot 8 Sorrento Townsite, was presented. It states there are approximately 35 acres, and property is located in Sorrento Valley adjacent to Sorrento Road and railroad right of way, within M-2 Zone. It reports that at the August 10, 1955, meeting, the sewerage problem was discussed in length since there is no outfall sewer main in the entire Sorrento area. The communication states that City Engineer said it would cost approximately \$165,000 to provide the area with an outfall sewerage system. It says that the Commission felt that the problem should be presented to the Council and question of whether or not proposed subdivision should be connected to sanitary sewer should be decided upon by the Council, Health Department, and City Engineer. The recommendation for approval, is subject to 6 conditions.

RESOLUTION 128271, approving Tentative Map of Acre Lot 8 Sorrento Townsite, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Record of Survey Map on portion Lot 8 Gardena Home Tract, in lieu of final subdivision map, was presented.

(Minutes for this meeting are continued in the next book)