

Minutes from the meeting of Thursday, August 30, 1955, continued from the previous book.

RESOLUTION 128272, approving filing of Record of Survey Map in lieu of final subdivision map under Section 102.02.1 of San Diego Municipal Code - portion Lot 8 Gardena Home Tract (Map No. 1248), was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Record of Survey Map of Lot 5 Block P Riviera Villas, was presented.

RESOLUTION 128273, approving filing of Record of Survey Map in lieu of final subdivision map under Section 102.02.1 of San Diego Municipal Code - Lot 5 Block "P" Riviera Villas (Map No. 1929), was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by F. W. McConnell, reporting on communication from Alan T. Baum, San Diego Soda Works, requesting variance to zoning regulation prohibiting electrification of fences within the City, was presented. In addition to a detailed report, which sets out conditions about which complaint had been made, and suggestions for investigation of various electronic devices, including the "Black Light", it states that it has been pointed out to Mr. Baum that normal procedure would initiate variance with the Planning Department. It states that Mr. Baum is considering various suggestions and will contact the Department later.

On motion of Councilman Schneider, seconded by Councilman Curran, the communications were filed.

Communication from Clairemont Town Council of San Diego, dated August 25, 1955, signed by Howard I. Kaufman, president, and Henry W. Rosley, secretary, was presented.

At the request of Councilman Burgener, it was read.

Among other things, it "wishes to express its deep and lasting appreciation to our City Fathers for their far-sighted wisdom in bring, as our local 'Sentinel' words it, 'Clairemont's long-sought access road to Highway 395 another notch nearer reality!'" It offers cooperation on a citizen level. It expresses appreciation for City's cooperation to the fastest-growing suburban area in matters of library, road development and parks. It mentions working on plans for community-wide volunteer program to assist in beautification of 2 projected park areas in Clairemont.

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

Communication from Robert C. Roark, president, Lomita Village Civic Club, dated August 23, 1955, was presented.

It was read by the Clerk.

It expresses deep appreciation for recognition and co-operation given in efforts to solve some of problems of the area. It speaks of gratitude to Mayor Charles Dail, Councilmen Frank Curran and Clair Burgener, and of residents being extremely pleased with marvelous attitude of City Council as a whole, especially in its recent approval of \$20,000 grant for development of park facilities. It offers services either as individuals or as a group.

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

A communication from Committee for Mission Beach Residents, dated August 7, 1955, protesting action of the City Council in unofficially approving compromise changes

in operation of Mission Beach Amusement Center published in the Evening Tribune as of August 5, 1955, was presented. It makes specific protest to transfer of the roller coaster from its present owner to Mr. Jack Ray, Belmont Park operator. It expresses feeling of dissatisfaction, and says "the interests of the residents should bear equal consideration of the tax revenues from all their properties are weighed against a flat \$10,000.00 proposed as the total rent to be paid on the present rent. This is particularly significant in view of the tremendous investment in land, structures and equipment now being leased at this figure". It refers to having been ignored regardless of promise recited in Mr. Burgener's letter of March 27, 1955.

Written on the letter was this note "To be read at Aug 30 session".

RESOLUTION OF AWARD 128274, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract, 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 Burgener, adopted.

The City Engineer reported that low bid was 18.2% below estimate.

RESOLUTION OF AWARD 128275, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract, for paving and otherwise improving Macaulay Street and Willow Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported that low bid was 9.3% below estimate.

RESOLUTION OF AWARD 128276, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving Warrington Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported that low bid was 13.0% below estimate.

RESOLUTION 128277, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 23 Ocean Beach Park; approving Plat 2771 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 128278, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Gillmore Street, Southlook Avenue, Olivewood Terrace and Ocean View Boulevard; approving Plat 2729 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 128279, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Shasta Street and Crown Point Drive; 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 upon passage of resolution of intention, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 128280, for paving and otherwise improving

Alley Block 6 Ocean Beach, Resolution of Intention 127511, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 128281, for furnishing electric current in San Diego Lighting District 2, for 1 year from and including July 1, 1955, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 128282, for paving and otherwise improving Northwesterly and Southeasterly Alley in Fort Stockton Heights, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 128283, for paving and otherwise improving Landis Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 128284, for paving and otherwise improving Wunderlin Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128285, for paving and otherwise improving Alley Block 23 Ocean Beach Park, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128286, for paving and otherwise improving Gillmore Street, Southlook Avenue, Olivewood Terrace and Ocean View Boulevard, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128287, for paving and otherwise improving Shasta Street and Crown Point Drive, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128288, appointing time and place for hearing protests, and directing notice of hearing for electric current in La Jolla Shores Lighting District 1, for 11 months and 17 days from and including September 15, 1955, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128289, appointing time and place for hearing protests, and directing notice of hearing for electric current in Midway Drive Lighting District 1, for 1 year from and including October 1, 1955, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128290, ascertaining and declaring wage scale for paving and

otherwise improving Alley Block 274 Pacific Beach, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128291, ascertaining and declaring wage scale 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 Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128292, ascertaining and declaring wage scale for paving and otherwise improving 63rd Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128293, approving diagram of property affected or benefited by work of improvement to be done on removing existing ornamental lighting standards and installing new ornamental light standards in Broadway, Resolution 121648, 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 Williams, adopted.

RESOLUTION 128294, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 40th Street, Resolution of Intention 123407, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128295, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Morrell Street, Hornblend Street, Emerald Street and Balboa Avenue, Resolution of Intention 124573, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128296, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 29th Street, E Street and 28th Street, Resolution of Intention 123408, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128297, adopting recommendation of City Engineer, Document 519309; authorizing City Engineer to amend proceedings for improvement of Noyes Street, Beryl Street, et al, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128298, declaring a one-way Street:
Fourth Avenue, from south line of Lewis Street to north line of Washington Street;
authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128299, establishing parking time limit of 2 hours between

8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Fourth Avenue, between Spruce Street and Thorn 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128300, establishing parking time limit of 2 hours:

Both sides of Walnut Avenue between Fourth Avenue and Fifth Avenue;

Southerly side of El Cajon Boulevard, between east line of 44th Street and west line of Highland 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128301, authorizing City Manager to accept work on behalf of The City of San Diego in Muirlands Heights Subdivision, and execute Notice of Completion and have it recorded (Agreement Clerk's Document 475813), was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

In connection with the next resolution listed on the agenda, the Mayor recognized J. K. Stickney, attorney.

The Resolution listed authorized and directed the City Manager to sign power of attorney necessary and incident to procurement of public liability insurance from Truck Insurance Exchange.

Mr. Stickney told the Council that this is serious and important, as a matter of policy. He stated that Farmers' (insurance group) is not a stock company, but is an insurance exchange, which insures with others. He read from an unidentified document (referred to as the law), regarding assessments. He said it could be \$70,000 with double premium, under assessment. Mr. Stickney said that questions have not been decided. He said that Farmers' insurance could have claims in other cities where the City's assets could be attacked. He said they would pledge the credit of the City. He read from the Charter regarding there being no credit assigned by the City. Mr. Stickney told of liability cases which had gone on for years. He said that a 3-year old ward would have 19 years in which to bring a suit. Then he spoke about liability being incurred many years before. He said that it can't be known for years where the City stands, by this proposed power of attorney. He declared that Mr. Stickney stated that this is a matter of serious consequence to the City. He asked for a continuance of 1 week on the proposed resolution.

Mayor Dail told Mr. Stickney that the Council has awarded contract for the insurance, and that the item should come before a court, rather than before the Council.

Mr. Stickney answered that if there is a power of attorney executed, he thought the item will come before the Court. He questioned the valid insurance contract. He declared that the City should not surrender its rights by execution of a power of attorney. He stated that the question has never been adjudicated by the courts. He said that the City would be pioneering the way, and that it would be dangerous.

Councilman Schneider moved to continue the item 1 week. Motion was seconded by Councilman Evenson.

Mayor Dail said that he doubts that the Council will consider the question further.

City Attorney J. F. DuPaul said that the Council should act with all due speed today, if, as Mr. Stickney states, the City has no insurance. He pointed out that the City Manager could delay the signing. He asked John McQuilken if premium had been paid.

Mr. McQuilken replied that he did not know.

128300 - 128301
Discussion re
power of attorney
on public liability
insurance

8/30/55

Mr. DuPaul pointed out that the Auditor could be enjoined from paying the premium, and that the City would have the insurance as soon as the power of attorney is signed. He stated that the point can be tested on a suit. He said that it is his personal opinion that Mr. Stickney is going to lose such a suit.

Councilman Evenson asked if the City is insured not, if it is signed.

Mr. DuPaul said that the City would be insured.

The motion to continue 1 week was withdrawn.

Mr. DuPaul spoke to Mr. McQuilken

RESOLUTION 128302, authorizing and directing City Manager to sign on behalf of The City of San Diego power of attorney necessary and incident to procurement of public liability insurance from Truck Insurance Exchange, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128303, authorizing and directing City Clerk to publish or cause to be published in the official newspaper of The City of San Diego, that the City Council proposes to authorize by resolution the City Manager to execute contract between The City of San Diego and the Library Association of La Jolla, an incorporated non-profit association, wherein the association leases to the City for 5 years premises in La Jolla for use by the City as branch public library, upon condition that association convey to the City its title and interest in and to certain books and library equipment now existing on said premises, which are more particularly described in an exhibit attached to the lease agreement as "Schedule A", copy of proposed lease agreement on file in office of City Clerk as Document 519636, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128304, granting permission to Doyle Baird Plumbing Company, Charles Chandler, contractor, to use 1-1/2" copper waste lines instead of 1-1/2" cast iron waste lines on installation at 2234 Paseo Dorado, La Jolla; subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128305, granting permission to Mission Beach Amusement Park Co. and San Diego Fireworks Display Co. to conduct public display of fireworks on the Ocean Front, opposite Golf Course, Belmont Park, at Mission Beach, September 5, 1955, 10:00 P.M. to 10:30 P.M., subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128306, granting permission to San Diego Unified School District to install brass vents on kindergarten sinks at Kate Sessions Elementary School, 2150 Beryl Street, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128307, granting permission to The University of San Diego, owner, and L. J. Ninteman Construction Company, contractor, to use 8" tile sewer pipe with bell and spigot coupling, using Atlas J.C.-60 compound, and to lay pipe according to estimate and blue print of Pacific Clay Products attached to petition, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128308, granting revocable permit to Clifford L. Clement and June L. Clement, 2226 Tulip, to install and maintain concrete block retaining wall for use and benefit of owner's property, over Tulip Street in front of Block G Lot 22 Fairmount Park, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128309, granting revocable permit to Mrs. E. K. Deardorf, 228 Juniper Street, San Diego, to install and maintain set of steps over and across Nutmeg Street in front of owner's property: Lots E and F Block 314 Horton's Addition, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128310, granting revocable permit to F. W. Kellogg Estates, 2000 Spindrift Drive, to install and maintain water service connections over, under and across Paseo Dorado: Lots 1, 2, 3 Beach Club Terrace, portion of Pueblo Lots 1281 and 1285, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128311, granting revocable permit to Mrs. Elizabeth D. Peery and Edward L. Peery, 5115 Fanuel Street, to install and maintain private 5/8" galvanized iron water line under Hartford Street from Lots 19 and 20 Block 98 Morena, to city water main at Milton-Hartford intersection, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128312, authorizing and directing City Auditor and Comptroller to transfer \$135,000 from moneys set aside for use of Public Works Department for maintenance, operation and acquisition of motor vehicle equipment, to General Fund of the City, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128313, denying claim of Max H. Holman, Document 517918, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Curran, 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 written or printed copy.

ORDINANCE 6635 (New Series), changing name of portion of 67th Street to Rosefield Drive and portion of Rosefield Drive to 67th Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Kerrigan.

It was introduced on motion of Councilman Schneider, seconded by Councilman Curran.

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

ORDINANCE 6636 (New Series), appropriating additional moneys for fiscal year 1955-1956, supplementing items heretofore fixed for said departments, and revising other amounts appropriated for said departments by Annual Appropriation Ordinance 6549 (New Series) adopted July 5, 1955 - as set out in detail in the ordinance - was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Kerrigan.

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 6637 (New Series) fixing rate and levying taxes for Fiscal Year 1955-1956 necessary to provide amount of money to be raised by taxation upon taxable property of The City of San Diego as a revenue to carry on various departments of City of San Diego and to pay bonded indebtedness thereof, as fixed and determined by Ordinance 6569 (New Series) adopted July 5, 1955, as amended by Ordinance 6636 (New Series) adopted August 30, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

(The Tax rate set is \$1.70)

It was introduced on motion of Councilman Burgener, seconded by Councilman Schneider.

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 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 6638 (New Series), appropriating \$5,500.00 from Unappropriated Balance Fund for maintenance and operation of Veterans' War Memorial Building, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

City Attorney J. F. DuPaul told the Council that the South Bay annexation item will be up in a few minutes.

The next item had been listed on the agenda for August 25, 1955, and held until this meeting:

On motion of Councilman Curran, seconded by Councilman Burgener, Ordinance approving and adopting proposed amendment of Rule X of the Rules of the Civil Service Commission of the City of San Diego, was introduced (as amended following August 25 meeting), by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

Harvey C. Harmelink, of the Fire Fighters' Association, told of having "had no word".

The City Manager said that it refers only to compulsory leave.

(There was added at the end of Section 6 "Evidence of such action shall be forthwith transmitted to the Personnel Director".

In connection with the next ordinance, the City Manager said that the City Engineer and Planning have been working on the Code. He said that it had been discovered in connection with being not permitted to work in the street that there is no penalty for doing so. He said that with this, there is to be no permit without a resolution.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance amending Section 62.03 of San Diego Municipal Code regulating work in public streets or alleys; was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

On motion of Councilman Schneider, seconded by Councilman Curran, Ordinance amending San Diego Municipal Code by adding new section and subsections, to be numbered 55.08 to 55.08.9 inclusive; Regulating Petroleum Marine Facilities in the Tidelands Areas, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

The next item was introduced by the Mayor. It was not listed on the agenda:

Mayor Dail read a letter from Public Housing Administration, signed by Faye Hartman, Special Field Representative, dated August 25, 1955 (received in Mayor's Office Aug. 26, 1955). The letter asked that it be considered a formal request for hearing at today's meeting.

The Mayor said that is a continuation of discussion regarding sidewalks and alleys in Linda Vista. He said that Mrs. Hartman and Linda Vista people were present.

Mrs. Hartman came to the microphone, and said that request is the result of petitions to P.H.A. and to the City Council. Referring to work which had not been done, Mrs. Hartman said that they had "only so much to do with". She said that there were some honest, constructive criticism. She referred to proposed deletion of items, for which funds would be used for sidewalks. She said that the Engineering Department could decide about deletions, and how far to go.

Councilman Burgener said that maybe reference should be made to the map regarding deletions and substitutes.

Mayor Dail said that this should be referred to the City Manager, and to the "Housing people".

Councilman Schneider spoke to Mrs. Hartman regarding deletions, to provide (funds) for sidewalks.

Mrs. Hartman spoke of knowing of proposed changes.

Emma Jenkins said that there are 41 school-age, and smaller, children in a long block, which have to use the street. She said that they do have a lot of traffic, and there are squeaking brakes. She said that should "have a chance".

Mayor Dail said that this is a new development. He said, again, that it should be referred to the Manager and the Housing people.

Councilman Schneider said that it has to go to the City Engineer and to Planning. He said that the Council can't say yes or no here. He said it can't be answered today.

Councilman Evenson commented that people are interested in the proposal.

Mrs. Staren said she had been asked by the Coordinating Council to represent that group. She said that it is the main opinion that on the busy street there should be sidewalk. She stated that sidewalks may not be needed on courts, but are needed on busy streets.

Mrs. Hodge, representing the Linda Vista Improvement Association, told the Council that she was in favor of what Mrs. Hartman is trying to do regarding the cutting out of the access streets, and the providing of sidewalks.

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

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

RESOLUTION 128314, giving permission and consent of The City of San Diego to Thomas H. Higgins, et al., to start proceedings to annex South Bay Area Tract to The City of San Diego, subject to outstanding obligations of The City 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:

The City Manager spoke of there being a hole, and having been provision for drainage. He said that it had been worked out to fill the hole; the owner did not want it filled. He said that is a problem only when it rains. He said that there is a letter of agreement where the owner will join with the City on improvement.

RESOLUTION 128315, authorizing City Manager to accept work on behalf of The City of San Diego in O. D. Arnold's Hazelwood Heights Unit 1 Subdivision, and to execute Notice of Completion and have it filed, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Mary Harvey, Executive Secretary of the Municipal Employees' Association, said that the MEA is satisfied with the passage of Rule X. She thanked the Council and the City Manager, and expressed appreciation for their views.

Mayor Dail asked Miss Harvey if she thinks the Council "did something right for a change".

The reply was in the affirmative, and that the employees did know what was happening. She expressed her thanks again.

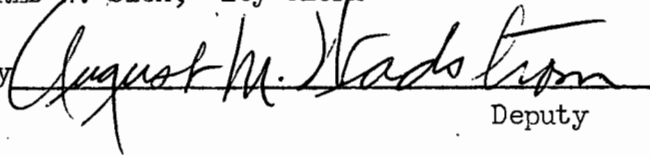
John McQuilken, who had gone out to check on the item, informed the Council that the premium has not been paid on the insurance; that the City has 60 days to do so.

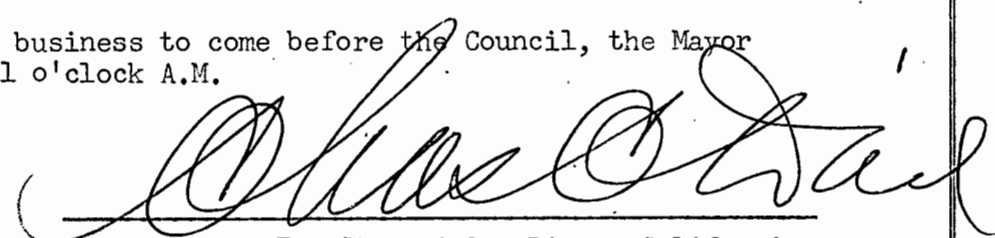
There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:41 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

Mary Harvey's thanks re Rule X
City Auditor's report re premium
on City insurance
Meeting adjourned

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, September
1, 1955

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

Resolutions and Ordinances for this meeting are recorded on Microfilm
Roll 100.

In the absence of the Mayor, Vice Mayor Clair W. Burgener presided.
At the Vice Mayor's request, the roll was called showing him voting last, in the place
of the Mayor.

Opening the meeting, Vice Mayor Burgener explained that Mayor Dail is
in Mexico, where he had gone to hear an address by the President of Mexico. He stated
that the Mayor paid his own expenses, that he left yesterday, and will be back tomorrow.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing
on Ordinance incorporating portions of Lots 21 and 22 Block 59 Caruther's Add. into
C Zone, the Clerk reported no protests.

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

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

ORDINANCE 6639 (New Series), incorporating portions of Lots 21 and 22
Block 59 Caruther's Add., into C Zone as defined by Section 101.0411 of the San Diego
Municipal Code and repealing Ordinance 78 (New Series) adopted November 14, 1932, inso-
far as it conflicts, was on motion of Councilman Schneider, seconded by Councilman
Evenson, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider,
Curran, Evenson. Nays--None. Absent--Councilman Kerrigan, Mayor Dail.

Reading was dispensed with, and copies were available before consideration
prior to day of final passage.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing
on Ordinance incorporating Lots 3395 and 3396 Clairemont Unit 16 and Lots 3435 and
3436 Clairemont Unit 16 Annex into R-1 Zone, the Clerk reported no protests.

Harry C. Haelsig, Acting Planning Director, asked for a report,
stated that it is a change from R-4 to R-1, in connection with financing of housing.

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

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

On motion of Councilman Schneider, seconded by Councilman Curran,
reading in full prior to final passage 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 final passage a written or printed copy.

ORDINANCE 6640 (New Series) incorporating Lots 3395 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 The San Diego Municipal Code and repealing Ordinance 6504 (New
Series) adopted May 12, 1955, insofar as they conflict, was on motion of Councilman
Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilman
Burgener, Williams, Schneider, Curran, Evenson. Nays--None. Absent--Councilman Kerrigan,
Mayor Dail.

Meeting convened
Explanation of Mayor's
absence
Hearings
6639 N.S. - 6640 N.S.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance establishing 5-foot setback on north side of Santa Rita Place between Mission Boulevard and Strandway, the Clerk reported no protests.

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

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

On motion of Councilman Schneider, seconded by Councilman Curran, 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 6641 (New Series), 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 The San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from meeting of August 25, 1955 (on which date a hearing had been held also), 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 - southerly side of Felspar Street, between Cass and Dawes Street - Zone R-4, as parking lot in conjunction with paint store across alley on Lots 35 and 36 of same block, subject to conditions, Councilman Schneider made a statement. Mr. Schneider said that the hearing had been continued to permit the Council to look at it. He told of having "talked to the people", and said that it seemed to be suitable.

Vice Mayor Burgener asked if anyone on the Council was not familiar with the property, and the subject of the hearing.

Councilman Evenson said that he had not had the opportunity to see it.

The Vice Mayor pointed out that it would take 5 votes of the Council to overrule the action of the Commission (the Board of Zoning Adjustment).

Councilman Schneider moved to deny the appeal and "uphold the Commission".

The Vice Mayor said that it would be in order to poll the Council, to determine the feeling.

Councilman Schneider said that it would not hurt the appearance; it would be for day-time parking; there is plenty of parking at night. He declared that the parking lot proposed would improve the appearance.

Mr. Principe, who spoke at the previous hearing, said again that he owns property there. He asked why the property owners had to come to these hearings so many times.

The Vice Mayor stated that the law requires the hearings.

Mr. Principe said that he is within 300 of the site, and has 3 apartments. He said he has "come 3 times already". He spoke of the City keeping postponing the issue. He said that he has had enough. Mr. Principe pointed out that it is a residential section.

The Vice Mayor stated that this issue can be acted upon today.

Councilman Williams said he "wonders what the real objection is".

Mr. Principe said to Councilman Williams that he would not want this at his back yard. He said that he is east of the property in question; 1 house and 1 lot away. He said it would be hard to rent the house.

The Vice Mayor said that the hearings are held for public protection.

Mr. Principe charged that this would be stalled until "they get what they want". He said that he is working for a living, and that every minute costs him when he has to come down to these hearings.

The Vice Mayor agreed with the statement.

Councilman Williams suggested that it could be pointed out that there is not a full Council.

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

The Vice Mayor said that Councilman Schneider has expressed himself in favor of the variance (which had been granted by Board of Zoning Adjustment). He repeated that it would take 5 votes of the Council to overrule the Board.

Councilman Schneider pointed out that the Council is "leaning over backward".

On motion of Councilman Schneider to deny the appeal, and sustain the Board of Zoning Adjustment, seconded by Councilman Evenson, the roll call showed the following: Yeas--Councilmen Schneider, Curran, Evenson. Nays--Councilmen Burgener, Williams. Absent--Councilmen Kerrigan, Mayor Dail.

City Attorney J. F. DuPaul declared that in order for the motion to have carried, it would have needed 4 votes. He pointed out that the motion did not have 4. He stated that "the matter is still open".

Councilman Schneider suggested that a motion be made to the contrary. Councilman Williams moved to grant the appeal, and overrule the action of the Board of Zoning Adjustment.

Councilman Williams said that if motion is not made today (and action taken) the matter remains open.

Vice Mayor Burgener said that it is apparent that the motion will not be seconded.

Councilman Williams stated that it is said that there is not a motion. He said that the issue can be dead as of today. He said that it is not fair to the proponents to take a vote on a 5-vote Council. According to him, maybe it should be continued.

The Vice Mayor stated that there are "3 for it; 2 against".

An unidentified woman told the Council that she does not understand how 1 man can come in and buy a lot, and then come in in 1 month and make a request for a variance.

Councilman Schneider spoke to that lady about the evidence, the examinations which had been made, and the hearings held. He stated that the Board of Zoning Adjustment is an unpaid, volunteer group working for the City's benefit. He pointed out that the Board had come to complete agreement in its decision. He said that it had agreed with the owner for use of the property as proposed - under conditions. He told of having gone out and looked at it. He said that the laws says that the owner can make a request.

Vice Mayor Burgener said he felt that the property owners are entitled to protection. He said he felt it "should be retained".

Councilman Curran pointed out that with no action today, the variance is automatically granted.

Councilman Curran moved to continue the hearing until Tuesday (Sept. 6) present on Tuesday. The Vice Mayor stated that there will be 6 members of the Council.

Councilman Evenson seconded the motion to continue the hearing until Tuesday.

Councilman Curran spoke to the people present on this subject.

The roll was called on the motion to continue to September 6: Yeas--Councilmen Burgener, Williams, Curran, Evenson. Nays--Councilman Schneider. Absent--Councilman Kerrigan, Mayor Dail.

As a result of that vote, the hearing was continued to September 6.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Eugene and Gladys O'Neal from decision of Board of Zoning Adjustment denying permission to convert roof sign to pole sign and locate it in the setback area - to advertise an existing motel at northeast corner of Hugo and Rosecrans Streets, in Zone R-4, the Clerk reported no protests.

Communication from Kahn & Karp, attorneys at law, Bank of America Building, San Diego 1, August 31, 1955, by Louis M. Karp, requesting continuance of hearing for 1 week, was in the file.

No one appeared to be heard, and no communications other than the request for continuance were presented.

Councilman Williams said that there are only 5 members of the Council present. He thought it might wait for the rest of the Council. He said that Mr. O'Neal is hear.

Councilman Schneider said he "was for it 2 years ago, and still is for it".
RESOLUTION 128316, granting appeal of Eugene and Gladys O'Neal from decision of Board of Zoning Adjustment in denying request for permission to convert an 8'6" x 4' roof sign to pole sign and locate in setback area, post to have 9'6" setback,

sign to have 5'3" setback, 14' in height on Lots 5 and 6 Block 74 Roseville, at northeast corner of Hugo and Rosecrans Streets, in Zone R-4; overruling and denying the decision, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Petition of residents of northwest Ocean Beach for setting aside and designating lower or western end of San Diego River Channel as bathing, picnicking and fishing beach, "to be used Solely by the public as a recreation area, and to protect same by buoys, from airplanes and all motor powered boats, with a heavy fine for entering this area", was presented. It asks that buoys be placed about 1000 feet east of east end of road now entering the River Channel from Brighton Avenue.

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

(A petition on the same subject was before the Council August 30, 1955, at which time it was referred to the City Manager).

Report of Purchasing Agent, with City Manager's stamp of approval, on low bids of:

(a) San Diego Pipe & Supply Co. for furnishing Copper Tubing, Items 1 through 4, total price of \$12,824.80 terms 1/2 of 1% - 10 days, plus State Sales Tax; delivery in 30 days;

(b) Crane Co. for furnishing Copper Fittings, Items 5 through 33, at total price of \$10,387.61 terms 2% - 15th prox., plus State Sales Tax; partial delivery from stock, balance in 60 days;

(c) Mission Pipe & Supply Company, for furnishing Copper Valves, Items 34 through 36, total price of \$1,505.35 terms 2% - 30 days, plus State Sales Tax; partial delivery from stock, balance in 30 days; 8 bids received, according to tabulation attached.

Report says that amounts are sufficient for approximately 3 to 4 months usage.

RESOLUTION 128317, accepting bid of San Diego Pipe & Supply Co. for furnishing Copper Tubing - according to details of items, amount and sizes, as well as prices set out in Resolution - awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128318, accepting bid of Crane Co. for furnishing Copper Fittings - according to details of items, amount and sizes, as well as prices set out in Resolution - 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 City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128319, accepting bid of Mission Pipe & Supply Company for furnishing Copper Valves - according to details of items, amount and sizes, as well as prices set out in Resolution - awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company 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 - \$7,378.63; 3 bids, was presented.

RESOLUTION 128320, accepting bid of Griffith Company for improvement of Grand 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 Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company for improvement of Morrell Street between north line of Grand Avenue and point 10 feet northerly of north line of Balboa Avenue (including grading, paving, construction of curb, sidewalk, culvert and concrete lug) - \$4,723.35; 2 bids, was presented.

RESOLUTION 128321, accepting bid of Griffith Company for improvement of Morrell 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 Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Johnson Western Constructors for construction of storm drain in Moore Street and California Street and to San Diego Bay - \$558,331.00; 6 bids, was presented.

(Estimated cost was \$785,000.00)

RESOLUTION 128322, accepting bid of Johnson Western Constructors 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 Williams, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Pace Construction Company for construction of sanitary sewers in Bancroft Street, Adams Avenue, 32nd Street, West Mountain View Drive and Alleys Blocks 31 and 32 Normal Heights - \$11,370.86; 4 bids, was presented.

Councilman Schneider said that he wanted a stipulation (he did not reveal the subject of the stipulation).

Vice Mayor Burgener said he thinks it can be worked out.

RESOLUTION 128323, accepting bid of Pace Construction Company for construction of Sanitary Sewers in Bancroft Street, Adams Avenue, 32nd Street, West Mountain View Drive and Alleys Blocks 31 and 32 Normal Heights; 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 on identical bids of Austin Safe and Desk Co. and Rodney Stokes Co. for furnishing 3 items of Plan Filing Equipment at total of \$1,217.00 net plus State Sales Tax (additional equipment for Harbor Department) - 2 bids, was presented. It recommended award to Austin Safe and Desk Co. on basis of stock on hand.

RESOLUTION 128324, accepting bid of Austin Safe and Desk Co. for furnishing 3 items of Plan Filing Equipment; 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 on the low responsible bid of Underwood Corporation for furnishing 22 Typewriters for various departments at total price of \$4,130.00 plus State Sales Tax, less trade-in allowance on used typewriters of \$838.25, making total net price including Sales Tax of \$3,415.65, was presented. It says low net bid was submitted by L. B. Rudrauff Company on Olivetti, an Italian-made typewriter. For various reasons listed in the recommendation that bid - there were 5 bids - it was not recommended.

RESOLUTION 128325, accepting bid of Underwood Corporation for furnishing 22 typewriters; 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 Evenson, seconded by Councilman Schneider, adopted.

9/1/55

Report of Purchasing Agent, approved by City Manager, recommending acceptance of offer of B. F. Goodrich Company to furnish fire hose, under Contract Document 501341, testing 15 pounds under adhesion test instead of 18 pounds as required by City specifications, and that additional guarantee will be extended to 10 years for replacement free-of-charge of that hose the failure of which can be definitely attributed to defects in material or workmanship caused by reducing minimum weight from 18 to 15 pounds. It makes added detailed report, and advises that City Attorney's office states that the hose could properly be accepted with the agreement on the part of the company, and that Chief of Fire Department by letter of August 26, 1955, recommends acceptance. It recommends that the Council approve the acceptance at the reduced adhesion requirement, and with additional guarantee as stated.

RESOLUTION 128326, accepting offer of The B. F. Goodrich Company to furnish Fire Hose under Contract Document 501341 (Purchase Orders 01675 and 01699); extending additional guarantee; was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

There was listed on the agenda a Resolution permitting purchase of Lumber from Dixie Lumber Company, American Products, Western Lumber Company, Glasson Lumber Company and Airline Lumber Company. The item had been listed by request of the Purchasing Department, but was not presented.

The Vice Mayor said that there was a request from Lowry (not identified further) to continue the item to Tuesday.

On motion of Councilman Schneider, seconded by Councilman Curran, it was continued until Tuesday, September 6.

Councilman Curran asked a question in connection with the next item.

The City Manager explained that it has to do with a road, for fishing.

RESOLUTION 128327, authorizing and directing Purchasing Agent to enter into rental agreement with Darrough Bros. of Ramona, California, for rental of HD-9 Tractor Bulldozer for approximately 15 days at price of \$10.50 per hour for tractor fully manned and operated, plus \$20.00 charge for moving machine in and out of Sutherland area, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128328, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expenses necessary or incidental for Small Water Main Replacements Group No. 23, Document 519550; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128329, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of 28th Street Pier Cafe and Landing Building Foot of 28th Street, Document 519551; 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 approval of Final Map of Bowman's Terrace, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 128330, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Courtney E. Bowman and Florence C. Bowman, subdividers, for installation and completion of unfinished improvements and setting of monuments ~~of unfinished improvements~~; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128331, adopting map of Bowman's Terrace and accepting public street and unnamed easements shown thereon - a subdivision of East 150 feet of North Half Lot 7 Eureka Lemon Tract - declaring Baker Street and unnamed easements to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of Council, that street and easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Listed on the agenda were communications from Planning Commission, by Harry C. Haelsig, recommending suspension of sections of the Municipal Code, and recommending approval of Tentative Map of Chemtronics Park.

On motion of Councilman Schneider, seconded by Councilman Evenson, they were continued - together with accompanying Resolutions - to the meeting of Tuesday, September 6, 1955.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Record of Survey Map on Clairemont Unit 8, Lots 1537, 1538, 1539, in lieu of final subdivision map, was presented.

RESOLUTION 128332, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of The San Diego Municipal Code - resubdivision of Lots 1537, 1538 and 1539 Clairemont Unit No. 8, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of Sections 102.09-1 & 2, 102.11-2, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Haven Acres, a 93-lot subdivision of Lot 19 and portion Lot 10, was presented.

RESOLUTION 128333, suspending Sections 102.09-1 & 2, 102.11-2, 102.12-8, 102.17-c of the Municipal Code, in connection with Tentative Map of Haven Acres, 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 Haven Acres - located between 55th and 56th Streets, south of Horace Mann School site, between Belleview Heights Unit 4 and Richman Hills subdivisions - property on which San Diego School District started condemnation proceedings in connection with proposed new East San Diego High School, subject to 13 conditions, was presented.

RESOLUTION 128334, approving Tentative Map of Haven Acres, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The next item was listed farther down on the agenda, but was numbered at this point by request:

RESOLUTION 128335, authorizing and empowering City Manager to do all work in connection with construction of necessary recreation facilities at Sutherland Reservoir, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

(This is related to the item listed previously, on which Councilman Curran had asked a question, answered by the City Manager).

Communication from Planning Commission, by Harry C. Haelsig, recommending

that section 102.02.1 be suspended to permit filing of record of survey map in lieu of final subdivision map on Tentative Map of Las Alturas Unit No. 2, a 3-lot subdivision of Lot J Block 5, was presented.

RESOLUTION 128336, suspending Section 102.02.1 (of The San Diego Municipal Code to permit filing of record of survey map in lieu of final subdivision map - in connection with Tentative Map of Las Alturas Unit 2, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending that section 102.02.1 be suspended to permit filing of record of survey map in lieu of final subdivision map on Tentative Map of portion Lots 3 and 6 and Lots 4 and 5 Block 151 Middletown, was presented.

RESOLUTION 128337, suspending Section 102.02.1 (of The San Diego Municipal Code to permit filing of Tentative Map of Middletown, a resubdivision of Lots 4 and 5 and a portion of Lots 3 and 6 Block 151 - in connection with Tentative Map of Middletown, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Normal Heights, a resubdivision of Lot 1 Block 62, was presented.

RESOLUTION 128338, suspending Sections 102.07-6, 102.07-5, 102.06-1, 102.17-c, 102.02.1 of the Municipal Code in connection with Tentative Map of Normal Heights resubdivision of Lot 1 Block 62, 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 resubdivision of Lot 1 Block 62 Normal Heights, into 2 parcels, at southwesterly corner of 34th and Adams, in a commercial zone, occupied by a commercial building and a residence at the rear of the lot, was presented. It says that proposed division would create violation of Building Code, but owner is willing to reconstruct wall in accordance with Building Department's requirements if map is approved. It makes approval subject to 5 conditions.

RESOLUTION 128339, approving Tentative Map of Normal Heights, a 2-lot subdivision of Lot 1 Block 62, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted - subject to conditions of the Resolution.

Communication from Planning Commission, by P. Q. Burton, recommending changing street names in newly-annexed Grantville area, to conform with City's policy, to avoid confusion and duplication, was presented. It says that all reporting agencies approved the proposed changes; 17 notices of public hearing were posted on the 3 streets concerned, and no protests were received. It says that the Commission voted for adoption of the new names by vote of 6-0.

Names proposed to be changed are Chase Street to Crawford; Olympic Avenue to Hood Avenue; Lassen Avenue to Rainer Avenue.

RESOLUTION 128340, adopting recommendation of City Planning Commission for making street name changes in newly-annexed area in Grantville; requesting City Attorney to prepare and present the necessary ordinance, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by P. Q. Burton, recommending change of name of Mesa Street to Mercury Street - located on Kearney Mesa, which runs due north from U.S. Highway 395 at approximately Othella Street, approximately opposite Montgomery Airport. It says that all reporting departments have approved the change and no protests have been received. It says that the Commission voted for change of name, by vote of 6-0.

RESOLUTION 128341, adopting recommendation of City Planning Commission for changing name of Mesa Street to Mercury Street in Kearny Mesa area; requesting City Attorney to prepare and present the necessary ordinance, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by P. Q. Burton, submitting petition requesting that City accept a 50-foot strip of land for street purposes in Encanto area, located north from Lisbon Street about 200 feet east of Pidgeon Street - total length approximately 550 feet, was presented. It tells of involving moving a substantial new dwelling, cost to acquire and clear right of way proposed to be dedicated. In addition to further reports, it says that the Commission voted 6-0 to recommend that petition for dedication be denied without asking any other city department to report on the matter.

On motion of Councilman Schneider, seconded by Councilman Curran, it was continued 1 week - to Thursday, September 8, 1955.

Communication from Planning Commission, by P. Q. Burton, reporting on letter from Walter Bollenbacher and Louis L. Kelton, developers of Allied Gardens, requesting that Planning Commission and City Council make finding that a laundromat, together with finished laundry agency and dry cleaning agency, be ruled a use similar to and not more obnoxious than other permitted uses in RC zone along northwest side of Waring Road in business center of Allied Gardens. In addition to a detailed report, it states that Planning Commission voted 6-0 that it was their finding that a laundromat at 5134 Waring Road, on portion of Lot 501 Allied Gardens Unit 4, is not similar to permitted businesses in an RC zone, and recommended that the Council make a similar finding. It states that a similar finding was made recently regarding a proposed laundromat at 9th Avenue and Beech Street.

Vice Mayor Burgener said this item had been discussed in Conference.

Councilman Schneider moved, and Councilman Evenson seconded the motion, that a finding be made that use is similar.

RESOLUTION 128342, making a finding that laundromat, together with finished laundry agency and dry cleaning agency, of portion Lot 501 Allied Gardens Unit 1 in RC Zone is a business similar to and not more obnoxious or detrimental to welfare of particular community than uses mentioned in Zone RC - located in building approximately 15x60 feet, and facilities consist of 4 washing machines of 25-pound capacity with 1/3 H.P. motors, 2 driers with 35-pound capacity and 1/2 H.P. motors, and 1 extractor with 30-pound capacity and 2 H.P. motor; in addition there are hot water tanks, soft water facilities and some storage space, was adopted.

Communication from Street Superintendent reporting on petition to close "portions of unnamed streets and County Road Survey No. 878, at Alvarado Canyon Road, designated 'Parcels #1, #2, and #3', on 'Right of Way Map showing Waring Road - - - and proposed vacations, etc.', corrected 5-31/55", was presented. It recommends closing, as requested.

RESOLUTION 128343, adopting recommendation of Street Superintendent, Document 519594 to close parcels of right of way map showing Waring Road; 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 Williams, seconded by Councilman Curran, adopted.

Communication from Street Superintendent reporting on petition "close unnamed street, dedicated by City Council Resolution 85316, from northerly line of Frost Street to its northerly termination in N 1/2 of S 1/2 of P.L. 1202, lying east of Highway 395", was presented. Street is identified as easterly of U.S. 395 between Frost and northerly line of S 1/2 P/L, within proposed Harvey Subdivision for which Tentative Map was approved by Resolutions 122123 and 122124 - there are no existing improvements within proposed closing. It recommends closing as requested.

RESOLUTION 128344, adopting recommendation of Street Superintendent to

close unnamed street easterly of Highway 395; 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 Williams, seconded by Councilman Curran, adopted.

Communication from John D. Butler, attorney at law, 2655 Fourth Avenue, San Diego 3, requesting the Council that the City Manager be authorized to continue negotiations in the case of City of San Diego vs. Gibbs Flying Service, Inc. Superior Court Number 199512, with view toward settlement without judicial determination which might or might not be in the best interests of the City of San Diego and in any case will be several months delayed, was presented.

On motion of Councilman Curran, seconded by Councilman Schneider, it was continued until Tuesday, September 6, 1955.

Communication from J. A. Farkas, 4960 Gardena St., San Diego 10, dated August 29, 1955, opposing, on behalf of himself and his neighbors, to report made by City Engineer in connection with storm drain from Western Hills into Gardena St., was presented.

Vice Mayor Burgener said that this item had been discussed in Conference. Mr. Farkas said that he did not know if all members of the Council had read the report. He read a copy of letter from him, just referred to. He said that engineers report a gully, a natural gully, but not for drainage. He said that he and his dad have not been contacted. He spoke of building 5 years ago, and the gully, again. Mr. Farkas said that water will move "open" where the fill is. He stated that the City Engineer says that it has to receive all the water. He spoke of having had 2 floods in the last 4 years. He said that the City has tried to put through a bond issue on Tecolote Creek, but that it was turned down. He contended that the water will come from Western Hills.

The Vice Mayor spoke to Mr. Farkas about any decision made today affecting the whole city.

Mr. Farkas said he and his Dad have 14 acres, and don't want it cut away. He spoke of being willing to give an easement. He told the Council that he does not see why on the low side the property has to take the runoff.

The Vice Mayor said that he is sure that the item is going to have to go to Conference. He declared that it is an important matter, but does not know the answer.

Councilman Schneider spoke about making a poll.

Mr. Farkas said that he is in Tecolote Valley. He said that he protested the bond issue out, on account of it being "their" problem. He said that water comes from other areas. He said that an assessment of \$400. or \$500. is terrific.

Councilman Schneider discussed with Mr. Farkas about the other situation, and an increased area for assessment.

Mr. Farkas said that if it had been added, people would have approved.

Vice Mayor Burgener said that if assessment is continued to the top, to pay, those owners can protest out the drainage project.

Mr. Farkas said that he would be assessed for more than he is responsible. He stated that water from Western Hills is running down the gully, where there has not been drainage.

Councilman Schneider spoke to Mr. Farkas about there being little choice. He said that there are 2 choices: do the work and charge to tax payers for miles, or assess in the area. He said that it is a tough choice to make. He agreed that maybe the City could increase the district.

Mr. Farkas said that water is "coming from there".

Councilman Schneider observed that this is a selfish world.

Mr. Farkas stated that if the creek is kept free, the water will flow.

Councilman Schneider said that in Chollas Valley there had been serious flood. He spoke of having cleared out the creek, to provide for solving of temporary danger.

Mr. Farkas repeated that if the Creek is kept clear of debris, it would

tend to alleviate the flood. He said that there may be need for another opening.

The Vice Mayor said that is going to be taken care of.

Councilman Schneider spoke to Mr. Farkas regarding the City Manager clearing the channel.

Mr. Farkas said that does not help, regarding Western Hills.

The Vice Mayor said that it would be precedent.

Mr. Farkas said that "because the subdivider does not have the right to shove the water on others".

The Vice Mayor said that courts have made findings regarding change and charge.

Mr. Farkas said that it is still nearly 1,000 feet before it hits the street.

There was discussion between Councilman Evenson and Mr. Farkas.

Councilman Curran said that the problem can't be resolved today. He said that it should be referred to Conference, with Mr. Farkas invited.

Mr. Farkas told the Council that he is on vacation, and that he can't afford to take the time off (to come to Conference).

Councilman Curran said that there are legal and engineering problems, and repeated that it can't be resolved today.

Mr. Farkas said that it would be \$25,000 to \$30,000, and that it is not fault of the district.

RESOLUTION 128345, referring to Council Conference communication from J. A. Farkas opposing proposed storm drain from Western Hills Subdivision into Gardena Street - at an early date - was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The Vice Mayor said that Mr. Farkas will be kept posted, by him.

Communications from Mr. & Mrs. Carl H. Fenstermacher, 2701 Nye St., Unit 1904, San Diego 11, Calif.; Richard A. Pedrin, 6722 Zane Court; P. R. Fountain, Linda Vista District #6, Unit #7, 2936 Ulric St. - all re sidewalks needed in the Linda Vista area and understanding that they were to be installed - were presented.

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

Communication from Larwood Company, realtor, by A. E. Watwood, president, 124 South Atlantic Blvd., Los Angeles 22, California, dated August 2, 1955 - relative to Larwood Heights, a portion of Section 34 Rancho Mission - was presented. It requests rights of way from the City for extension of Faulconer Street and Grape Street to the company's property, and right of way for sewer.

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

Postal Card from H. C. McIver, 1432 Burton, with pasted newspaper clipping datelined Falls City, Neb. re City ordinance levying fines from \$5 to \$50 on owners of barking, whining, baying or howling canines. The card says "Me thinks this town needs this".

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

"Public Notice relative to report on preliminary examination on multi-purpose tunnel through Laguna Mountains, San Diego County, California - Corps of Engineers, U.S. Army Office of Division Engineer, South Pacific Division, 630 Sansome Street, San Francisco 11, California - dated 26 August 1955", was presented. The detailed report states that it is evident the project could not be economically justified at this time and there is presently no apparent local support for the project.

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

Communication from Neil N. Russell, regarding his lease which governs his present position as golf professional at Municipal Golf Course in Balboa Park, and asking for permission to address the Council, was presented.

The Communication refers to terms of the lease, and to total payment of \$15,025.87 to date.

On motion of Councilman Schneider, seconded by Councilman Curran, the Council authorized Mr. Russell's appearance on Thursday, September 8.

The Clerk was directed to notify Mr. Russell (Clerk - A.M.A. - notified the Pro Office, Balboa Park, of the Council's invitation to appear on September 8).

Communication from San Diego Junior Chamber of Commerce, 947 Columbia at Broadway, San Diego 1, dated August 24, 1955, signed by Wilder D. Baker, Jr., was presented. It thanks the City, and especially the City Manager, for cooperation to the Tournament of Roses' "Ideas Rally", and expresses hope that the float which will represent the City of San Diego at Pasadena this New Year will be one of which the City will be proud.

By request, the City Clerk read the letter to the Council.

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

Communication from Bert Schaefer, 524 B Street, dated August 29, 1955, favoring development of Torrey Pines Golf Course by use of private capital, was presented.

RESOLUTION 128346, referring to Council Conference communication from Bert Schaefer, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Max E. Brown, Grounds Committee Chairman, 908 Sherman Street, dated August 31, 1955, was presented. He wrote on behalf of the National and Rainbow Little Leagues of Linda Vista, Kearny Mesa Pony League, and Kearny Mesa American Legion League, requesting minimum of 7 acres of land owned by the City of San Diego on Kearny Mesa between California National Guard Armory and Beale Elementary School for building fields. It tells of facilities that would be provided. It says that amount of money involved in developing the facilities, and the far reaching program will require a minimum lease of 20 years.

It was referred to the City Manager, on motion of Councilman Schneider, seconded by Councilman Williams. Mr. Brown came to the microphone, at which time the action was reconsidered. He said that Walker-Scott, on whose stationery the letter had been written, has nothing to do with the proposition. He told the Council that part of the money is available.

Councilman Schneider said that it was referred to the City Manager, speaking to Mr. Brown.

Mr. Brown told of wanting to build 4 fields.

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

RESOLUTION 128347, withdrawing portion of Bonita-Sunnyside Fire Protection District, as set out in the Resolution; authorizing and directing City Clerk to file in office of State Board of Equalization, in office of Board of Fire Commissioners of Bonita-Sunnyside Fire Protection District and in office of San Diego County Assessor, certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128348, withdrawing portion of Lower Sweetwater Fire Protection District, as set out in the Resolution; authorizing and directing City Clerk to file in office of State Board of Equalization, in office of Board of Fire Commissioners of Lower Sweetwater Fire Protection and in office of San Diego County Assessor, certified

copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, recommending passage of Resolution accepting work in Chester Square Subdivision - \$78,150.16 deposited by Union Title Insurance & Trust Company - and authorizing City Manager to execute Notice of Completion, was presented.

RESOLUTION 128349, authorizing City Manager to accept work on behalf of The City of San Diego in Chester Square Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, recommending passage of Resolution accepting work in Chester Square Annex Subdivision - deposit made, but amount and depositor not set out - and authorizing City Manager to execute Notice of Completion, was presented.

RESOLUTION 128350, authorizing City Manager to accept work on behalf of The City of San Diego in Chester Square Annex Subdivision, and to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

There was listed next on the agenda Resolution authorizing City Manager to do work in connection with recreation facilities at Sutherland Reservoir, by City forces. It was numbered out of order at 128335.

RESOLUTION 128351, authorizing City Manager to employ Sim J. Harris Company to construct 36 lineal feet of concrete spillway at easterly end of Durant Street to Chollas Creek Channel at cost not to exceed \$75.60 payable from funds appropriated by Ordinance 5341 (New Series) - re 1911 Street Improvement Act proceeding - was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128352, authorizing City Manager to execute lease agreement with Roy R. Everingham, C. D. Everingham and Gladys Everingham Lynn, 6250 square feet of water area of Mission Bay Recreation Area located at east end of entrance channel, Property Management Division Drawing 159, for 10 years beginning August 15, 1955, at flat rental of \$4,000 per year for 1st 5 years and to be negotiated for remaining 5 years, for wholesale and retail bait concession from anchored barged, Document 519741, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128353, authorizing City Manager to execute contract with James S. Woollacott to advise and report to City as to applicability of guest housing survey heretofore made of Mission Bay Park, and advise as to whether said survey is now sufficient or should be extended, and whether economic conditions of today justify same uses of land area within Mission Bay Park as were formerly recommended, upon condition that work be completed within 90 days and at cost to City not to exceed \$2500.00, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128354, approving Change Order 2, August 22, 1955, Document 519610, issued in connection with contract between The City of San Diego and H. W. Grizzle for construction of Community Building at Linda Vista, Document 511035; changes amounting to increase in contract price of approximately \$155.00, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128355, approving Change Order 1, August 24, 1955, Document 519612, in connection with contract between The City of San Diego and Al E. Riley, Inc. for construction of sidewalks in Clairemont and Dakota Street, Document 516699; changes amounting to increase in contract price of approximately \$45.00, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128356, directing City Attorney to petition Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against Lots 7, 8, 9 of Sello's Addition, Lot 17 Block 3 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 City Attorney 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 Curran, adopted.

RESOLUTION 128357, granting revocable permit to Thomas Hughes, 4055 42nd Street, San Diego, to install and maintain a 1" water line for use of benefit of owner's property, over, under and across, along and in west side of Fairmount Avenue to water main at intersection of Meade Street: Lot 37 C. H. Tingey Subdivision, except southerly 120 feet, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128358, granting revocable permit to Fidel Q. Lopez, 3043 Webster Street, San Diego, to install and maintain 3/4"-5/8" water meter and a pipeline of 1" or larger in diameter, over, under and across 32nd and G Streets: Lots 33 and 34 Block 127 Cheates Addition, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128359, granting revocable permit to Earl A. Prudden, 1301 West Sassafras Street, to construct and maintain private driveway ramp in Sassafras Street in front of Lots 1 and 2, and portion Lot 3 Block 136 Middletown (Richard's Resubdivision) for use and benefit of property at 1301 W. Sassafras Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128360, authorizing V. M. Capesius, Director of Building Inspection Department, to attend annual meeting of Pacific Coast Building Officials, to be held in Portland, Oregon, October 3 through 7, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128361, authorizing W. Allen Perry, Park Superintendent to attend annual Directors' Meeting and conference of American Institute of Park Executives, to be held in Louisville, Kentucky, September 16 through 23, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128362, authorizing City Attorney to compromise City's claim against Lewis Solomon Construction Company for engineering services and construction inspection performed by City at Logan Vista Unit 2 subdivision, \$229.52, in full payment of the company's account with The City of San Diego for such services and inspection, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution says that the company has offered to compromise bill due and

and owing to The City of San Diego of \$429.52 for engineering services and construction inspection performed by the City in amount of \$229.52, and has delivered certified check in amount of \$229.52; that the company suffered losses in excess of \$200,000.00 in connection with Logan Vista Unit 2 Subdivision and is attempting to liquidate some of its indebtedness to creditors. It says it is doubtful whether the whole amount could be connected, and to collect such full amount would involve costly and lengthy litigation; and that City Engineer has recommended that the compromise settlement be made.

RESOLUTION 128363, authorizing and directing Acting City Treasurer to sell all or such amount of investments when additional cash is required for purpose for which originally accumulated and placed in Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The Resolution authorizes and directs the Acting City Treasurer to purchase up to \$4,000,000 United States Treasury Bills, due in 90 days, offering an interest return of slightly above 1.70%, to be purchased from inactive bank deposits in amounts and maturities as may fit into the City Treasury funds management.

RESOLUTION 128364, denying claim of A. C. Andrews, Document 516187, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128365, denying claim of Clarence W. Christianson, Document 516018, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128366, denying claim of Don Edmon Flora, Document 518833, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128367, denying claim of Mrs. Jerald Kennedy, Document 519035, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128368, denying claim of Morgan Linen Supply Co., Document 506486, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128369, denying claim of Stanley J. Potym, Document 518832 was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128370, denying claim of Sneller's Draperies, Document 514486, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128371, denying claim of Roy J. Tideman, Document 504653, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

In connection with Ordinance incorporating portion of Pueblo Lot 1243 into RC-1A Zone - upon which hearings had been held August 1, and August 18, 1955 - the Vice Mayor said that Martin Gleich and Irvin Kahn were here.

Mr. Kahn told the Council that he was opposing the proposed rezoning.

He referred to a diagram held by Harry Haelsig, Acting Planning Director. He pointed out the property on a small map. Mr. Kahn told the Council that there is no access to the property in question, except Frink Street and Conrad Street. He stated that on the adjoining parcel of property, which he owns, are 204 duplexes. He said that Mr. Tavares owns the others. He said that adjoining is the Gleich property. He stated that Clairemont had been developed in the last 4 or 5 years, with much thought and planning. He said that Clairemont Mesa is a 102-foot drive. Mr. Kahn pointed out duplexes, and referred to Clairemont development in addition to 40 acres in the so-called North Center. He said that in addition to 48 acres set aside, there are 1,000 acres to the south under process of planning. He said that on the proposed area of the Gleich property there will be approximately 450 living units. He spoke of proposing a center opening through single-family center: an area of 450 families for supplying needs have no objection. He said that if all money spent for food..... He said that the DeFalco market has 7,000 square feet, doing \$1,000,000 in volume. He spoke of having built a shopping center, which is nearly finished. He said they would be talking about 20 or more stores. He said that there would be room for another 15 or 20 stores. He said that now it is getting into hundreds of cars to get into the shopping center; the streets are not designed to get to a shopping center. He said that Mr. Tavares has sent to the Planning Commission an application on Clairemont Mesa Drive regarding zoning. It showed it, on Frink Street. He said that one would be more suitable regarding access. He told the Council that "Gleich is opposed to this". He declared the proposal to be unwise, from an economic standpoint. He stated that he has another parcel, and has another application. He said that it is unwise planning. Mr. Kahn spoke of the modern development. He declared that it would be a bad precedent, and would be dangerous. He said that Mr. Haelsig would pick one with proper access. He stated that Mr. Gleich will be sitting with a threat, and a deterrent to proper development of the area. He said that it will have to be blocked off. He said he would give proper access to a proper shopping center. He spoke of having planned a 48-acre shopping center.

Councilman Schneider spoke to Mr. Kahn regarding control of grocery shopping.

Mr. Kahn said he does not want the right to tap into.....He said that he is thinking of future development, and present residents. He said that there is no urgency, or rush. He invited the Council to go to Clairemont.

Councilman Schneider asked Mr. Kahn if those facts had been given to the Planning Commission.

Mr. Kahn replied "no; Mr. Tavares made a short speech". He expressed surprise at the Planning Commission having granted 48,000 square ft. of parking.

Councilman Evenson spoke to Mr. Kahn.

Mr. Kahn said that there is before the Planning Commission another (shopping center). He discussed that with Mr. Evenson.

Councilman Schneider spoke to Mr. Kahn regarding challenging the Planning Commission, and the planning staff, if he did not get what he wants. He pointed out that there had not been a hasty decision.

Mr. Kahn "pleaded guilty to not making a presentation". He discussed that with Mr. Schneider. He then showed another diagram which was held up by Ed Wilson. He said that it had not been presented regarding the 5 acres, because it was felt to be premature. He said that there was certainly no harm to hold it.

Councilman Schneider said that there had been a unanimous vote (by the Planning Commission to rezone the property). He said that Mr. Kahn "had stretched out" the hearing. He said that the Council should deal with the Gleich request.

Mr. Kahn declared that before a court the public interest is paramount.

He (Mr. Kahn) said that he was thinking of 30,000 or 100,000 families (he changed "families" to people). He contended that there is no reason for haste. He said that if Mr. Gleich needs 40,000 square feet, not 48,000 square feet.... He referred to talking about a large segment of the City of San Diego. He said that he has had justifiable continuances. He said that plans are not figmentary; there is no harm to be done by continuing the matter.

Councilman Evenson and Mr. Kahn had a discussion over a map.

Next, there was a discussion between Councilmen Williams, Mr. Kahn, Mr. Wilson and Councilman Evenson.

Mr. Kahn said that "a grocery store would be in order; there would be no objection". He said but that if that were done, they would not plan another. He said objection would then be withdrawn. He said that he is going to put in a 50-acre center.

Councilman Schneider pointed out that Mr. Kahn had already used 20 minutes in his presentation, during which he said the same thing as he said before.

Beryl Phelps, attorney, showed a tentative map of the Gleich property filed August 19, 1954. He said that he originated the shopping center. He stated that Conrad Avenue is a through street; there are 4 streets leading into the shopping center. He pointed them out on a map. He told of 3 or 4 hearings having been held. Mr. Phelps stated that the Planning Commission went out on the ground; Mr. Kahn was out, also, and that he could have protested. He said that Mr. Tavares has known that this has been going on for a year. He said that many have known what has been going on for a year. Mr. Phelps told of trying to get a little shopping center of 6 acres. He said that it is 7,000 feet or more to the shopping center proposed - another 7,000 feet to another. Councilman Williams spoke to Mr. Phelps.

Mr. Phelps said that there are 441 people - and showed a map to Councilmen Schneider and Williams. He showed the big canyon, on a map. He told of having built and dedicated streets - 443 homes.

Mrs. D. O. Thompson told the Council that she is one of the buyers. She said that she wants a shopping center "for more than a quart of milk". She said that her husband is in the service, and often she does not have the car. She said that she wants a place for neighborhood shopping, and wants Clairemont to build up, too. She said she doesn't want to have to walk so far.

Mrs. French, home owner at the Villas, spoke. She said that she is a Navy wife. She declared that competition is a good thing; markets are high priced. She said that she has bought here (Clairemont) and plans to make it her home.

Mrs. Hess, who had spoken on this subject at the previous hearings, said that DeFalco's is and could be a large shopping center. She said that it is 54¢ for bus fare, plus 4 blocks to walk. She said that she does not understand what the argument is about. She told of trying to live on \$400+ per month. She spoke of being up against tough competition. She said that she does not want to have to spend over a dollar a week for bus fare to go shopping. She said that she is asking for convenience. She spoke of resenting having to send a child to the store over a main highway.

Mrs. Harry Kipp identified herself as one of Mr. Kahn's tenants. She said that he would lose her business if the shopping center is put in the Frink center. She said she would walk to it.

Betty Rouark was heard next. She said that if they had other grocery stores, they could use the shopping center, and take advantage of it. She said that "it is nice to have a place where one can walk".

Councilman Schneider moved to close the "hearing". Motion was seconded by Councilman Evenson. The vote was not taken at this point.

A man arose to be heard. He identified himself as Mr. Tharp, representing Mr. Tavares, and associated with Mr. Kahn. He declared that "more people should be heard." He said that there are approximately 20,000 in the northerly 1/2 of Clairemont. He, too, said that it would be a deterrent. He said that other people should be able to make representations regarding the northwest section (of Clairemont). He said that there should be a full, open hearing. He showed press copies regarding other hearing, and said that the Clairemont Sentinel knew nothing of this. He said that people concerned should be heard from. He said that this should be continued, awaiting a poll.

Martin Gleich, the petitioner and owner of the property in question, told of handing in a petition with over 300 signatures (at a previous meeting). He said that residents have had notices. He said that opponents just want to stop, and hold up. He said that they will say anything, just so they have everything. He said that he is willing to take the risk. He said that people have to shop in the neighborhood for certain things. He said that the others admit that they would not put them in. He said that they change their story every time. Mr. Gleich told of having had shopping center for 2 years. He said that there is no reason for this "not to be brought on now".

A man who did not identify himself other than a business associate of Mr. Gleich spoke. He said he did not see why 20,000 people should be concerned about an area 3 or 4 miles away. He said that it could go on to Pacific Beach, or to the whole city. He said that there is no question of the situation. He reviewed the background.

Vice Mayor Burgener declared the hearing closed.

Councilman Evenson asked about the theory of shopping centers.

Harry Haelsig showed a map, and stated that the National Planning standards say that there should be approximately 1-mile centers. He told of survey having been made in Ocean Beach at the time of a census. He said that it was found that total need is 2,800 square feet in a commercial building per 100 population, to serve.

He told of survey having been made regarding ratio, resulting in 2800 square feet. He said that the area supplies the general shopping in Ocean Beach. He said that the formula has been used for subdivisions. He said that it was applied in Clairemont in the beginning - 35 to 38 acres in area. He pointed to it on a map, and pointed to others. He told of development of opposition for residences. He pointed to a map regarding shopping centers. He spoke of request for moving to the east on Frink, designed "for periphery". He said that it will ultimately serve more. Mr. Haelsig said that he concurred with the Planning Commission. He said that there was a problem before the Commission. He said that there will eventually be a Conrad, a feeder, and another feeder street.

On motion of Councilman Schneider, seconded by Councilman Evenson, 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 6642 (New Series) 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 adopted on motion of Councilman Schneider, seconded by Councilman Evenson, by the following vote: Councilmen Williams, Schneider, Curran, Evenson. Nay-Councilman Burgener. Absent-Councilman Kerrigan, Mayor Dail.

(The roll call was interrupted, with Vice Mayor Burgener's vote called last. Before he voted, he stated that his vote was "no" because he thought the area for the shopping center too large. His vote was given, as indicated, after the statement was made).

On motion of Councilman Schneider, seconded by Councilman Curran, 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 6643 (New Series), changing names of streets in Kearny Mesa area:

1st Street, in Rosedale, to Farnham Street;
Lemon Avenue, in Rosedale, to Lacota Avenue;
Orange Avenue, in Rosedale, to Overland Avenue;
Palm Avenue in New Riverside, to Sandrock Road;
Olive Avenue, in New Riverside and Orcutt's Subdivision, to Olga Avenue;
Date Street, in New Riverside and Orcutt's Subdivision, to Dellwood

Street,

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

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 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 6644 (New Series), appropriating \$600,000.00 from the 1952 Storm Drain Bond Fund, for providing funds for construction of storm drain in Moore Street and California Street, and to San Diego Bay, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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

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

ORDINANCE 6645 (New Series), appropriating \$12,500.00 from Capital Outlay Fund for providing funds for replacement of sanitary sewer in Bancroft Street,

Adams Avenue, 32nd Street, West Mountain View Drive and Alleys Blocks 31 and 32 Normal Heights, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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

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

ORDINANCE 6646 (New Series), appropriating \$8,200.00 from Capital Outlay Fund for providing funds for improvement of Grand Avenue between Ingraham Street and Pendleton Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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 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 6647 (New Series), appropriating \$5,200.00 from Capital Outlay Fund for providing funds for improvement of Morrell Street, between north line of Grand Avenue and point 10 feet northerly of north line of Balboa Avenue, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Williams, ordinance adding Section 86.01.1 to Article 6 Chapter VIII of The San Diego Municipal Code, regulating Parking on Grades, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Nays-Councilman Curran. Absent-Councilman Kerrigan, Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Williams, Ordinance changing name of portions of Calle Tres Lomas, Calle Trepadora and Cumberland Street to Potomac Street, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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

RESOLUTION 128372, approving filing of Record of Survey Map for resub-division of Lot 14 Block 3 Sunnyslope Addition to Encanto Heights, under Section 102.02.1 of The San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

John McQuilken of Utah Agricultural College was introduced by the Vice Mayor.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 11:47 o'clock A.M. The Vice Mayor announced there would be no conference.

ATTEST:
FRED W. SICK, City Clerk
August M. Wadsworth Deputy Mayor of The City of San Diego, California

6646 N.S. - 6647 N.S.
Ords. introduced
128372 under U.C.
Introduction of visitor
Meeting Adjourned

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, September 6, 1955

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

Mayor Dail presented Rabbi Baruch Stern, of the Beth Jacob Congregation, who gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, minutes of the Regular Council Meetings of Tuesday, August 30, 1955, and of Thursday, September 1, 1955, were approved without reading - after which they were signed by the Mayor.

Resolutions and Ordinances are recorded on Microfilm Roll 100.

The Purchasing Agent reported in writing on 3 bids opened September 2, 1955, for improvement of Alley Block 33 Fairmount Addition to City Heights, under 1911 Act proceedings.

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

The Purchasing Agent reported in writing on 5 bids opened September 2, 1955, for improvement of Hugo Street, under 1911 Act proceedings.

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

The Purchasing Agent reported in writing on 5 bids opened September 2, 1955, for improvement of Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, under 1911 Act proceedings.

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

The Purchasing Agent reported in writing on 5 bids opened September 2, 1955, for improvement of Tourmaline Street, under 1911 Act proceedings.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on appeal from Board of Zoning Adjustment granting permission to Earl B. and Constance A. Smith to use Lots 5 and 6 Block 196 Pacific Beach - with conditions - Councilman Burgener told the Mayor that the hearing had been closed.

RESOLUTION 128373, overruling appeal of Residents of the 1000 block on

Meeting convened
Invocation
Minutes approved
Report on 1911 Act bids
Purchasing reports
Hearing
128373

Felspar Street, from decision of Board of Zoning Adjustment, in granting by its Resolution 9066 Application 14249, permission to Earl B. and Constance A. Smith to use Lots 5 and 6 Block 196 Pacific Beach - southerly side of Felspar Street between Cass and Dawes Street - Zone R-4, as parking lot in conjunction with paint store across alley on Lots 35 and 36 Block 196; sustaining action of the Board of Zoning Adjustment upon conditions set out in the Board's Resolution 9066, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--Councilmen Burgener, Williams. Absent--None.

The action shown in Resolution 128373 was explained by Mayor Dail and Councilman Burgener to those interested.

The next item was taken up at this time, out of order, at request of Bert Comparet, attorney.

Mr. Comparet asked for the setting of a hearing. He said that he cannot be here the 14th, 23rd or 24th of this month.

Question was asked if he could be present on September 29. Mr. Comparet replied that he could.

On motion of Councilman Burgener, seconded by Councilman Schneider, hearing was set on Tentative Map of Grace Manor, a subdivision of portion of Pueblo Lot 1215 located at Beagle and Atlas Streets, on Thursday, September 29, 1955, at 10:00 o'clock A.M.

This item has been before the Council at various times, so details of the proposal are not listed again - especially since a hearing has now been set.

Report of Purchasing Agent, approved by City Manager, on low bid of Forney's Incorporated for furnishing 1 Compression Testing Machine @ \$3,086.00 plus State Sales Tax - 4 bids; was presented.

RESOLUTION 128374, accepting bid of Forney's Incorporated for furnishing 1 Compression Testing Machine; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of Balboa Park Men's Club, and Players at Municipal Golf Course in Balboa Park, expressing approval of operation of Torrey Pines Golf Course as a Municipal Operation, and requesting the Council to reject operation by lessees and by private enterprises.

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

Report of Purchasing Agent, approved by City Manager, on low bid of Victor Equipment Co. for furnishing 1 Gasoline Engine-driven Arc Welder mounted on trailer @ \$1,378.00 plus State Sales Tax, terms 2% - 5 bids, was presented.

RESOLUTION 128375, accepting bid of Victor Equipment Co. for furnishing 1 Gasoline Engine-Driven Arc Welder; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, recommending purchase without bids for 1 Coxhead Composing Machine Model DSJF, including type fronts 800-2-D-II and 800-12-A-IX from Ralph C. Coxhead Corporation @ \$2,320.00 f.o.b. Newark, N.J. plus State Sales Tax, plus approximately \$20.00 delivery charge, less trade-in on a Model A-20 Vari-Typer of \$295.00 - terms 1% 10 days, net 30 days, was presented.

RESOLUTION 128376, authorizing and directing Purchasing Agent to purchase from Ralph C. Coxhead Corporation 1 Coxhead Composing Machine, etc., was on

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

The next item had been continued from meeting of September 1, 1955.

Communication from Purchasing Agent, approved by City Manager, recommending accepting low bids for furnishing 11,947 bd. ft. of lumber:

- (a) Airline Lumber Co. - \$728.18 plus State Sales Tax;
- (b) American Products Co. 259.30 " " " "
- (c) Western Lumber Co. 561.03 " " " "
- (d) Dixie Lumber & Supply 86.93 " " " "

to be used for Fence and Bridge Repair, was presented.

Councilman Evenson stated that he was not voting on the proposed resolution. There was discussion on that point, mainly by Councilman Kerrigan.

RESOLUTION 128377, accepting bid of Airline Lumber Co. for furnishing Lumber; 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 Curran, seconded by Councilman Schneider, adopted. There were 6 votes for the Resolution; Councilman Evenson was excused from voting.

RESOLUTION 128378, accepting bid of American Products Co. for furnishing Lumber; 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 Curran, seconded by Councilman Schneider, adopted. There were 6 votes for the Resolution; Councilman Evenson was excused from voting.

RESOLUTION 128379, accepting bid of Dixie Lumber & Supply Co. for furnishing Lumber; 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 Curran, seconded by Councilman Schneider, adopted. There were 6 votes for the Resolution; Councilman Evenson was excused from voting.

RESOLUTION 128380, accepting bid of Western Lumber Co. for furnishing Lumber; 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 Curran, seconded by Councilman Schneider, adopted. There were 6 votes for the Resolution; Councilman Evenson was excused from voting.

RESOLUTION 128381, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Improvement of Anchorage Lane, Canon Street to Talbot Street (including excavating, grading, preparing subgrade, furnishing imported borrow, pavement, curb and gutter, sidewalk), Document 519740; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128382, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Installation of Country Club Reservoir 12" A. C. Feeder Main from Pumping Station at Romero Drive and Country Club Drive to Country Club Reservoir, Document 519739; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communications from Planning Commission, by Harry C. Haelsig - continued from meeting of September 1, 1955 - recommending suspension of portion Municipal Code in connection with Tentative Map of Chemtronics Parks, and recommending approval of Tentative Map of Chemtronics Park, a 1-lot subdivision of portions of Lots 72 and 78 Rancho Mission, subject to 9 conditions, were presented.

The City Manager requested that the items be referred to him.
On motion of Councilman Schneider, seconded by Councilman Curran, the Planning Communications, accompanying Resolutions and other papers, were referred to the City Manager.

The item listed next, on the agenda, re Grace Manor, had been handled near the beginning of this meeting.

Communication from Planning Commission, by Harry C. Haelsig, reporting on communication from Mrs. Faye Hartman, Special Field Representative of the Public Housing Administration, requesting deletion of improvements of alleys in the multiple-type dwelling areas of Units 4 and 8 of Linda Vista, deletion of improvements for both sections of Levant Street which are access roads to City-owned Levant Housing, deletion of widening of Hyatt and Judson Streets and elimination of 3 future streets which will provide access to unsubdivided portion of P.H.A. property, adjacent to Unit 4, was presented. It attaches a copy of the City Engineer's letter of August 3, 1955. It goes into considerable detail, and says that it is the recommendation of the Commission that none of the requirements be modified, and that the improvements should be installed as required at the time of the filing of the final maps of the 2 units.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the Planning Commission communications together with attached documents, were filed.

Communication from John D. Butler, attorney at law, 2655 Fourth Avenue, San Diego 3, dated August 26, 1955, suggesting that there be a settlement in case of City of San Diego vs. Gibbs Flying Service, Inc. - Superior Court 199512, continued from meeting of September 1, 1955, was presented.

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

Communication from E. E. Wallace, district engineer, Division of Highways, District XI, State of California Department of Public Works, dated August 30, 1955, was presented. It thanks the Council for the Resolution passed regarding his retirement, and that he is very proud to have the resolution bound in his book of memories. It states that Mrs. Wallace joins him in thanks for participation of the farewell dinner. It also expresses sincere appreciation for fine cooperation and assistance given him and the Department in connection with mutual highway problems.

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

Communication from San Diego Municipal Employees' Association, Inc., Harbor Exchange Bldg., 3110 Goddard Way, San Diego 1, dated September 1, 1955, signed by Pauline Langston, president, was presented. It expresses appreciation for favorable action taken by the Council on Civil Service Rule X as amended.

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

Communication from The City of National City, California, dated September 1, 1955, signed by Irene M. Alston, City Clerk, was presented.

It says that sometime ago the City of Chula Vista was urged by City of National City to rename National Avenue. It reports that Chula Vista did so, but National City felt name of National Avenue should remain. The communication says that it was suggested by the Planning Commission and approved by the City Council that if National Avenue in San Diego was renamed it would help clarify the situation.

The letter was read to the Council by the Clerk

Councilman Kerrigan moved to refer it to the Planning Commission. Motion was seconded by Councilman Curran.

Councilman Curran said that this is a good point, in connection with coordinating jurisdictions.

The City Manager said that it is on a volunteer basis through the County Planning Commission. He said there are 2 problems here; it is new; new names and name changes.

Councilman Curran said that request originated in San Diego (for a coordinating jurisdictions arrangement). He said this should go to that committee.

The City Manager said it should go to the County Mayors.

The Mayor said that there is a meeting coming up on the subject.

Councilman Kerrigan said that there should be enabling legislation.

The City Manager said that it becomes difficult, when the street is already identified. He said that plans can be made for 2 years.

Councilman Curran said this might be a starting point.

Councilman Kerrigan stated that this should go to Planning.

On motion of Councilman Kerrigan, seconded by Councilman Curran, it was referred to Planning.

Report of Purchasing Agent, approved by City Manager, on low bid of Hudson Equipment Co. for furnishing 5 Gasoline Engine Driven Pumps, for Water Departments, was presented. Total bid \$2,348.20 plus State Sales Tax (individual prices in report), plus State Sales Tax - 6 bids.

RESOLUTION 128383, accepting bid of Hudson Equipment Co. for furnishing 5 Gasoline Engine Driven Pumps; 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.

RESOLUTION 128384, directing notice of filing assessment 2394 and of time and place of hearing thereof, for paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, Resolution of Intention 120784, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128385, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block K Montecello; approving Plat 2777 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 Burgener, adopted.

RESOLUTION 128386, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sewer mains in Country Club Drive, Mimulus Way, Mint Canyon Path, et al.; approving Plat 2685 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 Burgener, adopted.

RESOLUTION 128387, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street; approving Plat 2706 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 Burgener, adopted.

RESOLUTION ORDERING WORK 128388, for paving and otherwise improving

Garnet Street and Pendleton Street, Resolution of Intention 127631, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 128389, for paving and otherwise improving La Jolla Shores Drive, Resolution of Intention 127632, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 128390, for sewer mains in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, Resolution of Intention 127633, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 128391, for furnishing electric current in San Diego Lighting District No. 3, for 11 months and 15 days from and including July 16, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 128392, for furnishing electric current in San Diego Lighting District No. 4, for 1 year from and including August 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128393, directing notice inviting sealed proposals 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 Williams, adopted.

RESOLUTION OF INTENTION 128394, for paving and otherwise improving Alley Block 274 Pacific Beach, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128395, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128396, for paving and otherwise improving 63rd Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128397, for paving and otherwise improving Alley Block K Montecello, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128398, for installation of

sewer mains in Country Club Drive, Mimulus Way, Mint Canyon Path, et al., was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128399, for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128400, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Adams Avenue Lighting District No. 1, for 11 months and 18 days from and including October 13, 1955, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128401, appointing time and place for hearing protests, and directing Notice of hearing, for furnishing electric current in Pacific Highway Lighting District No. 1, for 11 months and 27 days from and including November 5, 1955, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128402, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Roseville Lighting District No. 1, for 11 days and 16 days from and including September 30, 1955, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128403, granting petition, Document 519138, for paving and otherwise improving Alley Block 66 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 of paving and otherwise improving the Alley, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128404, granting petition, Document 518880, for paving and otherwise improving Alley Block 302 Pacific Beach; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of improvement, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128405, granting petition Document 518218, for installation of sidewalks on Agua Vista Way; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128406, granting petition for paving and otherwise improving Bunker Hill Street and Glendora Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of improvement, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128407, granting petition for paving and otherwise improving Cabrillo Avenue, Document 518879; 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 improvement, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128408, granting petition for paving and otherwise improving Estudillo Street, Document 519136; 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 for the improvement, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128409, granting petition for paving and otherwise improving Grape Street, Document 519137; 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 for the improvement, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128410, granting petition for installation of street lighting system in Rolando, on portions of Lorca, Drive, Adelaide Avenue, Meade Avenue, Tarragona Drive and Carling 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 of the improvement, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128411, granting petition for paving and otherwise improving Loring Street, Document 519548; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by costs, damages and expenses of improvement, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128412, granting petition for paving and otherwise improving Silver Gate Avenue, Document 519392; ~~Document 519392~~; granting petition for installation of curbs on Wilcox Street, Document 519393; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of improvement; directing City Engineer to consolidated assessment district with assessment district ordered by Resolution 120599 for improvement of Silver Gate Avenue, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128413, authorizing Street Superintendent to grant John B. Henry a 90-day extension of time for completion of contract for improvement of Alley Block 95 Ocean Beach, in accordance with Document 519546, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition, Document 519135, for paving and otherwise improving portion Calle Tres Lomas by private contract, was presented. It says work shall be done according to Document 488535, with all expenses to be done at no cost to City of San Diego.

Diego, was presented.

RESOLUTION 128414, granting permission to Charles W. Moran to pave and otherwise improve Calle Tres Lomas, Document 519135, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128415, acknowledging receipt of intention and accompanying statement, together with affidavit of publisher of notice of intention to circulate petition to alter boundaries of The City of San Diego by annexing territory immediately south of The City of San Diego, described as South Bay Area Tract - published in Bay Cities Press on Thursday, September 1, 1955; giving permission and consenting to the circulating of petition within the area described in the notice, for purpose of securing signatures of qualified electors for annexation to The City, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

In connection with Resolution authorizing City Manager to execute, for and on behalf of The City of San Diego, a contract with County of San Diego, whereby City and County shall cooperatively provide music free to the public in connection with maintenance of City-owned and County-owned parks and playgrounds, upon appropriate public and patriotic occasions, for which each undertakes expenditure of \$5,000.00, Councilman Curran asked who was instituting the program.

The Mayor replied that there is no commission.

The City Manager said that commission is provided for. He said that the item could be discussed in Conference, or he could read the agreement to the Council.

RESOLUTION 128416, referring to Council Conference proposed resolution authorizing the City Manager to execute contract with the County of San Diego whereby the City and County shall cooperatively provide music free to the public in City-owned and County-owned parks and playgrounds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128417, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with Wieland H. Collins and Jennie Collins, modifying existing agreement between the City and the Collins, under which they may transfer from Hodges Reservoir to Sutherland Reservoir the business of operating concession and snack bar for period as set forth in agreement, copy files as Document 519852, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128418, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute an Agreement with Chester D. Walz... for investigation and report on ventilating system at City Library, under Document 519855, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128419, authorizing and directing City Manager to add name of Fred C. Corey to list of approved appraisers of real property who can be employed by the City when services of such experts are necessary, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128420, acknowledging receipt of report or plan for collection, treatment and disposal of sewage of The City of San Diego and the metropolitan area adjacent to the City, prepared in quadruplicate by Consultants A. H. Koebig, Jr., R. R. Kennedy and J. A. Carollo, in accordance with Documents 501584, 501583, and 501585; authorizing City Auditor and Comptroller to issue warrants in payment of statements of costs and for the same pursuant to the contracts, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128421, approving request of Charles J. Dorfman, August 15, 1955, Change Order 3 for extension of 11 days to and including September 5, 1955, Document 519762, in which to complete contract for construction of Bonair Street Storm Drain, Document 507793; extending completion time to September 5, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128422, authorizing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 5 locations listed in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128423, granting permission to Harbor Lions Club, Hillcrest Lions Club, North Park Lions Club, Uptown Lions Club, Ocean Beach Lions Club, La Jolla Lions Club, Pacific Beach Lions Club, East San Diego Lions Club, College Center Club, to sell miniature plastic white canes on the public sidewalks of The City on Friday, September 16, 1955, between 12:00 noon and 8:00 P.M., and on Saturday September 17, 1955, between 9:00 A.M. and 8:00 P.M., for purpose of raising funds to support Sight Conservation and Aid to the Blind program of the Clubs, and also on specific projects of the Aid to the Blind program, such as to increase the amount in the Loan Fund established to aid employees of the California Blind Shop in San Diego, sponsoring blind pre-school children of needy parents in selected nursery schools, and buying of Braille typewriters, etc., was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Resolution 128423 was read to the Council.

Also presented, was a Resolution on the same subject:

RESOLUTION 128424, authorizing and directing the Mayor of The City of San Diego to proclaim Saturday, September 17, 1955, as "White Cane Day" in San Diego, and to urge citizens of The City of San Diego to give their support to this praiseworthy program, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted. Resolution 128424 was presented under unanimous consent.

RESOLUTION 128425, granting revocable permit to Bethesda Evangelical Lutheran Church, 835 25th Street, San Diego, to install and maintain private 4" cast iron sewer line in Alley Block 4 Bartlett Estate Company's Subdivision of Blocks 25 and 26 Breed and Chase's Addition, and in 25th Street: to connect church property with nearest City main in Glendale Avenue, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 128426, granting revocable permit to Loma Lands, Inc. to install and maintain private water main, for use and benefit of owner's property at 2930 Famosa Boulevard: portion Lots 10, 11, 12 Block 28 Loma Alta #2, under and across approximately 65 feet of Famosa Boulevard to West Point Loma Boulevard, to connect with City water main, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 128427, granting revocable permit to Ruth M. Pederson, 1974 Law Street, Pacific Beach, San Diego, to install and maintain private water line from corner of Soledad Way and Soledad Road, approximately 500 feet in Soledad Road, to owner's property at southeast corner of Pueblo Lot 1780, Pederson Knolls, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 128428, authorizing Councilmen Clair W. Burgener and D. D.

Williams to attend Shoreline Planning Conference in Long Beach, California, October 6, 7, 8, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 128429, accepting deed of June M. Thiel, a widow, and Beverly Jean Danielson, a married woman, August 5, 1955, conveying easement for right of way for public street and incidents thereto, over, under, along and across Northeasterly 10.00 feet of portion of 15.00 foot wide alley (closed) lying adjacent to northeasterly line Lot 6 Block 17 La Jolla Hermosa, closed by Resolution 42187 July 5, 1927; setting aside and naming it La Jolla Hermosa Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

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

ORDINANCE 6648 (New Series), approving and adopting proposed amendment of Rule X of Rules of Civil Service Commission of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Kerrigan, Evenson, Mayor Dail. Nays--None. Absent--None.

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

ORDINANCE 6649 (New Series) amending Section 62.03 of San Diego Municipal Code regulating work in Public Streets or Alleys, 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 Williams, seconded by Councilman Burgener, reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than 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 6650 (New Series), amending the San Diego Municipal Code by adding a new section and subsections, to be numbered 55.08 to 55.08.9 inclusive, regulating Petroleum Marine Facilities in the Tidelands Areas, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

On motion of Councilman Burgener, seconded by Councilman 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 6651 (New Series), appropriating \$600.00 from Library Bond Fund (711) for providing funds for investigation and report on ventilating system at the San Diego Public Library (contract with Chester D. Walz), 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, the next ordinance was introduced.

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

ORDINANCE 6652 (New Series), appropriating \$170.00 from Unappropriated Balance Fund, and transferring same to Non-Personal Expense, Mayor's Fund, 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 Curran, seconded by Councilman Burgener, ordinance incorporating portions of Lots 4 and 12 Ex-Mission Lands into C-1A and CP Zones, as defined by Sections 101.0411.1 and 101.0410 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, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Williams, ordinance establishing official property line grades on Nipoma Street for its entire length in Plumosa Manor, Amaryllis Drive for its entire length in Plumosa Manor, and Nipoma Place for its entire length in Plumosa Manor, was introduced, 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 Burgener, ordinance establishing grade of Alley Block M Tract 2 of Alta Vista Suburb, between north line of Franklin Avenue and south line of Imperial Avenue, was introduced, 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 Burgener, ordinance establishing grade of Alley Block 49 University Heights, between southerly line of Madison Avenue and northwesterly line of Mission Avenue, was introduced, 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 Burgener, ordinance establishing grade of Alley Block 49-1/2 University Heights, between northerly line of Monroe Avenue and southeasterly line of Mission Avenue, was introduced, 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 Burgener, ordinance establishing grade of Alleghany Street, between westerly line of Sea Breeze Drive and line parallel to and distant 190.00 feet easterly therefrom, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

9/6/55

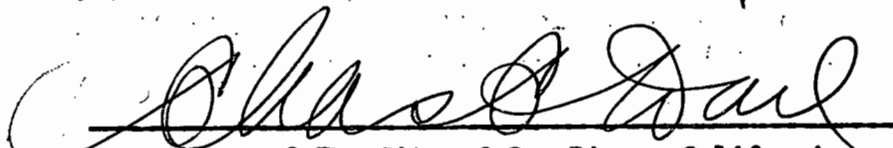
On motion of Councilman Schneider, seconded by Councilman Burgener, ordinance establishing grade of Acorn Street, between easterly line of 62nd Street and easterly termination of Acorn Street in Don Terrace, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Schneider, seconded by Councilman Burgener, ordinance establishing grade of Seminole Drive, between its northerly termination at El Cajon Boulevard and its southerly termination at Estelle Street and Arendo Drive, 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 meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Burgener, at 10:21 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By _____

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 8, 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 101.

Report of Purchasing Agent, approved by City Manager, on low bid of Crane Company for furnishing 146 flanged and hub end Gate Valves at total price of \$7,880.00 terms net, plus State Sales Tax, with partial delivery from stock and balance in 8 weeks - \$7,880.00 terms net, plus State Sales Tax, 5 bids - was presented. It says that the low bidder bid on basis of receiving "all or none" of 4 items bid on.

RESOLUTION 128430, accepting bid of Crane Co. for furnishing 146 Gate Valves; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Gould Hardware and Machinery Company for 1,000 feet of 1-1/2" and 5,000 feet of 2-1/2" double cotton jacketed rubber lined fire hose - \$6807.00 plus sales tax, terms 2%, 4 bids - was presented.

RESOLUTION 128431, accepting bid of Gould Hardware & Machinery Co. for furnishing Fire Hose; 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 John B. Henry for construction of Foundation, Floor Slab and Driveway for Equipment Storage Bldg. and Sidewalk, south end of Shelter Island - \$3294.00, 2 bids - was presented.

RESOLUTION 128432, accepting bid of John B. Henry for construction of Foundation, Floor Slab and Driveway at south end of Shelter Island; 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 Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, on low bid of V. C. Moffitt Company for Sprinkler System adjacent to Harbor Services Building - south end of Shelter Island - \$2,493.00, 4 bids - was presented.

RESOLUTION 128433, accepting bid of V. C. Moffitt Company for Sprinkler System; awarding contract, authorizing and directing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego, a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

9/8/55

Report of Purchasing Agent, approved by City Manager, on 60 6" 2-way Fire Hydrants - 9 identical bids - was presented. It says that representatives of local jobbers were questioned re identical prices, and they stated that prices quoted were those given them by the Hydrant manufacturers which they represented. It gives details on prices. The report said it is believed that The City should refuse to accept the bids at identical prices, and it recommends rejection of all bids. Also, it is recommended that the matter be referred to the City Attorney for study as to whether submission of the 9 bids, identical as to price, indicates a violation of any statute. It also recommends authorizing readvertising for bids in accordance with City of San Diego specifications.

RESOLUTION 128434, rejecting all bids received August 25, 1955, for Fire Hydrants, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

(No action was taken on recommendation for reference to City Attorney).

RESOLUTION 128435, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 60 - 6" 2-Way Fire Hydrants in accordance with Document 519857, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The next item had been continued from a previous meeting.

It was a City Planning Commission recommending that request to dedicate 50-foot strip in Lot 59 Subdivision 5 in Lot 12 Rancho Ex-Mission be denied. In addition to a detailed report, it says it would be necessary to spend up to \$1500.00 and possibly \$2,000.00 to acquire and clear right of way proposed to be dedicated. The report says that if the strip of land were accepted it would involve moving of a substantial new dwelling, and probably acquisition more land upon which to move the house.

Councilman Schneider asked for information.

None was given.

On motion of Councilman Curran, seconded by Councilman Schneider, it was continued another week -(to September 15).

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Mira Dera (revised), was presented.

RESOLUTION 128436, adopting Map of Mira Dera Subdivision, a subdivision of Lots 7, 8, 9, 10 Block 4 Marine View, and portion Pueblo Lot 1122; accepting on behalf of the public portion of Neal Street and unnamed easements; declaring them to be portion of public street and unnamed easements; authorizing and directing Clerk of the City to endorse upon the map as and for act of the Council that they are accepted on behalf of the public; directing City Clerk to transmit 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 approval of Final Map of Ozaki Heights, was presented.

RESOLUTION 128437, adopting Map of Ozaki Heights Subdivision, a subdivision of Lot 16 Cave and McHatton Subdivision; accepting on behalf of the public portion of 58th Street, named and unnamed easements 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 portion of public street 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, California, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Attorney, dated September 2, 1955, stating that Council had asked him for an opinion as to whether or not the City of San Diego would have the power to adopt an ordinance prohibiting sale of new and used cars within the City on Sunday. It says the answer is No. It reports that the Council would

have the power to close all businesses on Sunday of every kind and character but to limit the effect of the ordinance to new and used automobiles would make it discriminatory and void.

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

Communication from Neil N. Russell, Municipal Golf Course, Balboa Park, San Diego, dated August 25, 1955, was presented. It speaks of his lease which governs his present position as golf professional at the Municipal Golf Course in Balboa Park. The communication says that terms under which he accepted the lease were signed the last part of 1953, at which time he agreed to pay the City of San Diego certain rent and percentages covering the golf shop and driving range from the gross revenue of the pro golf shop. It says that he agreed to pay 20%, and during first year to pay rental on driving range of \$250.00 per month, and thereafter \$300.00 per month. It states that to date he has paid without fail the total sum of \$15,025.87.

The Council, at the meeting of September 1, 1955, had agreed to hear Mr. Russell this date.

Mr. Russell told the Council that he was here to consider the lease signed in 1954, and outlined its provisions. Referring to himself when he bid on the lease, he said that everyone is endued with imagery. He agreed that he had made a mistake regarding the driving range, and found himself working for the City of San Diego. He spoke of having been based on experience on a driving range which was the first in California. He told about having imageries regarding use of the driving range, its location, and the equipment. Mr. Russell said that he had 1,000 handbills printed and distributed. He said that 175 persons answered the bills, but that there is "no place to park". He told the Council that there is not enough space for golfers, to say nothing of the people with a bucket of balls. He stated that he has been losing money, and that he leaves the bookkeeping to professional. He said that the bookkeeper does not see how he can be paid at the income received. Mr. Russell told the Council that he can't run the driving range another day and pay the City's rent. He agreed that he bid high for the shop, in connection with his imagery. He stated that he was willing to forego the driving range provit, to go into the pro shop.

Mayor Dail asked Mr. Russell what is being proposed.

Mr. Russell replied that he has been a good tenant, and asked for reconsideration on the driving range. He outlined the situation in detail. Answering the Mayor, Mr. Russell said that he has talked with the City Manager and the Park Director.

The Mayor pointed out that the Council does not negotiate or renegotiate leases.

Councilman Burgener asked about the length in effect.

Mr. Russell's reply was "18 months".

Councilman Burgener asked how many bidders there were.

Park Director Leo Calland replied "there were 5 qualified bidders".

Councilman Burgener said that the City has to keep faith with the others.

Mr. Russell asked his accountant to give the figures.

The Mayor told Mr. Russell that the figures should be submitted to the City Manager. He said that the Manager and the Park Director should be the ones to negotiate.

Councilman Schneider said that if the bidder can't carry out the terms of his contract, the City has an obligation to the other bidders. He said that because Mr. Russell "is stuck is not any reason to come down".

Mr. Russell stated that others had ridiculed his bid. He spoke of not bidding on the driving range. He asked for reconsideration.

The Mayor stated that the Council is not in a position to take any. He said that it can be in sympathy, but that the Manager has to check it out.

Mr. Russell thanked the Council for its kindness in permitting him to be heard.

Councilman Schneider spoke about the parking situation.

Mr. Russell said that he could have done better, if there had been more parking.

Councilman Schneider spoke to the Park Director about additional parking.

Mr. Callan replied that he has had a "B & I" in for 2 years. He said

wanted to cut in opposite the Golden Hill Playground.

Mr. Russell spoke of the difficulty in servicing the driving range, in recovering the balls, and his employment of a great number of boys for that purpose.

On motion of Councilman Curran, seconded by Councilman Kerrigan, the Neil N. Russell situation at the Municipal Golf Course in Balboa Park was referred to the City Manager.

Communication from (Mrs. Josephine M. Barbuto, 1458 Burton St., San Diego 11, dated August 31, 1955 - District #6 Sale Unit #3 - relative to release from the City to Public Housing Administration on plumbing, alleways, sidewalks and widening of Burton and Collidge Streets, was presented. She invited the Council's inspection of the substandard condition that exists, and states that she was charged \$600.00 for improvements.

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

Copy of communication from Faye Hartman, Special Field Representative, 2100 Linda Vista Road, San Diego 11, dated September 2, 1955. It is headed "Re: Site Improvements, Linda Vista Subdivisions CAL-4092, San Diego, California". Original was addressed to the City Engineer, and attaches 2 copies of estimate prepared by the Technical Section in the amount of \$48,285, representing deletion of certain site improvements requested in letter of July 25 to the City Engineer. It says that drawings for Units 5 and 7 and Units 4 and 8 show deletion of approximately 26,000 lineal feet of sidewalk, and that present cost for installing sidewalks would be approximately \$52,000.

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

Communication from James F. Nartnett, 3745 - 10th, San Diego, dated 5 Sept. 55, asking the Council "to take some action to protect the resident property from 10th East on Robinson", was presented. It refers to the heavy trucking, and makes suggestions for their routing.

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

Communication from Independent Order of Odd Fellows and Rebeccas of San Diego County, dated 1800 National Avenue, National City, California, dated September 2, 1955, signed by General Manager Fred Eull, was presented. It asks for reduced rent on the Balboa Park Club on September 24, 1955, in connection with a large polio party to be held.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Manager, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays--Councilman Curran. Absent--None.

Communication from Louie Jorgensen, 4025 Van Dyke Avenue, San Diego 5, relative to need for repairs in the Alley back of 4025 Van Dyke Avenue regarding the water break which damages his and adjoining property, etc., was presented.

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

RESOLUTION OF AWARD 128438, accepting bid of A. R. Kingard, and awarding contract, for paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

City Engineer reported low bid is 15.7% below estimate.

RESOLUTION OF AWARD 128439, accepting bid of Schafer and Stowers, a co-partnership, and awarding contract, for sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, Resolution of Intention 126854, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

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

RESOLUTION OF AWARD 128440, accepting bid of V. R. Dennis Construction Co., a corporation, for paving and otherwise improving Boundary Street, Resolution of Intention 126987, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

City Engineer reported in writing low bid is 5.5% below estimate.

RESOLUTION OF AWARD 128441, accepting bid of Daley Corporation, a corporation, for paving and otherwise improving Brooklyn Avenue, Iona Drive and Kenwood Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

City Engineer reported in writing low bid is 6.8% above estimate.

RESOLUTION 128442, granting Kenneth G. Hale permission to install sewer to serve Lots 93, 94, 95 Oak Park Annex, by private contract, under Document 519765, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 128443, giving notice of proposed annexation to The City of San Diego of uninhabited territory in County of San Diego, State of California, to be known and designated as "Allied Garden Tract No. 2", which territory, if annexed, shall be added to the San Diego Unified School District, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128444, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 16 locations listed in the Resolution, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128445, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 7 Block 42 Paradise Hills Unit No. 2, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Curran, adopted.

RESOLUTION 128446, approving Change Order No. 1, dated September 1, 1955, Document 519882, issued in connection with contract between The City of San Diego and California Electric Works for installation of traffic signals and safety lighting on A Street, 12th Avenue to India Street, Contract Document 513409; amounting to increase in contract price of \$95.75; approving request for extension of 30 days to and including October 22, 1955, in which to complete contract; extending completion time to October 22, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128447, approving Change Order No. 3 dated August 25, 1955, Document 519884, issued in connection with contract between The City of San Diego and Larsen Bros. Plastering Co. for installation of plaster repairs - Frontier Housing Project, contract Document 516640; changes amounting to increase in contract price of approximately \$297.00, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128448, granting revocable permit to Joseph Leder, 3624 Keating Street, San Diego, to surface 60 feet of Guy Street, approximately 10 feet in width, north of Keating Street, adjoining owner's property at 3624 Keating Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128449, authorizing and directing City Auditor and Comptroller to draw warrant in sum of \$100.00 payable to McInnis, Hamilton & Fitzgerald as a deductible portion, under City's False Arrest Insurance, in case of Barnes against Jansen, Miley, Lowery, and Wells, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128450, denying claim of Edith Jeanne Aylesworth, Document 518933, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128451, denying claim of Charles A. Kuhns, Document 516879, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128452, denying claim of Nellie E. Marquez, Document 517996, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128 453, denying claim of Claudine Miller, Document 518831, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 128454, denying claim of Ethel Elizabeth Smith & Ollie Smith, Jr., Document 516361 and Document 516362, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

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

ORDINANCE 6653 (New Series), adding Section 86.01.1 to Article 6 Chapter VIII of San Diego Municipal Code, regulating parking on grades, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-Councilman Curran. Absent-None.

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

member of the Council prior to day of final passage a written or printed copy.

ORDINANCE 6654 (New Series) changing name of portions of Calle Tres Lomas, Calle Trepadora and Cumberland Street to Potomac Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Curran, Ordinance amending San Diego Municipal Code Section 33.0801.1 and 33.0801.2 regulating Auction Sales and Auctioneers, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--None.

Mayor Dail spoke to interested individuals in the audience, and told them the ordinance had been introduced. He stated that it would be up for adoption by the Council next week.

At the hour of 10:21 o'clock A.M. the Council took a recess, upon motion of Councilman Schneider seconded by Councilman Burgener until 2:00 o'clock P.M., this date.

It was announced by the Mayor that the Council would go into Conference.

Upon reconvening, at 2:03 o'clock P.M., the roll call showed the following:

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

The hour of 2:00 o'clock P.M. having arrived, the time set relative to operation of the Mission Beach Amusement Center, Mayor Dail said that the Council was to hear citizens of Mission Beach regarding transfer of the roller coaster lease to the present Mission Beach lesses. He said that the lease has some years to run, and has been approved by the Council. He said that the Council and the City Manager have passed on the leases. The Mayor said that the subject matter is regarding transfer of the tentatively-approved lease on the roller coaster.

Councilman Burgener told Mrs. Merrick that the City has no idea of curtailing the permanent operation of Mission Beach.

The Mayor said that this has not been advertised as a general hearing in Mission Beach. He said that it is on 1 question, and that if it is to be a general hearing it can be held - on the basis of the law.

Councilman Schneider said he wanted the City Attorney to give expression regarding commitments made. He asked how much scope there is.

City Attorney J. F. DuPaul told the Council that the City is bound by contracts heretofore made. He said that unless they are breached, he advises the City to live up to them. He said that what is before the Council now is the taking over of the roller coaster.

Councilman Burgener asked if other amendments are before the Council.

Mr. DuPaul's reply was "yes".

Mayor Dail said that this had been precipitated by the interest of Mrs. Merrick regarding the roller coaster. He said that the City Manager can brief the Council, if there are contemplated changes.

Mrs. Merrick (Louise) came to the microphone, and stated that she had been assured "at the last hearing", that she would be notified. She said that it had been put in the paper that it had been approved. She said that was not fair.

The Mayor stated that the Council and the City Manager are charged with responsible positions - which have been carried out. He said that he knows of no notice. He said that the Council did not notify Mrs. Merrick.

6654 N.S.
Ord introduced
Recess
Meeting reconvened
Hearing - Mission Beach
Amusement Center

Howard Turrentine, attorney, stated that from this floor Mr. Ray (lessee) has been slandered. He pointed out that a court reporter was present to record all the statements, and that if Mr. Ray is slandered, they will be sued.

The City Manager said that anyone can recognize that under the Council there is nothing to report until negotiations have been made. He spoke of sitting down across the table and negotiate. He said that it then comes to the Council, and the public is notified. He said that when presented, the people are notified.

Ben Hagar (from City Properties Division) told the Council, at the request of the City Manager, that there are several proposed amendments. He referred to area in Bonita Bay. Then, he said that south portion was to revert back to the City, under lease - except the beach. He referred to section south of the subway. He said that the north 1/2 is retained for parking lot. He said that the 2nd amendment is regarding rent. Mr. Hagar said that there is 7% gross rent now; it is proposed to have a flat rent. He said that rent will remain as negotiated. He stated that an accounting amendment is proposed. He said that if approved for the 1st 5-year period, that each concession will not need cash register. He said that it also has to do with beer and wine in the ballroom during private parties, but none at public dances. Mr. Hagar said that it is also to relieve the City of "mandatorially" obligating itself on the ballroom entrance. He said that would be held in abeyance. He said that it also has to do with transferring of the coaster lease as part of the master lease.

Mrs. Merrick said that she represents a large group of Mission Beach property owners. She said that she had a petition of 725 names. She filed it. (The petition reads: "We, the undersigned, being residents and/or property owners in the Mission Beach area, hereby protest the renewal and/or extension of any lease pertaining to the Mission Beach Roller Center, and further protest the extension and/or expansion of the Amusement Center facilities and concessions. We further request the San Diego City Council to make a complete re-study of the Mission Beach Amusement Center to consider a utilization of the Amusement Center side in a manner which is of more benefit to the Health, Welfare, and Safety of the Citizens of this City". Then, Mrs. Merrick said that she is president of Mission Beach Senior Women's Club.

Councilman Williams entered

Mrs. Merrick continued, by saying that the lease on the roller coaster is protested. She asked to have the remains taken down, and area used for parking. She said that she represents nearly all of the people in Mission Beach. She said that a different use (of the roller coaster property) is wanted. She said that she thinks the City is not certain of the facts. She spoke of wanting a new look, and of having looked at it for 25 years.

David Pain, attorney, told the Council that he has been retained by a group in the Mission Beach area. He said that it has been contemplated that he is to be the only speaker. He said that he prepared the presentation, which had been filed with the Mayor (not filed with the Clerk). He spoke of being for 1 function only: regarding amendment of lease with Mr. Ray. Mr. Pain said that it is not the purpose to engage in incriminations and to embarrass anyone. He spoke of having had excellent cooperation in investigations. He said that the exposition today is not to satisfy animosity. He stated that there are 5 recommendations:

- 1 - that the Council reject amendment to the Ray lease;
- 2 - that there be non-partisan committee to investigate the lease;
- 3 - to instruct the City Attorney to determine if Mr. Ray has violated terms of the lease; and take action;
- 4 - to determine if Mr. Ray can justify his operation;
- 5 - if Mr. Ray passes out of the picture, the City study the operation plan.

Mr. Pain referred to the lease, and said that Mr. Hagar had mentioned regarding rental and percentage - and safeguards.

He read page 3 paragraph 1 regarding records.

Then he spoke about paragraph 2 rent on income.

Mr. Pain said that there should have to be cash register in each and every concession. He said he thinks they do not exist as required. He stated that Mr. Hagar says that Mr. Ray has not installed the ticket system. He said that the City is entitled to gross in the park. He said that without cash registers, the City can't tell what it is.

He spoke about paragraph 14, regarding waiver. He said that it might be construed as waiver. Mr. Pain said that there is no written agreement between the lessee and the City not to put in cash registers. He said that the master plan is incorporated into the lease (and read it). He said that there was amendment last year regarding extension of completion to June 30, 1961. He stated that the only thing completed was the pic-

nic grounds - by the City; painting and sandblasting - by the City. He said work has been started on Enchantedland, but abandoned. Mr. Pain said there is nothing to complete, regarding the master plan. He said that the north end concessions have to be out at the end of this year. He stated that some are out; some could not come to terms, or sold out to "him". He said that nothing further has been done. He said that there is a junk yard, on the Enchantedland site. He submitted a photograph which was passed around. Mr. Pain stated that improvements are at a standstill. He said that 1/3 of the time allotted has expired; the work is not 1/3 along. He said that lessee can't complete it, even under the extension.. He pointed to dates on the master plan, which he said are behind. He told of illegal use of the premises and insurance in paragraph 4, which he read. Mr. Pain spoke of violation of lease in that lessee has an employee who lives in the ballroom, portion of premises used as a junk yard which underwriters would require removed. He spoke of violation under paragraph 5 which he read, regarding maintenance. He asked if the condition constitutes keeping premises in good care. He said he thinks not.

There was laughter from the audience, which was stopped by the Mayor.

Mr. Pain spoke of premises as being old, and of having to give attention to facts. He stated that lavatories are filthy and revolting, and are used as dressing rooms. He said that toilets are clogged and overflowing. He said that there is no evidence of there being cleaned. He said that the mens' lavatory at the north end is locked. He said that previously all had been locked, and they are locking again. He said that they require constant attention. Mr. Pain told of there being full time attendant, in the former lease. He said that there are great stains under the door, across the pavement and into the dirt. He stated that there is evidence of individuals relieving themselves because they could not get in. He said there is evidence all over the park of persons relieving themselves. Mr. Pain said that entrance to the premises is dilapidated and dirty. He said that there is only 1 attendant; the former lessee had no less than 5. Mr. Pain said that there is only 1 drinking fountain that he could find, and it is a make-shift arrangement. He showed photographs, not filed. Then he read paragraph 22 of the lease regarding waste. He said that conditions are not in compliance with paragraph 22. He said that there is blocking of passageways. He stated that paragraph 9 says that the City may reserve passageways. He stated that Mr. Ray is engaged in a plan of isolating the park between Mission Boulevard and the Ocean. Referring to a radio studio, he stated that Mr. Hagar had said that it was built at the approval of the Council. He said that Mr. Ray wants to "control the crowds", and had asked to build a glass across the south end of the ballroom to control the traffic. He read paragraph 10 regarding assignment. He said that Mr. Ray and Mr. Mitchell had been given the lease because the Council thought they had talents and abilities. He said that was a reasonable thing to do because of being qualified. He stated that Mr. Mitchell has passed out of the picture - in 6 weeks. He said that in August, Mr. Ray was gone substantially a whole month, with premises in control of a subordinate. He said that it violates the spirit of assignment of the lease. Next, Mr. Pain read a portion of paragraph 11 regarding ordinances and statutes. He said that there have been violations regarding under-18-years of employees, with minors present after 10:00 o'clock P.M. He said that Mr. Ray has 2 children employed. He said that other concessionaires had been required to fire theirs. He said that Mr. Ray employes a daughter - now over 18 - and that a son of 16 years works in the park. He said that is a violation of the Code and the lease. He said that there is an accumulation of rubbish, and read from the Code. He referred to the junk in the photograph. He said that a junk yard has been there for months. He spoke of admission tax of 1¢ on each admission. He said that Mr. Ray sells tickets to groups for 40¢, for 50¢. He said that nickel tickets are used on rides. He said they are sold by Mr. Ray, and concessionaires are required to honor them. He said that most rides cost more than 10¢. He said he checked with Mr. Bizard, in a City office, and found that Mr. Ray had not recorded regarding admission tax on 5¢ tax. He stated that the City is not getting the tax it should have; the lessee is avoiding the tax. He stated that is a direct violation of the City tax. Next, Mr. Pain spoke of lewd and immoral shows. He read paragraph 23. He said that Mr. Ray owns a penny arcade. He said that Mr. Ray's daughter operates a concession, and that minors view "peep" machines. He said that there was a box for children to stand on. He stated that the movies are not fit for children. He said that is a direct violation. He showed photographs, which were not made part of the file. He spoke about liquor going into the ballroom, and read paragraph 24. He said that Mr. Ray now wants to bring liquor in. He said that Mr. Hagar advises that persons bring it in, anyhow. He said that Mr. Ray should bear the consequences, but that he does not try to enforce the regulation. He said that if there are breaches, the City gives 30 days to correct them. He said that some are violations. He said that on account of tax violations, it could be cancelled by the Attorney. He said that Mr. Ray is entitled to ask for concessions and

modifications. Mr. Pain stated that Mr. Ray has breached the lease, and is not in a position to ask forgiveness and amendments. He said that Mr. Ray disregards things. He referred to "financially", paragraph c page 2, which he read regarding income to the City. Then he read paragraph 32. He said that if Mr. Ray has to pay \$18000 rent, he also has to make \$18000 improvements. He stated that the gross is roughly 1/2 million dollars a year. He stated that concessionaires have done less under Mr. Ray than others. He said that Mr. Hagar stated \$75,000 last year. He said that if Mr. Ray does the same business this year as last, he would have to pay \$26,200. He said that lessee will have to pay for 5 years. Mr. Pain said that under the amendment he wants to pay less. He said that there will be a direct loss to the City of approximately \$200,000. He said that the City had committed itself to improvements at \$60,000, and that the City lived up to the agreement. Mr. Pain said that Mr. Ray wants to be released from his part of the agreement. He stated that the City is obligated to make \$75,000 improvement to the ballroom entrance. He said it (the ballroom) is a white elephant, and that the City would be spending twice as much as Mr. Ray pays in rent. He stated that Mr. Ray has increased the rent to the lessees, but asking reduction on his rent. He asked if Mr. Ray has proved to be a desirable tenant. He said that it is a public park, but that Mr. Ray had asked concessionaires not to serve Negroes, Mexicans, Samoans, and sailors. He stated that Mr. Ray had requested concessionaires to discriminate. He said that the lessee had asked Jansen (the Chief of Police) to keep Negroes and Mexicans out of the park, but that as long as they behave they have to be allowed to come in. He said that it is a question if the lessee is a desirable tenant, as a representative of the City. He said that it is a repudiation of the obligation from former lessees. He said that it had been agreed that commitments be assumed. He said that Mr. Ray and Mr. Mitchell agreed to honor them. He said that 10 days later notice of cancellation was sent. Mr. Pain said that Mr. Ray is relying on cancellation of lease, and has led to Superior Court. He said that it is up to the City Attorney and attorneys in the court. He said that Mr. Ray has repudiated contracts. He said that relationship with sub-lessees are disgruntled sub-lessees and former sub-lessees. He spoke of tough job to convert the park and not subject concessionaires to unreasonable expenses. He said they have had to sign transactions or be thrown out. He said this reflects on the overall ability. He said that when the first master plan was proposed, concessionaires were in favor of it. Mr. Pain said that change is due to the handling of the property. Mr. Pain questioned carnival activity best promoting welfare and safety. He said that hindsight is better than foresight. He said that the blame for failure is "at Ray's feet". He stated that the Chief of Police says that the amusement center does increase the police problem. He said that it is a meeting place for juvenile bands. He said that they have lewd shows. Mr. Pain said that there are frequent gang fights and brawls. He said that type of things that go on include: perverts, child molesters, homosexuals, according to reports. He said that crime is down in the Mission Beach area, according to the Chief of Police. He agreed that situations are not Mr. Ray's fault. He said that they are inherent in that type of operation. He said that it is going to draw that element of society. He spoke of plan submitted by the City Manager in 1953 - rejected by the Council. He asked that if Mr. Ray falls by the wayside, that the City consider a recreation operation. Mr. Pain said "that's what the Mission Beach people want", and that people in Mission Beach feel the same way. He asked the Council to give thought to the City Manager's plan of 1953. He stated that the roller coaster corporation is bankrupt. He said that the roller coaster was damaged by fire; not repaired; 6 months ago. He said that the City demands its repair. He said that it is a break of the lease, that it has expired. He stated that the City can require its removal. Mr. Pain stated that "residents don't want it". He said that the City can get rid of it. He said that if the City allows Mr. Ray to put it into operation, it would be perpetuated. He said that the City has the legal right and grounds to get the roller coaster out. Mr. Pain said that if they get rid of the roller coaster, it will get the people off the Council's necks. He said that Mr. Ray would be buying a roller coaster, and a law suit. Mr. Pain stated that his clients "won't permit operation (of the roller coaster) without a law suit". He stated that there is no animosity to Mr. Ray. He thanked the Councilmen for their attention. Then, he passed around more photographs.

Mr. Turrentine said that City officials, et al, are doing their duty to see that it is properly operated and maintained. He said that the police problem is less in Mission Beach than in any history of the park. Mr. Turrentine said that patrolmen can be eliminated at times. He stated that the comments about discrimination are of whole cloth. He said that Mr. Ray has not forbidden anyone on account of race or color. He said that fountains are properly kept up. He read a letter from the picnic chairman of the Eagles regarding picnic, and of courteous and efficient treatment. He said that speaks loud, and that it was an unsolicited letter. He said that Mr. Pain is not as familiar with the situation as the Council. Mr. Turrentine said that a year ago there

was a plan to move from the north end to south, but it was abandoned. He said that lessee has attempted to cooperate. Mr. Turrentine said that it is a valid lease; not a breach. He said that modification is in order. He said that plans were stopped by request. He stated that the City Manager and City officials are charged to check regarding the operation. Mr. Turrentine declared that the park is properly run, and is a credit to the City. He said that if Mr. Ray is in default, he is willing to correct. He said that Mr. Ray had removed from the machines half of the pictures. He said that they are no different from pictures shown on television. He said that the Chief of Police had picked up some of the pictures on complaint. Mr. Turrentine said that there has been a re-hash, time and time again. He pointed out that delays have come about by request of residents. He told the Council that there has to be stability.

Keith Atherton, attorney, representing the roller coaster owners, spoke. He told of a non-partisan group having been elected, and of not needing appointment. He said that it is a lie; it is not a bankrupt roller coaster. He said that it is not bankrupt, and is not in default on the rent. Mr. Atherton told the Council that the lease runs to January 2, 1957.

Councilman Schneider spoke to Mr. Atherton regarding the operation. Mr. Atherton asked for a conference between the City, Mr. Ray and the Coaster people. He said that there is a minimum of \$1,000. a year paid to the City.

Mayor Dail spoke of having been advised by the City Attorney. Mr. Atherton told of having paid \$4,000. He referred to the Austin report, and outlined for the Council the directors of the corporation. He said that they have operated a good, clean operation. He said that it was taken over in 1938, having been built by Mr. Barney in 1926. Mr. Atherton said that never once since 1948 had it been brought to their attention any critical operation. He said that there has been cooperation to the best of ability. He spoke of \$25,000 as cost to put into operation. He told the Council that Mr. Pain's statements are not true. He requested a 7% lease to Mr. Ray or to themselves.

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

Councilman Burgener said that the City has a lot of things to do: everything Mr. Pain has said should be checked. He said that statements represent views of people in the area, and they are his view. He said nothing would be done until checked.

RESOLUTION 128455, requesting the City Attorney to provide the Council with a written report regarding each made by David H. R. Pain, attorney, in connection with lease in Mission Beach Amusement Center, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Councilman Burgener moved that the subject be referred to Council Conference if the Council agrees, and that there be no amendment until there has been another public hearing. Councilman Schneider seconded the motion.

(Motion was called later).

Mayor Dail said that any hearing should be legally advertised. Councilman Kerrigan and Councilman Schneider both said that there has been a lot of evidence given. Councilman Kerrigan favored returning to Conference.

It was agreed that if any conference is held later on the subject, Councilman Burgener is to advise Mrs. Merrick and Mr. Paine.

Mayor Dail said that action of the Council was for negotiation with Mr. Ray, and the roller coaster people, and to have the item returned to the Council by the City Manager.

The City Manager said that it is just in conference.

Councilman Schneider said that lots of folks don't have the information. He said that the Lessee has the right to go to the south to build, if taken down in the north.

The Mayor said "no"; it is settled. He said that Mr. Ray agreed not to move.

The City Manager said that Mr. Ray would postpone. It is still in the lease.

RESOLUTION 128456, referring to Council Conference the matter of operation of the Mission Beach Amusement Center, and that if the Council agrees, there be no amendment until another public hearing is held, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Councilman Burgener spoke to people in the audience regarding an informative

hearing. He said that there will be no haste.

The Mayor said that the Council has to reach a conclusion.

Mrs. Merrick said that when speaking of moving to the south, it does not "show 2 roller coasters".

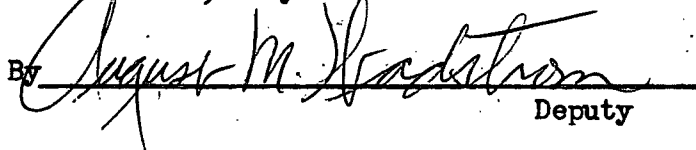
Councilman Schneider said that it is in the lease that it can be moved.

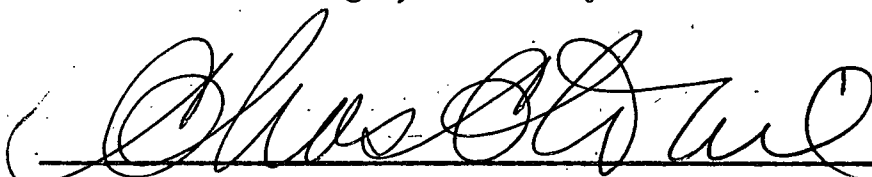
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Schneider.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, September
13, 1955

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

At the request of the Mayor all arose for the invocation, delivered by the Reverend Ben D. Griffith, of San Diego Four-Square Gospel.

Minutes of Sept. 6 & 8 were approved, without reading, on motion of Councilman Schneider, seconded by Councilman Kerrigan. They were signed by the Mayor.

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 101.

The Mayor awarded service emblems to the following City employees:

Sgt. Harry W. Leech, Police Department - 35 year pin and scroll.
Awarded was handed to Police Chief Elmer Jansen, for Sgt. Leech, who is on vacation;
Fred J. Kelly, Sr. Port Security Officer, Harbor Dept. - 30 year pin and scroll;
Wm. E. Bohme, Automotive Mechanic, Division of Equipment, Public Works Department - 30 year pin and scroll;
Mrs. Lottie Mustain, Library Station Clerk, Public Library - 20 year pin;
Robert J. Karrow, Lieutenant, Police Department - 20 year pin;
Ezra J. Isom, Construction and Maintenance Man, Division of Sewers, Public Works Department - 20 year pin.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current for lighting Loma Portal Lighting District No. 1, for 11 months and 4 days from and including June 28, 1955, the Clerk reported bid from San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on 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, 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 Kerrigan, seconded by Councilman Schneider, proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing

Meeting convened
Invocation
Minutes approved
Service awards
Hearings

9/13/55

on Resolution of Intention 127760 for paving and otherwise improving Alley Block 217 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 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 127761 for paving and otherwise improving Alley Block 2 F. T. Scripps Addition to La Jolla Park, 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 127993 for paving and otherwise improving Alley Block 80 Point Loma Heights, the Clerk reported written protest from Bernice Hedlund. It was read to the Council by the Clerk.

Asked for a report, the City Engineer said that the original petition was 70.8%; the protest 4%.

RESOLUTION 128457, overruling and denying protest of Bernice Hedlund against improvement of Alley Block 80 Point Loma Heights; 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 Mayor announced that it would be necessary to continue, temporarily, the "6-vote Resolutions of Feasibility" on the hearings under Resolutions of Preliminary since there were not enough members of the Council present for their adoption.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127765 of Preliminary Determination for paving and otherwise improving Alley Block 281 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 Schneider, seconded by Councilman Williams, the hearing was closed.

(Adoption of Resolution will be shown later).

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 127766 of Preliminary Determination for paving and otherwise improving Groveland Drive, San Jacinto Drive, Castana Street, written protests from Della Godden, et al., was presented.

The Mayor inquired if anyone was present to be heard.

John O'Leary, 5222 Groveland Drive, spoke of being without paving, and said that there are corrections needed that can't be made. He said it should be paved.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was closed - and the proceedings held for further action.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 127767 of Preliminary Determination for paving and otherwise improving 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, 8, 9, 10 American Park Addition, Public Rights of Way in Lot 5 Partition of Pueblo 1209, and Lot 22 Block 5 American Park Addition, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

Bennie Zlatoff read a statement regarding the pattern of flow. He recommended that the City Engineer take cognizance of the natural drainage. He said that the natural drainage should be maintained. He said that the engineering prints are not enough. Mr. Zlatoff said "let's do it right".

The City Engineer told the Council that he was not familiar with the objection.

Mr. Zlatoff spoke of water clear up from Clairemont. He said that the water would drain into his property. He stated that paving above will cause greater drain. He said something should be done about erosion. Mr. Zlatoff said that some orchards might be destroyed.

The City Engineer said that if Mr. Zlatoff comes into his office, he can show him the plan.

Mr. Zlatoff told of having photos. He said that anything is detrimental, he wants to think that it will be corrected.

The City Engineer spoke to Mr. Zlatoff, who said that he has no objection to the natural drainage, but if that is upset it will be affected.

Councilman Burgener said that if it is a question of engineering, proceedings can be held up until next Tuesday.

There was discussion between Councilman Schneider and Mr. Zlatoff.

Mr. Zlatoff said that it is not much of a problem if the natural drainage is followed. He asked the Council to look at it, and maybe save money.

The City Engineer showed Mr. Zlatoff a plat, and explained it to him. Mr. Zlatoff said that he had done his job that other property owners had asked him to do.

Councilman Burgener said that the City Engineer points out that the problem is outside this job.

Mr. Zlatoff told the Council that he was not entering a protest.

Robert F. Deegan, 3561 Morena Boulevard, told the Council that he does not want a road going by his house; he has 1 now. He said that he bought an old home, and then found that Paul Jones Ave. is to be put in with an assessment of \$3,500. He said that if it goes through it would be \$4,000 on bonds. He said that he put all his money in the home, and that he is stuck.

The City Engineer said that it involves street improvements (in addition to sewers and appurtenances listed on the agenda).

Mr. Deegan said that it is an island, that he owns from Lot 5 to a point. He looked at a plat exhibited by the Engineer.

Councilman Kerrigan said that this hearing is regarding the 6-vote resolution to by-pass the debt limitation. He said that with a majority of people in favor.....it provides a safeguard regarding the 6-vote resolution. He pointed out that there will be a further hearing (on the Resolution of Intention, which is automatic).

Councilman Burgener asked Mr. Deegan when he purchased the property.

Mr. Deegan's reply was "3 months ago".

Councilman Burgener spoke to Willard Olson, of the City Engineer's office, regarding dedicated street.

Mr. Olson said that there "will be quite a cut".

Mr. Deegan told the Council he understood that he could vote against a portion of the work.

Councilman Burgener said that notices were posted, although the agenda does not say paving.

There was discussion between Councilman Schneider and the City Engineer.

Mr. Deegan said that he can build a fence: he needed a toll road. He said that assessment would be over 1/2 the total value of property. Asked, again, about the 5 lots, he said some are 25' x 10'.

Councilman Burgener agreed that Mr. Deegan is "in an awful spot".

Councilman Kerrigan contended that the City should go ahead with the debt limitation act.

City Attorney J. F. DuPaul spoke to Councilman Kerrigan about a finding, if valid.

Councilman Burgener asked about how many votes.

Councilman Kerrigan said that it would add 3 months.

Mr. Olson pointed out that proceedings had been initiated by the Council for sewer, and that paving had been added.

Councilman Kerrigan said that Mr. Deegan contends that it is not worth the assessment.

Councilman Burgener said he is not sure it should be continued 3 months, on account of the number who want the improvement. He stated that if the project is abandoned, it would affect hundreds of property owners.

Councilman Kerrigan said that it was initiated by the City - not by the citizens.

Mr. Deegan said that "others don't want to pay, either".

Councilman Curran entered

Mr. Olson looked at the file and spoke of some not to be paved.

Councilman Schneider pointed out that the City Engineer was looking to see if Paul Jones Street could be eliminated from the improvement.

Mr. Olson said that "many people want this".

The City Engineer told the Council that the Health Department is holding up permits, because the properties can't have sewer.

Councilman Burgener moved to continue the proceedings 1 week. Motion was seconded by Councilman Kerrigan (There is not to be a meeting 1 week from this date, so proceedings would be held over for another hearing).

The City Engineer showed a plat to Councilman Kerrigan.

Dale Cobb, 3639 Ethan Allen, told the Council that he is very much in favor of the work continuing as expeditiously as possible.

Mayor Dail spoke to Mr. Cobb.

Mr. Cobb said that the area is dusty, and that there is a septic tank problem.

The City Engineer said that the project came to him as a "high priority job". He told the Council that he had been instructed to expedite it. He identified it as steep hillside area, which goes up to Clairemont. He stated that the Health Department is holding up permits on account of sewers.

Councilman Burgener spoke to the City Engineer regarding the next hearing on the work.

The City Engineer stated that work probably would be next spring, in that no contractor would want to rip it up during the rainy season which is expected. He said that it (a continuance of the hearing) would not delay the ultimate work. The Engineer stated that he "was instructed by the Council to pick up this project, out of order; it was high pressured". Then he spoke of being stymied.

Mr. Cobb spoke of there having been consideration, and his understanding that the improvement was going ahead.

The City Engineer said that he had been needled to get the plans done.

Mayor Dail said that the Council will not be here next week, and that the hearing will come up, instead, in 2 weeks.

Councilman Burgener spoke to the interested property owners.

Mayor Dail said there would be no delay on account of holding up the hearing.

The roll was called, resulting in

RESOLUTION 128458, continuing hearing on proposed improvement of 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, 8, 9, 10 American Park Addition; Public Rights of Way in Lot 5 Partition of Pueblo Lot 1209, Superior Court Case No. 8343; and Lot 22 Block 5 American Park Addition, under Resolution of Preliminary Determination 127767 until 10:00 o'clock A.M., Tuesday, September 20, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

At this time the improvement of Alley Block 281 Pacific Beach, under Resolution 127765 of Preliminary Determination, upon which hearing had been closed, was brought up again.

RESOLUTION 128459, determining that improvement of Alley Block 281 Pacific Beach, Resolution 127765 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

At this time the improvement of Groveland Drive, San Jacinto Drive and Castana Street, under Resolution 127766 of Preliminary Determination, upon which hearing had been closed, was brought up again.

RESOLUTION 128460, overruling and denying protest of Property Owners against proposed improvement of Groveland Drive, San Jacinto Drive and Castana Street, Resolution of Preliminary Determination 127766, overruling and denying all protests, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

There had been a previous motion by Councilman Schneider, seconded by Councilman Williams, followed by verbal report of the City Engineer that protest was 19.3%. The roll was called, not on the first motion, but the next one.

RESOLUTION 128461, determining that improvement of Groveland Drive, San Jacinto Drive and Castana Street, Resolution 127766 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in Five Points Lighting District for 11 months and 27 days from and including August 5, 1955, 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 filed.

RESOLUTION 128462, confirming and adopting as a whole "Five Points Lighting District No. 1", filed in office of City Clerk August 2, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in Mission Beach Lighting District No. 2, for 11 months and 15 days from and including August 17, 1955, 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 filed.

RESOLUTION 128463, confirming and adopting as a whole "Engineer's Report and Assessment for Mission Beach Lighting District No. 2", filed in office of City Clerk August 10, 1955, 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 furnishing electric current in Ocean Beach Lighting District No. 1, for 11 months and 18 days from and including August 14, 1955, 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 filed.

RESOLUTION 128464, confirming and adopting as a whole "Engineer's Report and Assessment for Ocean Beach Lighting District No. 1", filed in office of City Clerk August 9, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in University Avenue Lighting District No. 1, for 11 months and 25 days from and including August 7, 1955, 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 filed.

RESOLUTION 128465, confirming and adopting as a whole "Engineer's Report and Assessment for University Avenue Lighting District No. 1", filed in office of City Clerk August 4, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in University Avenue Lighting District No. 3, for 11 months and 25 days from and including August 7, 1955, 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 filed.

RESOLUTION 128466, confirming and adopting as a whole "Engineer's Report and Assessment for University Avenue Lighting District No. 3", filed in office of City Clerk August 9, 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 Street Superintendent's Assessment 2389 made to cover cost and expenses of paving and otherwise improving 69th Street, Resolution of Intention 121532, 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 128467, confirming and approving Street Superintendent's Assessment 2389 made to cover cost and expenses of paving and otherwise improving 69th Street, Resolution of Intention 121532; 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 Street Superintendent's Assessment 2390 made to cover cost and expenses of paving and otherwise improving Soto Street and Castelar Street, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128468, confirming and approving Street Superintendent's Assessment 2390 made to cover cost and expenses of paving and otherwise improving Soto Street and Castelar Street, Resolution of Intention 120008; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2391 made to cover cost and expenses of paving and otherwise improving Alley Block 255 Pacific Beach, the Clerk reported written appeal from Byron D. Bell and others.

The Mayor inquired if anyone was present to be heard.

B. D. Bell, 1248 Thomas Avenue, stated that the work has not been completed. He spoke of being laid out for 1 tenth of a foot for fall. He said that the alley was supposed to drain from Fanuel to Everts, but that it does not. He told the Council that the "water lies in the alley as a lake; 100 to 120 feet to the west - from there 150 feet". He said that in the middle there is a manhole. He said that it is convex (it is thought he meant to say concave), and that standing water will be a detriment to the sewer. He told of water backed up into houses and causing damage. He said that his statement was not so much a protest as to find out why it was not engineered properly. He declared that the edge looks like a roller coaster. Mr. Bell stated that it creates an apron, and spoke of being in the middle of a lake. He said that it varies 6 inches to a foot and a half to the south side. He said that it is going to flood his property.

The City Engineer laid out a plat for the Council to see. He said that it is flat alley - built to one tenth of one percent grade. He said that it varies somewhat, and was built according to plan to meet the existing garage improvements. He repeated that there is a variation. He said that Mr. Bell will not get the drainage that he thinks.

The Mayor spoke to property owners, and said that he thinks they will not get the drain.

Mr. Bell stated that the problem is the lake in the middle of the block that won't drain. He said that water has been running in, from washing cars. He said that "water lies in a cut for 200 feet".

Councilman Burgener said that he would like to see it.

Mr. Bell replied that he would lend Councilman Burgener a hose and water to make the test. He stated that the concrete is O.K. He said that his basic complaint is regarding the engineering.

Mayor Dail said that the Engineer is not in a position to do much.

Councilman Burgener said that although there were earlier hearings, the average property owners did not know about the construction.

The City Engineer repeated that it is a flat grade, and spoke of having trouble. He said that the only choice would have been to abandon the improvement project.

Councilman Burgener said that he would still like to go out, turn on the water and watch the results.

Mr. Bell said that he has "a paper of objection" (the appeal referred to at the beginning of this hearing).

Councilman Burgener secured from the appellant his name and address.

RESOLUTION 128469, overruling and denying appeals from Street Superintendent's Assessment 2391 made to cover costs and expenses of work of paving and otherwise improving Alley Block 255 Pacific Beach; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was adopted.

Motion to overrule the protest was made by Councilman Williams, seconded by Councilman Burgener; motion to confirm the assessment was made by Councilman Schneider, seconded by Councilman Williams.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2392 made to cover cost and expenses of paving and otherwise improving Alley Block A Sunset Crest, Resolution of Intention 121401, 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 128470, confirming and approving Street Superintendent's Assessment made to cover cost and expenses of paving and otherwise improving Alley Block A Sunset Crest; Resolution of Intention; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2393 made to cover cost and expenses of 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, the Clerk reported written appeal from Alice C. George. It was read to the Council.

The Mayor inquired if anyone was present to be heard.

Councilman Williams said that he is interested in seeing if he is being assessed fairly (as owner of the Piggly Wiggly Stores). He looked at the assessment with the City Engineer. He said that he had only 1 comment. He said that it has been a bad, expensive, day for him.

RESOLUTION 128471, overruling and denying appeal of Alice C. George, from Street Superintendent's Assessment 2393 made to cover costs and expenses of work of 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; 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 Burgener, adopted. (Motion and second noted, was to overrule the protest; Councilman Williams moved to confirm, motion seconded by Councilman Burgener).

Communication from William N. Hamilton, 1316 Garnet Avenue, San Diego 9, dated September 7, 1955, in behalf of Earl E. Asbury, Edgar Asbury and George P. Nestor, owners of property which was sought to be re-zoned, was presented. It says that action taken by the Council was to file the matter. It submits a petition requesting that the matter be again placed on the Council's agenda for further hearing.

Councilman Burgener said the item should be referred to Planning, and that perhaps it would be well to advise the petitioners.

The City Attorney recommended filing.

RESOLUTION 128472, requesting the City Manager to notify William N. Hamilton, representing owners of real property in vicinity of Mesa Street and Cabrillo Freeway, of procedure to rezone property in Montgomery Airfield area - in the Highlands district - (on which rezoning hearing has been held) of procedure to rezone property in the Montgomery Airfield area, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Final Record of Survey Map - Lot 93 Normal Heights, was presented.

RESOLUTION 128473, 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 Burgener, seconded by Councilman Kerrigan, adopted.

Application of Lou Vallin, for Cabaret license at Lou Vallin's, 1065 4th Avenue, was submitted with recommendation for approval by interested City departments.

RESOLUTION 128474, granting to Lou Vallin permission to conduct cabaret with paid entertainment at "Lou Vallin's", subject to regular license fee, and in compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Burr Stalnaker, 4570 Seminole Drive, San Diego 15, dated 7 September 1955, was presented. It refers to a 1911 Act petition for 63rd Street just north of Acorn Street. It says that when petition is submitted it is hoped that it will in no way interfere with or slow up completion of improvements to Seminole Drive and Acorn Street. The communication states that after discussion the matter with H. E. Dunn it is felt that since 63rd Street job is so small and no other property owners are concerned, that details can be taken care of by time larger job is ready to start. It says that the writer and the Dunns will cooperate in any way so as to not hold up any of the work.

At the request of Councilman Kerrigan, the letter was read.

Councilman Kerrigan spoke of there being a petition, and another petition to add.

The City Engineer spoke of having to enter into condemnation.

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

RESOLUTION 128475, directing notice of filing assessment 2397 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 8 La Jolla Park, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128476, directing notice of filing assessment 2395 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 95 Ocean Bay Beach, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128477, directing notice of filing assessment 2396 and of time

and place of hearing thereof, for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 128478, accepting bid of A. R. Kingaard, and awarding contract for paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 10.7% below estimate.

RESOLUTION OF AWARD 128479, accepting bid of R. E. Hazard Contracting Co. and awarding contract for paving and otherwise improving Hugo Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 3.5% below estimate.

RESOLUTION OF AWARD 128480, accepting bid of Griffith Company, and awarding contract for paving and otherwise improving Tourmaline Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

City Engineer reported in writing that low bid is 5.2% above estimate.

There was discussion between members of the Council and the City Engineer regarding the policy where bids are above the estimate.

RESOLUTION OF AWARD 128481, accepting bid of Gilman Grading Co. and awarding contract for installation of sidewalks on Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

City Engineer reported in writing that low bid is 6.2% below estimate.

RESOLUTION 128482, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, 51st Street, 52nd Street, Lemona Avenue, Ogden Street, Altadena Avenue and Public Rights of Way, Document 519399; approving Plat 2707 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 Williams, adopted.

RESOLUTION 128483, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Treat Street and 28th Street, Document 519543; approving Plat 2758 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 Williams, adopted.

RESOLUTION 128484, directing notice inviting sealed bids for furnishing electric current in San Diego Lighting District No. 3, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128485, directing notice inviting sealed bids for furnishing electric current in San Diego Lighting District No. 4, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128486, for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, 51st Street, 52nd Street, Lemona Avenue, Ogden Street, Altadena Avenue and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128487, for paving and otherwise improving Treat Street and 28th Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128488, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving portion Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, 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 Williams, adopted.

RESOLUTION 128489, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 31 University Heights, 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 Williams, adopted.

RESOLUTION 128490, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, et al., 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 Williams, adopted.

RESOLUTION 128491, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Oliver Avenue and Pacific Beach Drive, 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 Williams, adopted.

RESOLUTION 128492, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Calle del Oro, and portion of La Jolla Shores Drive, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128493, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sewer mains in Quince Street, 45th Street, 46th Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128494, directing City Engineer to furnish diagram of

property affected and benefited by work and improvement on paving Grand Avenue, Jewell Street and Balboa Avenue, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128495, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Roosevelt Avenue, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128496, authorizing and empowering City Manager to do all work in connection with construction of a 2" cement floor in certain sections of, and installation of 2 turn out gates in, Dulzura Conduit Canal, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

In connection with the next resolution, Councilman Burgener, Schneider, and Kerrigan said that it had been explained in Conference by the City Attorney.

RESOLUTION 128497, determining and declaring that public interest, convenience and necessity require modification of the taking for construction, operation and maintenance of a public street, to reduce area required therefor across portions of Lots 6 and 28 Eureka Lemon Tract, and directing City Attorney to take necessary action to amend said taking, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

(While Resolution does not name the street, it is Balboa Avenue)

RESOLUTION 128498, approving plans and specifications for new projects under direction and control of City-County Camp Commission, recommended by City Manager, on file in office of County Clerk, authorizing the Commission on behalf of The City of San Diego to proceed with construction of such projects; authorizing City Manager to approve any necessary changes which may be directed by the Board of Supervisors in the construction of said public improvements, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128499, accepting quitclaim of Public Housing Administration, August 25, 1955, quitclaiming interest in Lot 26 Block 32 Linda Vista Unit 5; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128500, accepting deed of Alvin L. Morrison and Vena Morrison, August 15, 1955, conveying for street purposes portion of east half Lots 22 and 23 Block 13 American Park Addition; naming it Morena Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128501, accepting deed of Juan Sahagun, August 18, 1955, conveying for street purposes portions Lot 13 Boulevard Gardens; naming it Morena Boulevard and Naples Place; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 128502, accepting deed of Everett Fountain and Alice B. Fountain, August 18, 1955, conveying for street purposes portion Lots 26 and 27 Block 1 Berkeley Heights; naming it 54th Street; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128503, accepting deed of Malcolm B. Coutts and Dorothy E. Coutts, Ralph L. Coleman and Louise Coleman, June 1, 1955, conveying easement and right of way for street purposes in portion Pueblo Lot 1202; naming it Frost Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of 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 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 6655 (New Series), incorporating portions of Lots 4 and 12 Ex-Mission Lands into C-1A and CP Zones, as defined by Sections 101.0411.1 and 101.0410 of San Diego Municipal Code, and repealing Ordinance 35 New Series 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 Burgener, reading of next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE 6656 (New Series), establishing official property line grades on Nipoma Street for its entire length in Plumosa Manor; Amaryllis Drive for its entire length in Plumosa Manor; and Nipoma Place for its entire length in Plumosa Manor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-Councilman Evenson.

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

ORDINANCE 6657 (New Series), establishing grade of Alley Block M Tract No. 2 Alta Vista Suburb, between north line of Franklin Avenue and south line of Imperial Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-Councilman Evenson.

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

ORDINANCE 6658 (New Series), establishing grade of Alley Block 49 University Heights, between southerly line of Madison Avenue and northwesterly line of Mission Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-Councilman Evenson.

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

ORDINANCE 6659 (New Series), establishing grade of Alley Block 49½ University Heights, between northerly line of Monroe Avenue and southeasterly line of Mission Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

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

ORDINANCE 6660 (New Series), establishing grade of Alleghany Street, between westerly line of Sea Breeze Drive and line parallel to and distant 190.00 feet easterly therefrom, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

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

ORDINANCE 6661 (New Series), establishing grade of Acorn Street, between easterly line of 62nd Street and easterly termination of Acorn Street in Don Terrace, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

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

ORDINANCE 6662 (New Series), establishing grade of Seminole Drive, between its northerly termination at El Cajon Boulevard and its southerly termination at Estelle Street and Arendo Drive, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays--None. Absent--Councilman Evenson.

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

ORDINANCE 6663 (New Series), appropriating \$10,000.00 from Unappropriated Balance Fund, for providing funds to cover cost of printing San Diego Civil Defense Evacuation Plan and installation of Civil Defense Guide Signs, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by 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,

the next ordinance was introduced.

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

ORDINANCE 6664 (New Series), appropriating \$3,000.00 from Capital Outlay Fund, for providing funds to pay City's share of construction of outfall sewer for Garden Grove Subdivision, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Mayor Dail. Nays-None. Absent-Councilman Evenson.

Mayor Dail requested, and was granted unanimous consent for presentation of the following item, not listed on the Council's agenda:

Communication from Joseph C. Gahan, relative to debate on TV program, August 27, 1955, at which time location of proposed auditorium was discussed. It was read to the Council by the Clerk. Among other things, it says "the only sensible thing left to do was to call for expert advice from an outside organization which has no ax to grind in San Diego. We have done this and have paid \$15,000 fee for the information". It visualizes the auditorium as the pot of gold at the end of the rainbow for San Diego. It asked the City Council to put it in the master plan, get the bonds on the ballot and put it over. It says "it can be done". The letter says that it is definitely a selling job and he is a great believer that no matter how tight the Scotchman is, show him a profit and he will buy, "and so will you".

Mr. Gahan spoke to the Council, and said that if it is continued, and waiting, it will allow opposition to build up things against an auditorium. He said that one can't sell goods, unless he shows them. He said that the thing to do is to have an auditorium; then the people with bank accounts will come to San Diego. He said that an auditorium would bring potential business men to San Diego. Mr. Gahan stated that he knows that there will be opposition, and his own opposition to the Cedar Street Mall (which failed). He said that there is no similarity between this and the Cedar Street Mall. He told the Council that the proposal would take off only 4 blocks (from the tax rolls). He said that it had been proposed to move the jail and the library into a residential district; then the school administration building (they failed).

There was discussion between Councilman Schneider and Mr. Gahan.

Mayor Dail discussed with Mr. Gahan regarding the bond issues. He spoke of preparing for "this", sewer, and other items.

Mr. Gahan said that petitions are being sent around now against the location. He said that people coming in will support it.

Councilman Burgener moved to file the letter. Motion was seconded by Councilman Schneider. There was no action beyond the filing.

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 Western Hills Unit No. 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 128504, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego a contract with Western Hills, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Western Hills Unit No. 2 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 Williams, adopted.

RESOLUTION 128505, adopting Map of Western Hills Unit No. 2 Subdivision, being subdivision of portion Lots 131, 132 and 133 of Morena, together with streets, avenues, drives, boulevards and alleys lying within in map of Mission Bay Heights and Wells and Lanes Tecolote Heights; accepting on behalf of the public August Street, August Court, Burgener Boulevard, Fairfield Street, Milton Street, Milton Court, Northaven Avenue, and Southcrest Avenue and named and unnamed easements shown for public purposes, declaring them to be public streets, and named easements and dedicated to public use; rejecting dedication for public streets land shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse

upon the map, as and for the act of the Council that streets and easements are accepted on behalf of the public as stated, and that the Council rejects the ~~the~~ dedication of portions marked "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The following Resolution was presented by the City Manager under unanimous consent.

Councilman Williams moved to adopt Resolution authorizing and empowering City Manager to enter into agreement with William P. Bell and Son as Golf Course Architects. Motion was seconded by Councilman Kerrigan.

Councilman Burgener told of being interested in pursuing any and all private capital, to recover funds for other uses. He said he is not interested in others operating unless they enter into contract.

Mayor Dail said that there have been groups who have referred to financing by private sources. He spoke of private capital being eliminated for construction.

Councilman Williams said that private offers have not come forth. He spoke of having to protect selves.

Mayor Dail said that conversation and suggestions were that the City not construct with public funds.

Councilman Williams said that the Council is not taking away private capital. He said that time is the essence; it will be at least in a year to be opened for play.

Councilman Schneider concurred.

Ralph Wiegel, San Diego Taxpayers' Association, recognized the needs for the golf course. He spoke of not having recommended either, but have recommended pursuing both methods. He said that the Council should look into private financing. Mr. Wiegel said that financing is being precluded. He contended that the City should see if private financing is interested.

Mayor Dail said that the Council is going to appropriate public funds for the construction.

Councilman Burgener said that there should be ~~some~~ possibility for some financing.

Councilman Williams stated that rental will show good return. He said it would not jeopardize the City; it would be making it stronger.

Mr. Wiegel said that this is one stage where it should be investigated.

Councilman Schneider told Mr. Wiegel that the City is not precluding. He said that there are not to be any club houses constructed in this project.

Mr. Wiegel said that the \$500,000 could well be used for other needs.

Mayor Dail spoke about there being no speculation or consternation. He said that "the door is open to proposals".

Councilman Burgener said that there are 2 things: 1-Mr. Bell will supervise; 2-it will be cost plus. He said that for anyone who wants to, the door is open to compete.

RESOLUTION 128506, authorizing and empowering City Manager to enter into agreement, for and on behalf of the City, with William P. Bell and Son as Golf Course Architects, in connection with City's projected 2 18-hole golf courses on its property at Torrey Pines Mesa, under mutual terms and conditions set forth in agreement under Document 520214, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

The next Resolution was presented by the City Manager under unanimous consent:

RESOLUTION 128507, stating that the Mayor and each and every member of the Council propose to attend meeting of League of California Cities in San Francisco 18th to and including 21st of September 1955; that the 20th of September, 1955 is a regular date for meeting of the Council and no member will be present to adjourn meeting because of lack of quorum; directing City Clerk or one of his deputies for and on behalf of the Council, to adjourn the regular meeting to be held on the 20th day of September, 1955, to the next regular meeting to be held on the 22nd day of September, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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Consent.

The following items were presented by City Manager under Unanimous

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Chemtronics Park, a 1-lot subdivision of portion Lots 72 and 78 Rancho Mission, was presented.

RESOLUTION 128508, suspending Sections 102.07-5, 102.11-2, 102.17-c of the Municipal Code in connection with Tentative Map of Chemtronics Park, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Chemtronics Park, located on Kearny Mesa within M-1A Zone and south side of Kearny Villa Road, immediately east of new Kay-Lab, subject to 9 conditions, was presented.

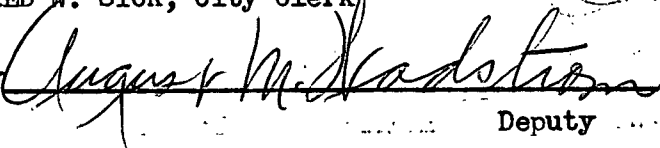
RESOLUTION 128509, approving Tentative Map of Chemtronics Park, subject to conditions of the Resolution (2 of the conditions had been deleted from the 9 in the recommendation, and in the original draft of the resolution), was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

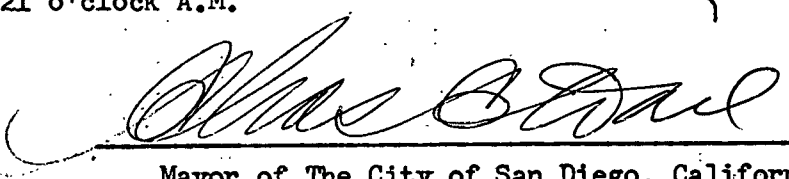
The conditions deleted had to do with sewers, sewer service, and improvement of Kearny Villa Road.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:21 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, Sep-
tember 15, 1955

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

At the request of the Mayor, the next item was taken up at this time, out of order.

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

ORDINANCE 6665 (New Series), amending San Diego Municipal Code Section 33.0801.1 and 33.0801.2 Regulating Auction Sales and Auctioneer(s), 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.

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

George W. Scott, 4506 Delta Street, told the Council that he is using City^{water} illegally. He said that his property is being annexed to the City of National City.

Paul Beermann, director of the Water Department, stated that he has threatened to shut down on the water to Mr. Scott today. He said that it has been shut down twice.

City Attorney J. F. DuPaul said that a contract can be worked out for bulk sale of water to Mr. Scott.

Councilman Kerrigan moved to refer the item to the City Attorney for a contract.

Mr. DuPaul advised the Council to authorize the City Manager to sign an agreement with Mr. Scott.

Mr. Beermann said that then there would be continued use until Mr. Scott gets facilities installed.

Mr. Scott said again that he is being annexed to the National City - but is not in the water system.

Councilman Schneider asked if it would go on for months and months.

Mayor Dail said that would be in the contract.

Mr. Scott said that it will be a week or so. He told the Council that he will have to build a well, and tanks.

There was discussion between Councilman Schneider, who was attempting to ask Mr. Scott questions, and the Mayor.

The Mayor said that all the answers will be forthcoming.

Councilman Curran moved to refer the question to the City Manager to work out an agreement, for presentation to the Council, on advice of the City Attorney. Motion was seconded by Councilman Schneider.

(Resolution on this same subject will be found in these minutes, following the Braemar hearing).

Meeting convened
6665 N.S. out of order
Water for George W.
Scott discussion U/C.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance incorporating Lot A Braemar and Lot C Braemar Extension into R-1, R-4 and SC Zones, as defined by Sections 101.0405, 101.0408 and 101.0409.1 of San Diego Municipal Code, and repealing Ordinance 119 (New Series) insofar as it conflicts, report of Planning Commission by P. Q. Burton, was read to the Council by the Clerk.

The report says that hearing concerns application of F. T. Scripps, Inc., owner, and Vernon E. Taylor and Clinton D. McKinnon, purchasers, of approximately 7 acres of R-1 property in Braemar. It says property is well-known as the Scripps' home and is intensively landscaped. It reports that buildings, however, are generally quite old and not capable of being used for commercial or hotel purposes. The report says that at date of the writing, only signature of an abutting or surrounding property owner is that of Thomas O. Scripps, who owns property immediately east of land in question and who is also a stockholder in the F. T. Scripps corporation, owners of the land. It states that proposed zoning includes about 5 acres of C zone, which amount of C zoning obviously is not required in connection with proper development of the portion of Pacific Beach. It says that it is apparent that there exists within a half mile far more C zoning than is justified by population of Pacific Beach and far more C zoning than is actually used either for residential or commercial purposes. The report states that R-4 zoning proposed is in keeping with stated purpose of application, i.e. to permit construction of hotel or motel and small chapel, but would not permit a separate restaurant and bar. The communication states that property in question is adjacent to a tier of lots 40 feet in depth, zoned commercially along Mission Boulevard. It says that across Pacific Beach Drive to the north is R-1 zone, with some C zone on Mission Boulevard to a depth of approximately 90 feet. It states that Northeasterly and easterly the zoning is R-1, and that the department has no knowledge of any violations of zoning in the area. It says that it is obvious that proposed 5 acres of C zoning is far in excess of that needed to permit a restaurant and cocktail lounge to be operated on the premises. It states that it is also apparent that a great deal of consideration must be given to surrounding R-1 development and zoning, and that it must be adequately protected. The report says that it is also apparent that the C-zoned lots only 40 feet in depth along Mission Boulevard are hardly adequate as business lots. The communication states that reasons given for proposed rezoning are recited in the attached petition. It says that petitioners state that much work is going to be required on their part to cause to be prepared architectural drawings necessary to carry out their proposal, and that financing of proposed development has been arranged at this time. The report from Mr. Burton to the Planning Commission states that the office submits for consideration of the Commission and all others concerned the map for rezoning. It states that there is shown a buffer strip of R-4 property at extreme south, adjacent to R-4 and R-1 property in Mission. It says that SC zoning shown in place of C abuts existing C on Mission Boulevard and would seem to be more than adequate to take care of commercial aspect of proposed development. It says that R-4 zoning over major part of area permits hotels, motels and a dining room, bar and other facilities when they are entered only from lobby of hotel. Report states that R-1 zoning is proposed adjacent to Pacific Beach Drive for depth of 50 feet, together with setback line of 50 feet as buffer strip across street from existing R-1 zone and developments. It says that R-2 zone shown would permit chapel proposed in that area and incidental parking for its users, and that it proposes also that the only entrance into those premises will be from Mission Boulevard approximately in center of proposed development; and that vehicular access rights to property will be taken on Pacific Beach Drive, except for the C Zone, and on Bayard. It says that the Commission might also consider whether or not zone variance might be best answer to entire problem in order to require that representations made by petitioners will be carried out. It reminds the Commission that the La Jolla Hotel in La Jolla was developed entirely in an R-4 zone; Town and Country Motel in Mission Valley and Mission Valley Golf Club were both entirely developed in R-1A Zones by variance. It reminds the Commission of leased tidal waters of Mission Bay in front of property up to 1976. It goes into possibility of tabling for decision. It recommends that resubdivision be required to be filed on the property, and that location of Mean High Tide Line adjacent to property be adjudicated in court, or by mutual agreement between owners and the City.

The report to the Council says that although original departmental recommendation had been approved by Mr. Rick, amended plan which is before Council was also approved by Mr. Rick before he left on his vacation. It states that Planning Commission voted 6-0 to approve rezoning of portion of Lot A and all Lot C Braemar Extension, as shown on drawing B-662-1, on conditions that:

1. A final subdivision map be filed on the property.

2. That all vehicular access rights to Pacific Beach Drive be surrendered, except for westerly 60 feet Lot A, and that all vehicular access rights to Bayard Street be surrendered.

3. That only entrance to property be from Mission Boulevard, as shown on sketch submitted.

4. That Mean High Tide Line abutting property be adjudicated or determined by mutual agreement between the City of San Diego and the property owners.

5. That a 50-foot setback line be established adjacent to Pacific Beach Drive, except for westerly 60 feet Lot A and 50-foot setback line on Bayard Street. Last item can be accomplished on final subdivision map.

It says property is now zoned R-1 under Ordinance 119 NS.

Mr. Burton, from the Planning Department, posted a map on the wall. Mayor Dail wondered if it was agreeable to allowing 1/2 hour on each side.

Vernon E. Taylor, one of the petitioners, held up a drawing which he passed around. He said that there are a few minor discrepancies in the report. He said that was due to misunderstanding between him and Mr. Burton. He referred to duration of giving up access rights, was to be for 10 years. He spoke of having letters endorsement. He said he had other letters - which he handed to Councilman Burgener. He spoke of petition, which he read. He filed it. He said that when started, there was some opposition. Mr. Taylor said that there was a change of idea on opposition. He told the Council that there is not opposition to the hotel, but that some think that it won't be built. He said that they think it might be possible to kill off the project, by a variance, instead of rezoning. He stated that a hotel is advisable. He asked which is the way to do it - by zone change, or by a variance. He outlined his idea of variances - not by the Council, or the Planning Commission, but by Board of Zoning Adjustment - for period of 6 months. He said that petitioners don't know if they can get a continuance after 6 months (for which time a variance would be effective). Mr. Taylor said that thousands will be spent on plans and advice. He said that they do not know how many rooms there should be. He said that they will get advice, and go to additional architects. He spoke of cost of survey and plans, and of not being in a position to know what can be done. He stated that the existing landscaping is expensive, although run down. He said that as soon as they have title and know that work can be done, they will start maintaining the grounds. He told of having approached lending men, and of having been advised that they should get a zone change - and that project can then be financed. Mr. Taylor stated that if a change is advisable, the question is then the sincerity and honesty. Mr. Taylor said that Mr. McKinnon (Clinton D. McKinnon, a developer on the proposed project) has a good reputation, and has a home on Mission Bay. Mr. Taylor outlined his own background; went to school in Pacific Beach in 1923; told of his further education, the army and his return to Pacific Beach. He stated that he has been in the real estate business since 1946. He said that he was proud of his accomplishments in Pacific Beach. He told the Council that he wants to add to the reputation established by his father. Mr. Taylor told the Council that he "has been a pretty fair citizen". He said that all his funds are invested in this area. He stated that he will not say that he will build a hotel, and then build something else. He said that if he wanted to acquire the property for use other than hotel, it would be silly. He said that this is not a good area for commercial activity. Mr. Taylor said that he and his sister own 2 blocks on Mission Boulevard. He said that the property should be developed as a deluxe motel, on the Bay frontage. He said that 1 acre would be for grouping of the development, which would be scattered. He told the Council there would be a cocktail lounge, which needs to be a separate building, on the bay. He spoke about the chapel location, the present greenhouse and the sunken garden, to be developed. He said that in front of the hotel there is to be a swimming pool, and another pool on the Bay. He said that there is a barbecue area planned. Mr. Taylor said that there would be several variances needed. He said that there should not have to be those separate variances. He said that there would be shops and commercial use, proper for a high class motel. He spoke of having started out asking for more commercial area, but that has been amended at the request of Planning. He spoke of enlarged R-4, and added SC (Suburban Commercial).

Councilman Schneider asked Mr. Taylor what is desired now, is what is being asked.

Mr. Taylor replied "yes". He said that there is discrepancy between the map and the proposed ordinance. He pointed out on the map, and said that with small exception it is the same as recommended.

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Mr. Burton said that a building had been closer to private property; the original recommendation cut off a corner of the building. He explained the change on the map. He stated that the adjacent owner has protested the rezoning. He told the Council that the picture on the wall was a sketch, not a scale drawing. He said, that the sketch shows "farther away than 50 feet". He showed the access rights until 1965. He said that he questions the taking of the access rights for a limited time. He said you "take the access rights, or you don't". Mr. Burton said that had not come up before. He said that the Planning recommendation was to take the access rights. He talked, from the map, about Mr. Taylor's proposal on the access rights. He said that the Commission wanted "access rights, all around".

Mr. Taylor said to the Council that he and Mr. Burton were not in agreement regarding the motion. He reviewed his idea. He said that the discussion had nothing to do with what was granted.

Harry Haelsig, Acting Planning Director, said that the access rights would be on the subdivision. He agreed with Mr. Burton that you "either take the access rights, or you don't". He stated that at the end of 10 years if the access rights are not needed, they can be taken off.

Mr. Taylor spoke about the 50-foot setback, which he offered to observe. He said that Rick (Glenn A. Rick, former Planning Director) recommended 50 feet of R-1 zone, to make the requirements. Mr. Taylor stated that it is not necessary to have R-1 and a setback. He said that was not brought up at the hearing. He said that can be straightened out.

Councilman Williams said he had a question regarding the zoning. He asked that if the zoning is allowed, it would be possible in the future to make use of the SC property by individuals.

Mr. Taylor asked "if sold off"? He answered the question by saying piece could not be sold off unless the City's subdivision requirements are met.

Mr. Burton said that if rezoned, the property can be used for any permitted C Zone.

Councilman Williams spoke to Mr. Burton about use by others. He wondered if there is resubdivision.

Mr. Burton said that it is not resubdivided; the Planning Commission recommended a map.

Mr. Taylor said that it is a portion of 1 lot, and a portion of another.

Clinton D. McKinnon, asked by the Mayor if he wished to be heard, replied that he wanted to reserve his time for later.

Jack Carlson, a real estate man in La Jolla, stated that he owns an apartment house on Riviera Drive. He said that he can speak for a half million dollars worth of property on Riviera. He said that opponents think that their property will be depreciated. He stated that he owns property across from the White Sands in La Jolla, and that he paid \$20,000 more across from the White Sands than if it had not been there. He stated that there is a mansion across the street, which the owner had the opportunity to sell, but she thought the White Sands was an improvement. He said that there are residences on each side (of the White Sands). He said that now they can't be touched for less than \$25,000 each, but that they would (formerly) have been \$15,000. Mr. Carlson said that property will lose views, but that they will escape views of the present run down property. He said that Mr. McKinnon and Mr. Taylor were not diligent when they requested the rezoning. He said that there is an organized protest, but that until 10 minutes ago no one asked him if he was for or against the proposal. He told the Council that he wants to see the improvement made.

Councilman Williams spoke to Mr. Carlson.

Mr. Carlson said that he is "10 blocks away, by going around". He stated he and others in his area want the hotel built.

John D. Butler, attorney, representing Braemar Civic Club, a group of 120 property owners, was heard. He spoke of being in an area of 4 blocks from the property in question. He said that they are not objecting "to the project on the map". He said that when looking at the overall picture, they are now in accord with the development - safeguarded. He spoke of petitioners being afraid of surveying zone changes. He spoke of lack of guarantees. He declared that there is no animosity toward the developers. Mr. Butler said that the entire project can be done, and be protected, regarding setback, landscaping, and access rights. He said those things would wipe out the objection. He outlined the petition, the following procedure, and

the hearing. He said that the Planning Commission had little discussion regarding variance. Mr. Butler said that protection should be by the Council. He started to say contention of proponents was by Mr. McKinnon..... He said "don't hamstring". He quoted from the (Planning Commission's) minutes regarding the Taylor statement regarding financing under variance. He said that any lending institution says it will go as readily under variance as change. He referred, specifically to Mr. Nairne (Bank of America) and Mr. Starkey (First Federal Savings and Loan). He told about several other developments which had been made under variances. He said that the new bowling alley is going in in Mission Valley, under a variance. He spoke of Coca Cola and Nehi bottling, and said that there are no problems with them. He said that it is in contrast to policy on leased land. He stated that Kona Kai is on leased land (City's Shelter Island) with rigid restrictions, and Bahia on leased land (Mission Bay property). He stated that there is no difficulty on others. Mr. Butler said that the Council is entitled to know the reasons why they cannot finance under variance. He said that there are over 5 acres of SC requested, but that not even 1 acre is to be used. He contended that there is nothing to prevent other operations. He said that it could be carried out as planned, under a variance. He stated that many variances have been continued 2 or 3 times. He said that if it goes in by variance, it will have the unanimous support of the property owners. He said that they are already asking for variance, for parking. He told of the existing SC. He said that it could be switched around. Mr. Butler passed around pictures of homes, which he identified. He also showed pictures of traffic situation in Pacific Beach Drive. He spoke of being jealous of piece of property, which became the first commercially zoned property on Mission Bay. He said that protection and assurance should be given. Mr. Butler said that it should be by variance.

Dorothy Kuhlman, 968 Pacific Beach Drive, said that "the first petition was mixed up". She said she had a couple of days to get around. She said that when she bought it was to be a hotel, but not under C Zone. She said that all along Mission Bay.....someone else would want C Zone on the Bay. She said she thinks there will be multiple dwellings. Mrs. Kuhlman said she understands that the property can't be kept C, and told about near by developments. She said that there is enough business in the area. She said that she did not go across the bay, or on Riviera (with the petition). She said that deed restrictions had been put on by Scripps, and she was glad of them. She said that she had not objected to the dilapidated condition of the property, on account of the expense, and of the family having lived there a long time. He said that the chapel "would be for weddings, plus other things". She said that bar and restaurant would be open to the public, and would be a hindrance. Mrs. Kuhlman said that if patrons would have to go through the lobby, it would be kept up. She said that she would be glad to help, with a variance.

Comdr (Chaplain) Beukema, 850 Pacific Beach Drive, stated that he purchased a home which he expected to be in R-1 Zone. He spoke of being under the feeling that the "Braemar pact" applied to the Braemar area. He spoke of rumored that Statler or Hilton were favored for hotel development. Comdr Beukema said that Mr. Taylor and Mr. McKinnon had said that plans were temporary. He said that he feels he has just cause for views in objecting to SC.

Mr. Field (who did not give his first name, or initials), spoke to Councilman Schneider about there being a bigger problem than just the property owners adjoining the property. He said that the City as a whole has a big stake in the development of Mission Bay. He said that not too many object to a first class hotel. Mr. Field told the Council that he has the impression that the plan is not fixed. He said that it "might not be fair to the citizens of San Diego as a whole". He stated that he had been in aircraft (as a designer, he had been introduced by Mr. Butler) since 1915. He said that aircraft safety record is good. He told the Council that aircraft people don't say "this is the way it should work". He said that they take precautions, and have another way of doing things. He asked that the Council don't depend on what is planned. He said that it looks nice now, but if there should be a depression, deluxe hotel rooms would not be necessary. He stated that in C or SC anything could be done, to the detriment of the bay. He pointed out, as an example, the way Mission Beach was cut up. He said that they are just getting rid of the "card board houses and shacks". He said they "are stuck". He said that people of San Diego might be stuck with an eye sore. He said that 1 of the promoters, or both could die; then there would be a change. He contended that the pretty picture shown might be changed. He stated that none object to a good hotel, properly operated, but that he does object to SC. He said that anything could happen.

Mrs. Lee Lightfoot, 908 Pacific Beach Drive, spoke next. She identified her property as being catercorner across the street from the Scripps property.

She told the Council that a big window looks out onto the wooded section of the estate. She told of having a big investment, and that she objects to things across the street which are "not good". She stated that she would like something like the Town and Country (Mission Valley hotel) under a variance (as the Town and Country was). She said that she wants to keep this a lovely, exclusive district. She said that she wants to have it kept a nice, homey district.

Calvin Swalm, Cass and Oliver, said that his objection is to the SC. He said that the Caribbean hotel has blinking lights that make him jump. (He illustrated the effect on him from the "jumping lights"). He told the Council that all the lots are sold. Mr. Swalm said that in keeping with the R-1 section, what is asked could be done under variance.

Mr. Butler said that Mr. Field's comparison is an apt one regarding aircraft and a safety valve. He said that the Council would be giving the applicants all they want under a variance. He said that if financing is not available in 6 months, others would come in and support the development.

Clinton D. McKinnon said that the issue has had frank positions stated, on both sides. He stated that the City has invested huge amount in Mission Bay. He said that it is necessary to provide for the taking care of tourist economy. Mr. McKinnon said that Mission Bay "is a big thing". He said that, because of it, people from all over the country want to come. He said that this is the only privately-owned 7 acres. He said that there is still room for private development and investment, and private enterprise. He said that it (the hotel development) would enlarge the tax base, and that a zone change plan would be logical. He told the Council that they don't want to invest, if they have to come down (to the Board of Zoning Committee, and Council) on each variance. Mr. McKinnon stated that it is going to take 3 or 4 months to check the economic survey, another 6 months for plans, and then plans to be given out. He said that if there is a variance for 6 months, a variance can be dead. He said that it may be impossible to get construction under a year. He said that the site would be used "only for a hotel, and things that go with a hotel". He said that they would have to be put down on paper for a loan. He said that there would not be a hotel, the property would not be wanted. Mr. McKinnon said that a change would be wanted, for the freedom that it would permit. He said that there will be the best usage. He said that the Pacific Beach Drive people don't object to a hotel. He said that he could not make a promise on each issue when he ran for office (he was a representative in Congress), but he "kept his trust", and was re-elected. He told the Council that he and Mr. Taylor have put over everything attempted. He said that the proposal is a logical development. He said that they will perform as they say. He told of having offered deed restriction, and having found that couldn't be done. He spoke about the R-4 buffer, and of Mr. Rick having thought there was not enough buffer. He spoke of incorporation into R-1 and R-4, and said that they have guaranteed there would be no access on Pacific Beach, regarding traffic. He said they don't want the access, and they would be happy with the Mission Boulevard access. Mr. McKinnon said that if development were to be a nuisance or a disturbance, they would only be digging their own grave. He told of having tried to give every protection. Mr. McKinnon stated that "there are going to be changes". He asked for a zone change.

Councilman Schneider spoke to the City Attorney about the beginning of work on a zone variance.

City Attorney J. F. DuPaul replied that it depends upon the nature of the work. He said he has had to rule that some variances were at an end.

Councilman Curran asked Mr. McKinnon about plans if the whole area were R-4.

Mr. McKinnon replied that zoning would be for the whole area, and that R-4 does not fit the desires. He said that financing could not be obtained on such a basis. He said that if they don't get the zone change, he thinks that he and Mr. Taylor can't go ahead. He said that he wanted Mr. Rick.....

The Mayor said that the time was up.

Councilman Williams spoke to Mr. McKinnon about there being no assurance of "this being the bay amount".

Mr. McKinnon said that to his knowledge "this is it" (referring to the posted picture). He said that, however, there may have to be changes after a survey.

Councilman Williams said that it could cause concern, and asked if size could be reduced.

Mr. McKinnon said that he thinks not, on account of the gardens, the chapel and the beach frontage, as well as the pools. He said that area is needed for food and snacks.

Councilman Williams spoke to Mr. McKinnon regarding beverage and food service on the Bay side.

Mr. McKinnon said that the pool is important; the other was tried; it could be under a variance. He said that freedom of movement is needed in the "white area" (on the map which posted, to which he pointed). He said that some want to be sure there will be the hotel. He said it can be so restricted that they can't develop otherwise.

Glenn A. Rick, former Planning Director, was asked to speak on the question. He stated that this began a few years ago when Tudor and Tom Scripps asked regarding construction of a hotel. He said that he asked Mr. McKinnon and Mr. Taylor if they could handle the development under variance. He said that he also asked that there be adjudication of the mean high tide line. He said the latter issue has not been settled by court action. He said that it could be used against the City, if land is filled. He said that he had wanted protection regarding the mean high tide line, access, landscaping, and the R-1 zone of other property owners. He said that Mr. Taylor and Mr. McKinnon are local men, and that they are willing and capable to go through with the development. He spoke of wanting a buffer at the cafe. He said that Mr. Taylor asked Mr. Burton not to read the ~~the~~ report at the hearing.

Councilman Schneider spoke to Mr. Rick regarding failure to carry out the plan.

Mr. Rick said that the Council could initiate a change of zone at a future date - if there is a breaking of faith.

Mr. Butler said that there is still a great question. He said that if sold (after rezoning), the City would be in a poor spot, if rezoned, and the sale were not recorded. He told the Council that Mr. McKinnon had given no specific reason why this is any different from other similar hotels. He said that anything wanted "can be nailed down in 1 variance". He said that Mr. McKinnon is a fine businessman, but he has been in and out of many businesses. Mr. Butler said that there is no guarantee that he will stay in this. He declared that it is a most speculative gamble. He spoke of there being a gamble on an economic survey. He stated that Mr. McKinney says, in effect, that it is still speculative. He spoke of risking nothing. He said that the position is not well taken. Mr. Butler said that it can be financed on variance.

Councilman Burgener moved to close the hearing. Motion was seconded by Councilman Curran.

Mr. McKinnon said that there is the matter of operation.
Mayor Dail stated that the Council will evaluate the matter.

The roll was called on the motion, and the hearing closed.

Councilman Burgener said that the hearing was more interesting, and better, than most. He said that sincerity and integrity were not a part of the hearing. He said that he sympathizes and is enthusiastic for a hotel at the location. Mr. Burgener spoke about there being an advantage to the taxpayers in the Mission Bay area. He spoke of there being support from various groups. He said that there are some disadvantages, also. He pointed out that the action of the Council "runs with the land; not the individuals". He said that Mr. Taylor and Mr. McKinnon would develop as they have stated, but they ought to be willing to make compromises. He said that Mrs. Kuhlman agreed to go along. He said that if agreements are about to expire, that is not a point for the Council. He said that as long as it is vacant, there is a question. Mr. Burgener said that it is SC, and something happens to Mr. Taylor and to Mr. McKinnon, anything could go in. He said that this should be pursued extensively.

Councilman Schneider stated that he was impressed by arguments on both sides. He spoke of having asked the City Attorney regarding effect of "small beginning". He said that if it is pursued, it can be pursued gradually. Mr. Schneider said that if this is granted, there should be a small beginning. He said that if it were from 2 to 4 years, pursued gradually, and not completed, they should not be handicapped by a variance.

The Mayor spoke to Mr. Taylor regarding a zone variance, but with a request for a zone change, instead.

Mr. Taylor said that he and Mr. McKinnon made the application for zone change on advice of Mr. Nairne (Bank of America), Mr. Starkey (First Federal Savings and Loan), and Mr. Sullivan (Security Trust and Savings Bank). He said that

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all had stated that it would be preferable to have a zone change. Then, he added that it included Ewart Goodwin. He agreed that they were asking quite a bit, when some had opposed it.

Mayor Dail told about there being some precedence for financing on variances.

Mr. Taylor said to the Council that the others were surrounded, on variances, by R-1 property. He said "this is different".

Councilman Williams said that there is possibly another means. He spoke of there having been granted conditional use permit for a bowling alley in Mission Valley. He wondered about longer time, in that connection. He said that "people are entitled to more protection".

Councilman Curran said that there is one basic deterrent to rezoning, according to Mr. McKinnon. He wondered about a compromise.

Mr. Rick spoke of there being some dining rooms and bars, and that would have to be in connection with a hotel of 6 rooms.

The Mayor wondered if applicants had views or comments regarding zone change.

There were several unidentified outcries of "no".

Mr. McKinnon said that he did contact people along the street.

Councilman Evenson spoke of improvements.....and of enforcing if it is good planning. He asked Harry C. Haelsig, Acting Planning Director, if it is good.

Mr. Haelsig told the Council that he does not think that it is the proper location for a commercial location on Mission Bay. He spoke of an office building on Date, facing Balboa Park. He said that there is the possibility of this going into another use (if rezoned). He spoke of a possible danger on Mission Bay.

Councilman Schneider asked Mr. Haelsig if it would be possible under variances.

Mr. Haelsig replied that he thinks so, but that it would take a little investigation. He said that it would be a jump from residential to hotel. He said that he took no part in this issue before the Planning Commission. He pointed out that the City controls other commercial zone in Mission Bay.

Councilman Burgener spoke of facing risks either way. He said this is certainly not a clear-cut proposition.

The City Attorney, having checked the Municipal Code, told the Council that hotels are not one of the uses provided under "conditional use" permits.

Councilman Williams said that it would be well to take into consideration the addition of hotels to the conditional uses. He said he would like to see action to add that.

Councilman Williams moved to direct the City Attorney to prepare an ordinance to include hotels and motels as "conditional uses". Motion was seconded by Councilman Evenson.

Councilman Burgener referred to there being no time limit on such uses.

Councilman Williams said that could be specified in the "conditional use".

Councilman Schneider said that if survey were made, and they were "ready to lay down plans", he would go for the change. He said that it ^{is} important to have a survey.

Councilman Curran moved to refer to conference for answers.

Mayor Dail ruled the Williams motion for preparation of ordinance to include hotels and motels as "conditional uses", out of order.

Councilman Burgener seconded Mr. Curran's motion.

Mr. Butler said that the Council has the ordinance.

RESOLUTION 128510, referring to Council Conference for decision the the closed hearing on proposed rezoning or portions of Braemar and Braemar Extension, and continuing the item 2 weeks - to September 29, 1955 - was on motion of Councilman Burgener, seconded by Councilman Currah, adopted.

RESOLUTION 128511, referring to Council Conference the matter of addition to the zoning section of the San Diego Municipal Code, motels and hotels for conditional use permits, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

The City Manager presented the next resolution, on the subject which had been considered earlier in the meeting. He said that in connection with the water sale to Mr. Scott, there will be a written report.

RESOLUTION 128512, authorizing Director of Water Department to sell to George W. Scott, 4506 Delta Street, in The City of San Diego, a bulk supply of water in an amount not to exceed 350 hundred cubic feet, at a cost of \$175.00, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Mayor Dail recognized former Councilman Charles B. Wincote, and said that he was glad to see Mr. Wincote at the meeting.

Mr. Wincote said that this was the first time he had sat in the lobby, and told the Council that "the accoustics are bad".

Councilman Williams requested action on the next item, out of order, for benefit of petitioners who were in the audience.

RESOLUTION 128513, granting petition for closing Evergreen Street, 10 feet on each side adjacent to Lots 6 and 7 Blocks 212 and 132, and to Lots 1 and 12 Blocks 122 and 131 Roseville, Map 16t, as recommended by the Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

At 12:10 o'clock Noon, the Council took a recess to 2:00 P.M., this date.

The meeting was reconvened by Vice Mayor Clair W. Burgener, at 2:09 o'clock P.M. The Vice Mayor presided.
Present--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson
Absent--Councilmen Schneider, Mayor Dail.
Clerk--Fred W. Sick

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

RESOLUTION 128514, authorizing the Mayor to submit to the Public Utilities Commission of the State of California all applications from the City of San Diego for allocations from the Crossing Protection Fund and all other requests for reimbursement for grade crossing protection projects, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

(The Resolution was adopted later, but numbered at this point by request).

RESOLUTION 128515, authorizing City Manager, for and on behalf of The City of San Diego, to execute contract with County of San Diego, California, whereby the City and the County shall cooperatively provide music free to the public in connection with the maintenance of City-owned and County-owned parks and playgrounds, upon appropriate public and patriotic occasions, for which the City and the County each undertake the expenditure of \$5,000.00, set forth in copy of agreement under Document 520302, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 12:00 o'clock P.M. having arrived, the time set for hearing relative to Chicken raising operations of Olin C. Butts, at 6230 Tooley

Hearing
Meeting recessed
Meeting reconvened
128514 - 128515

9/15/55

Street, the Vice Mayor announced the hearing, as scheduled. He said that a time limit should be set. He asked the City Attorney what actions are possible.

City Attorney J. F. DuPaul introduced Mr. Rhoades, Deputy City Attorney, whom he told the Council is familiar with the subject on which hearing is to be held.

Mr. Rhoades said that there are various items to be considered:

1. The number of chickens raised today, compared to the number on the date of the ordinance;

2. If there is, or is not, a public nuisance. He said that the Council can direct the City Attorney to abate the nuisance, if it is found to be a public nuisance.

3. There may or may not be an ordinance regarding the Butts raising date - general non-confirming use regarding all kinds and characters. There would be a reasonable time, if required to close the business.

The Vice Mayor spoke to Mr. Rhoades regarding direction to the City Attorney by the Council.

Mr. Rhoades said that a public nuisance is an offense to the public right, as against a private nuisance. He said it is not a matter of the number of persons affected. It is the type of right invaded, according to Mr. Rhoades. He said that there would enter into the picture the noise, odor and lights.

Councilman Williams asked if someone is present from the Health Department.

The City Manager said that Dr. A. R. Leonard (assistant City-County Health Officer) was present.

John Gregory, attorney, on behalf of the petitioners (those asking for the abatement). He spoke of being here to discuss the nuisance, and of "many being familiar regarding other situations". He referred to character of petitions, all signed by 32, and of representing all the people (except 2) in the vicinity of the Olin C. Butts' property. He said that Mr. Boyles had to sell on account of the conditions. He told the Council that most have been residents since before Mr. Butts. He stated that these are not the complaints of a few disgruntled people. He said that it has gone back until 1951.

Councilman Schneider entered

Mr. Gregory said that the "chicken ordinance" was passed as a result of Mr. Butts having moved in 1950 or 1951. He said that Mr. Butts built slowly until 1953; and then commenced heavy fast expansion. Mr. Gregory said that chickens were moved from the west side, and that an addition was built behind. There was built a large, double shed. He passed around pictures showing changes. He told the Council that building in 1953 was 125' long, with 1853 chickens. He spoke of addition. He told of installation of large grain storage place, in the Spring of 1954. He said that Mr. Butts continued to bring in material to increase. Mr. Gregory said that chicken batteries were constructed in the back. He said that Mr. Butts had approximately 2500 when the ordinance was passed - a non-confirming use, with 3500 chickens now. He said there may be more. He said that as a nuisance there is a distinction in regard to affecting whole groups and neighborhood, both public and private. He said that it can be abated by the Council, or by private action. He told of many people having been out. He spoke of the great noise which affects people around. Mr. Gregory said there have been many reports.

Mayor Dail entered

that the Health Department requires taking away of the droppings once a week. He said it is "still there, and offensive". He said that the droppings are taken away by a conveyor belt, on a truck, and that the manure blows if dry. He spoke of the rodents. He declared the operation to be an aesthetic menace. He said that there are more rodents and flies. He said that it can be kept down, but not out. He told of the drainage which runs down to the properties of the Bequeaiths and others. He said that water runs when it is clear. Mr. Gregory declared that it is a nuisance from the location alone. He said that coops are on the front, between 2 neighbors. He said to the Council that the area has been subjected to unusual restriction, regarding zoning. He said that there were exceptions regarding chicken and rabbit raising. He said that it was not intended that there be 3000 chickens. He said that Mr. Butts "has taken advantage of a loop hole". He said that when Mr. Butts got his foot in the door he exploited and increased beyond what the law allows. He stated that it is a nuisance under the common law. He said that there are ordinances regarding noise, and that this comes within the section of the ordinance. Mr. Gregory said that Mr. Butts could not complain regarding Council action. He said that Mr. Butts has not done equity to the neighbors. He said that he has no regard for the rights of the neighbors.

He said that it is 2 years since the statute, and that this should be abated. He said that it is not going to call on witnesses, but they are here if the Council calls them.

The Mayor asked the City Attorney if it is necessary for people to prove there is an increase in the flock and facilities.

Mr. DuPaul asked Mr. Rhoades to answer.

Mr. Rhoades said that it is necessary to prove an increase. He said that Mr. Butts would have to keep it the same as at the time of the non-conforming use. He said that there are 2 questions: are there more chickens; is it a nuisance?

Councilman Burgener asked if it is established that there are more, what the City's procedure is.

Mr. Rhoades said it would be necessary to have records brought down. He said the date would be in 1954, regarding the R-1 zone. He told the Council that after that, no chickens were allowed.

Councilman Schneider spoke to the audience, and asked if they are more than a block away.

Mrs. Athena Vaughn answered, saying it is not the noise about which she is complaining. She spoke of being at a distance, and below. She said the Council would have to ask somebody on top. The noise does not affect her, Mrs. Vaughn said. She said that she gets the smell; the noise does not bother. She told the Council that the chicken operation is a detriment to property values. She spoke of improvements that have to be paid for.

Councilman Burgener asked to hear from Mr. Butts or his representative.

Schlesinger A. Foushee, attorney, told of having asked for a continuance of this hearing (which was not granted). He said to the Council that Mr. Gregory has painted a sad picture. He said that in 1949 Mr. Butts came into the San Diego area, with the idea of going into the chicken business - close to town. He stated that Mr. Butts found this area in Encanto, 600 or 800 feet or more from Imperial Boulevard (Avenue). He said that the area was found by his client to be sparsely settled, and the zoning permitted poultry. He said that most everybody had cows and poultry. Mr. Foushee said it was recognized that Mr. Butts had to have enough poultry to justify the business. He said that approximately 2,500 birds are required - and referred to \$2.00 per bird. He said that land was purchased, zoned and excluded regarding commercial operation. He said that Mr. Butts moved in 1950. He said that such an operation must be planned and consummated in an orderly manner. He spoke of having to start with baby chicks, and move them. He said that Mr. Butts constructed brooder pens and growing pens, and in the Fall of 1951 there was invested in houses \$6,003.50. He said that in 1952 there was another house. He told of the lot being 100 feet wide. He said that in 1952 and 1953 there was constructed a center house for the chickens. He spoke of \$14,000 having been invested for poultry housing. Mr. Foushee said that it is depreciating. He spoke of equipment at \$1,200. He said that this must be approached in an orderly manner. He said that the first chicks were in 1951. He said that when moved in, "Lovallo lived above, adjoining". He spoke of him having cows and poultry (presumably Mr. Lovallo). He said that the Besqueaiths moved in later. Mr. Foushee said he (Besqueaith) was employed by Mr. Butts to help with the buildings. He stated that in 1951 there were few people in the area, and that there was got up a petition regarding R-1 zone. He said that people in 1951 signed a counter petition against repeal. He said that a number of people opposing, now sign a petition to remove Butts. He said Mr. Butts....over 20 years in commercial area. He spoke of repeal which affected all except this area. He stated that "section 9 was specifically incorporated in the annexation". He said that not until 1953, August 20, was Section 9 repealed. He stated that at the time of the repeal it was not illegal to operate a poultry ranch. He said that when repeal and effected, it placed the land back the same as any other. He told the Council there was no effect on Mr. Butts. He said that it was not until November, 1953, or early 1954, that it said that in R-2 zone, one may not operate a commercial poultry ranch. He said that was the first time; then the non-conforming use came into effect. Mr. Foushee told of having examined letter, and finding disparity....in beginning was unanimity. He said that there was little difference until 1955. He said that statements and letter from people regarding the 1953 statement of conditions, binds. He asked if the people would be satisfied if Mr. Butts reduces the operation. He offered, in behalf of his client, to reduce to the 1953 operation. He said that Mr. Butts purchased in 1951, had 1,092 chicks; 1,248 for 1952; bought at the rate of 400 per month for months. Then, he spoke of 2,496. He said he had laying chickens..... He said that if there is contention and feeling regarding Mr. Butts binding, regarding overage non-conforming use, he offers to reduce the flocks. He said that it affects people regarding use of property, and the neighborhood. Mr. Foushee said that letters to the Council seem to center around prop-

erty values. He stated that depreciation of property values does not constitute a nuisance. He spoke of starting again, in July 1953, when the Health Department began to check. Mr. Foushee stated that Mr. Butts "has a clean bill of health". He stated that Mr. Butts is operating legally. He stated that "Federal Boulevard is in conception". He passed around pictures, of March 1953, and said that few houses have been built since then. He said that there are in the neighborhood other back yard flocks. He asked the Council to come out and inspect the premises, but not tell Mr. Butts when the Council is coming. He said that "nearest people are 50 or 60 feet; most 1/2 mile away. He said that the operation may be a private nuisance close, if at all, on each side. He said that this could go under a civil suit. He spoke about Mr. Butts being asked to foot bills to defend an action. Mr. Foushee said that this is based on the fact that "they want to get rid of the poultry ranch to increase values".

Councilman Williams spoke to Mr. Foushee regarding run off of water. Mr. Foushee replied that drain water is from the roofs; not from fecal matter. He said that the manure is cleaned up. He stated that drain from the roofs drain into the street; it is not manure. He said that the manure is cleaned up dry, once a week.

Councilman Williams spoke to Mr. Foushee regarding droppings.

Mr. Foushee said that is not much of a problem - or a fly problem. There was discussion between Councilman Williams and Mr. Foushee.

Councilman Burgener asked Mr. Foushee how many there are.

Mr. Foushee said 2536 laying hens; 360 growing hens. Then, he said approximately 2582 hens. He said that in November, 1953, there were possibly 1200 chicks. He said that there were orders and deliveries; mortality and sales.

Councilman Schneider spoke to Mr. Foushee regarding dates of pictures.

Mr. Foushee's reply was "there is not too much change; there still are only 2 houses close".

Councilman Evenson entered into discussion with Mr. Foushee.

Mr. Foushee said that it is inevitable that it will grow. He spoke of time having been spent on investment and depreciation. He told of negotiations with Mr. Gregory to buy and do with whatever is wanted. He said that Mr. Butts will be happy to negotiate. Mr. Foushee told the Council that Mr. Butts built with a purpose and a plan.

Councilman Williams discussed with Mr. Foushee the fertilizer.

Mr. Foushee said that the droppings have to be moved once every 7 days. He said they are carted out in front of poultry houses; truck comes with conveyor belt, and area is cleaned up, and the accumulation hauled away. He stated that it is not placed in the street, but on the edge of the Butts' property. He said that truck backs in, and takes it away. He stated that this is operated as a business, using every precaution to operate under sanitary laws. He said that Mr. Butts keeps the premises clean, and well operated.

Councilman Williams and Mr. Foushee continued to have a conversation regarding the disposal.

Councilman Burgener said that if it is determined to be a public nuisance, it would go to the City Attorney, then to court.

Mayor Dail said "yes; but the Council is not ruled by the evidence". He said that the Council passed the law in 1953 regarding necessity. He said that there is a report from the Health Department that this does not indicate a public nuisance. He said that the only way to pin that down is with a court trial. He said it "could be referred to the courts to check out". The Mayor said that it has not been established that this is a public nuisance regarding the testimony and the complaints; it is a hair-line case.

Councilman Williams referred to an excessive number of chickens, and of having had figures.

Councilman Burgener said that it is about the same, according to count.

Councilman Kerrigan spoke of willingness to conform to the non-confirming use, and then asked it as a question.

Mr. Foushee's reply was that "the offer still stands".

Councilman Burgener said that the number is not the problem; it should conform.

Councilman Curran said that the Health (department) representative is here.

Mr. Gregory said that he is not pretending that the number is the nuisance. He said that it is the evidence of good intention. He said that he has a copy of the August '53 ordinance.

Dr. A. P. Leonard, Assistant Director of Public Health, stated that the department has received numerous complaints. He said that there were approximately 2500 in 1953; the latest estimate is 3500. He told the Council that Mr. Butts has always operated under a permit. He said he realized that it was a nuisance, but permit was issued because of conformity. He agreed that there is bad odor, and noise.

Councilman Williams asked if there is an over abundance of flies.

Dr. Leonard said that it is inevitable that there be some flies. He told the Council that Mr. Butts is conducting the operation as well as he can. He stated that the removal (of the droppings) is being taken care of.

Councilman Curran asked Dr. Leonard if there is a provision that can be corrected.

Dr. Leonard said that if there is a general nuisance it is a matter for the Council; he does not have authority.

Councilman Williams spoke to Mrs. Vaughn regarding flies.

Mrs. Vaughn told of there being larvae. She discussed that point with Councilman Burgener, also, since he spoke to her.

Mayor Dail said that people are persisting in this being recognized as a nuisance, or the Council making a finding and referring it to court. He said that if it is a borderline case, and the court says that it is not a nuisance, this will be "cleared once and for all".

There was discussion between Mayor Dail and Mr. Foushee regarding rights.

Councilman Burgener asked about the weight in court.

City Attorney DuPaul said that comments will be considered of some weight. He said that if the Council directs the City Attorney to go into court, he has a Resolution to that effect. He read it to the Council. He said that the Council can make a finding, and take the matter to court. Mr. DuPaul said that it is his best guess is that the case would be lost. He said that 2 houses are close by; the rest are quite a way off. He stated that a lady testifies that she lives down the hill and that the noise does not affect her. He said, again, that if he goes to court, he is of the opinion that he will lose, but that he will "go to court to the best of his ability". Mr. DuPaul said that if he is told by the Council to go, he will go. He said that the doctor has testified that is a nuisance, and said that there are also letters from the doctor that the operation complies. He said that he would not want to live next to the place, regarding the noise and the flies.

The Mayor said that Mr. DuPaul could be wrong.

Mr. DuPaul said that he has been wrong, but that he has been right oftener than wrong.

Councilman Evenson said that it is a "public nuisance, or it is not". He moved to refer the subject to the City Attorney to determine if it is a public nuisance.

Mayor Dail said that it should be referred to the City Attorney, and go to court. He said that it is up to the Council to make the finding.

Councilman Curran asked if the City Attorney said that if adjoining property owners have the opportunity to abate it as a nuisance.

Mr. DuPaul replied "Yes"; he "does not think it can be maintained to be a public nuisance". He said that if it is a public nuisance, he advised adoption of the resolution (which he had read).

Councilman Burgener asked about continuing the chicken business, from Mr. Butts.

Mr. Butts said yes, but that he does not want to lose. He said that he wants to increase the operation - under another operation. He said that he has to go out of business "there" before long.

The Mayor said that the business required planning in advance, and that 2 or 3 years would not be much time.

Mr. Butts said that he would need new ranches - to operate 2. He said that it is difficult to locate such an enterprise, and that it takes a length of time in a new area. He said that some who have moved in have been in the same position in 2 or 3 years. He told the Council that he has to have a highway and water. He stated that he has looked around San Diego County. He repeated that eventually he has to go out. He said that it is not possible for the droppings "to flow across". He said that the whole area breeds flies. He said that there is no fly breeding, according to the Health Department. He said that there are few flies from his operation.

be heard. Mrs. Paradise was recognized by the Mayor, who asked if she wished to

Mrs. Paradise said that it is hard to come over to the Council and fight. She said that she complained.

The Mayor said that this has been going on since the ordinance was passed. He said that Mr. Butts has enlarged. He stated that this has almost arrived at the nagging stage, and that the Council should take action. He said "if you lose, you've lost; there is continuous harangue".

Councilman Curran moved to refer the subject to the City Attorney, for action.

The Resolution, which had been read earlier by the City Attorney, was read to the Council by the Clerk.

The Mayor said that if you don't leave it in (a provision which had been questioned) residents can go to court.

Councilman Evenson seconded the motion for adoption of the Resolution. The reading of the Resolution, which had been interrupted by a question on a provision, was continued.

RESOLUTION 128516, stating that the Council has requested the City Manager to make investigation of condition arising on premises located at 6230 Tooley Street, upon which is being operated a chicken farm known as "Butts Poultry Ranch"; that because of maintenance, conditions are caused which adversely affect public health, safety and general welfare, that steps should be taken to cause removal of adverse conditions on the premises; resolving that operation of the Butts Poultry Ranch at 6230 Tooley Street in The City of San Diego adversely affects the public health, safety, and general welfare and is a public nuisance; authorizing and directing City Attorney to take appropriate steps to abate such public nuisance, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Mayor Dail left the meeting - Vice Mayor Clair W. Burgener took the Chair to act as Chairman.

Report of Purchasing Agent, approved by City Manager, on low bid of Highway Hardware Products Co for furnishing 500 - 0' Steel Sign Posts, Galvanized @ \$1,559.42 including State Sales Tax (Traffic Signs), was presented. There 2 bids.

RESOLUTION 128517, accepting bid of Highway Hardware Products Co. for furnishing Posts; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128518, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Concrete Water Meter Boxes for 1 year, beginning October 15, 1955; Document 520131, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by P. Q. Burton, which had been continued from meeting of September 8, 1955, recommending that request to dedicate 50-foot strip in Lot 59 Subdivision 5 in Lot 12 Rancho Ex-Mission be denied, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued 1 week - to September 22, 1955.

Communication from Planning Commission, by Harry C. Haelsig, recommending granting subdivider's engineer for amendment to Item 5 Resolution 127882, to reduce width of "C" Street from 40 to 36 feet - reducing right of way to 56 feet - was presented. It says that annexation has been requested by adjoining property since submission of Tentative Map and in the over-all plan have proposed a feeder street to connect to Mission Gorge Road.

RESOLUTION 128519, adopting recommendation of Assistant Planning

Director in connection with Tentative Map of Allied Gardens Unit 7, to amend Resolution 127882 to allow reduction in width of "C" Street from 40 to 36 feet, reducing right of way to 56 feet, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Kettenburg's Subdivision, a 3-lot subdivision of portion Lots 2 and 3 Block 118 La Playa, was presented.

RESOLUTION 128520, suspending Sections 102.09-1 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Kettenburg's Subdivision, 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 Kettenburg's Subdivision, for division of portion Lots 2 and 3 Block 118 La Playa, into 3 parcels, each 100 ft. x 150 ft. in size. It says that an existing building will be removed and area resubdivided in accordance with "attached plan". It identifies property as being on Kellogg Street between San Geronio and San Fernando Streets. It reports on improvements in the area, and properties in the vicinity. It lists 5 conditions for the approval.

RESOLUTION 128521, approving Tentative Map of Kettenburg's Subdivision, subject to conditions of the Resolution, Williams, 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 Old San Diego, a 2-lot resubdivision of Lot 1 and portion Lot 2 Block 427, was presented.

RESOLUTION 128522, suspending Sections 102.07-2, 102.18, 102.02.1 of San Diego Municipal Code in connection with Tentative Map of Old San Diego, 2-lot subdivision of Lot 1 and portion Lot 2 Block 427, 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 Old San Diego for resubdivision of Lot 1 and portion Lot 2 Block 427 into 2 parcels, one 121 ft x 186 ft on which there is a motel, and the other 113 ft x 131 ft on which there are 2 residences - in C Zone located along Wallace Street between Congress Street and San Diego Avenue in Old Town area, was presented. It reports on the improvements in the area, and the property in the vicinity. It lists 3 conditions for the approval.

RESOLUTION 128523, approving Tentative Map of Old San Diego, 2-lot subdivision in Block 427, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, recommending approval of final map of Schuetz Soledad Gardens, a 9-lot subdivision of portion Lot 1785 (in essential accord with map approved by Resolution 115603, Dec. 8, 1953), subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION 128524, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with C. Ed. Schuetz and Doris Schuetz, for installation and completion of unfinished improvements and setting of monuments required for Schuetz Soledad Gardens 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 Evenson, adopted.

RESOLUTION 128525, adopting Map of Schuetz Soledad Gardens, a portion of Pueblo 1785; accepting on behalf of the public Archer Street, named and unnamed easements

shown for public purposes; declaring them to be public street, named 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 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 Evenson, adopted.

Communication from Street Superintendent, recommending closing portion Evergreen Street, listed at this point on the agenda, was considered earlier in this meeting - out of order.

Communication from L. B. Bronson, 2818 Comstock St., Linda Vista, District #6, Sales Unit #1893, dated Sept. 8, 1955, was presented. It asks for improvements (not installed by P.H.A., the subdivider).

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

Communication from Craig L. Clark, Coast-To-Coast Store, Silverton, Oregon, dated Sept. 8, 1955, was presented. It offers to lease either the services or the entire operation of the proposed additional golf courses in San Diego. It speaks of need for another golf course, and refers to individuals in San Diego.

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

Communication from concessionaires of Belmont Park, formerly known as Mission Beach Amusement Center, dated Sept. 10, 1955, was presented. It takes exception to statements made by attorney for Mission Beach Property Owners' Committee, David Pain, at public hearing in the Council Chambers, Thursday, Sept. 8, 1955. It says "Our feeling is one of utter disgust at the charges made against the progressive and efficient management at this park". It says that Mr. Pain is not the representative of any of the signers, that he neither contacted any of them, nor was he contacted by them, and that statements made by him were contradictory to true feelings of the great majority of the present sub-lessees at the Amusement Park. The communication, signed by 33 individuals, says that race discrimination is not and never has been practiced by the concessionaires at the Amusement Park, and not one has received instructions from Mr. Ray to do so. He says "In fact, his instruction has been to treat every patron in the Park as a guest". The communication says that it is the belief of the majority of the present concessionaires at the Park that the present Manager, Mr. John Ray, is doing a very satisfactory job, that he has their support and with the continued co-operation of the sub-lessees will build Belmont Park into an attractive asset to the City of San Diego.

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

Communication from Hannaford & Talbot, 519 California Street, San Francisco 4, dated September 7, 1955, by James J. Morris, was presented. It requests adoption of a resolution directing assessments under \$25.00 (on an accompanying list) in various assessment districts of City of San Diego, be placed on the general tax roll for collection, was presented.

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

Communication from Oswald C. Ludwig, 3746 - 30th Street, San Diego 4, dated September 7, 1955, relative to Trojan Street between 54th & 58th Streets, in Belleview Heights District, was presented. It tells of the condition, and need for improvement.

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

Communication from Donald F. Schonholtz, relative to sale of tickets for the Starlight Opera in Balboa Bowl, beyond capacity of the bowl, etc., was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the City Manager (Ken Williams took the document, for the City Manager, immediately upon conclusion of the meeting).

Communication from the Harbor Department, by Carl F. Reupsch, dated 13 September 1955, enclosing form of lease with J. J. Jakosky covering 600 feet of frontage on Shelter Island, was presented. It says lease is for 5 years with 6 5-year options to renew, at rental according to established policy of 4¢ per square foot per year for land and \$240 per month on the water - rental subject to review every 2½ years during term of lease and its renewal periods. It reports that premises are to be used for maintaining and operating buildings containing locker space, showers, restrooms, restaurant, bar facilities, living quarters and slips for mooring of pleasure craft. It outlines the improvements and accommodations to be made.

RESOLUTION 128526, ratifying, confirming and approving lease, copy on file in office of City Clerk, Document 520242, between City of San Diego, acting by and through Harbor Commission as Lessor, and J. J. Jakosky an individual as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, by John Bate, dated 8 September 1955, enclosing form of lease - Clarification Amendment No. 2 of Solar Aircraft Company lease, was presented. It says that in preparing clarification amendment which was approved by the Council on 9 June 1955, term was set as 5 years with 9 5-year options in accordance with established procedure and original term of the lease as previously amended. It reports that subsequently tax accountants of Solar Aircraft Company pointed out to attorneys and the Harbor Department that their entire tax program, which was acceptable to the United States Government, had been predicated upon a term of 25 years with 5 additional option periods of 5 years each. It states that rather than place in jeopardy Solar's past, present and future Federal taxation returns, it was agreed that provision would be amended.

RESOLUTION 128527, ratifying, confirming and approving Clarification Amendment No. 2, copy on file in office of City Clerk, Document 520245, between The City of San Diego, acting by and through Harbor Commission as Lessor, and Solar Aircraft Company as Lessee, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

In connection with the next proposed Resolution, the City Manager said that it is nothing to do with the City. The City concurs.

RESOLUTION 128528, agreeing to the purchase price of Lot 14 Block 7 Marilou Park, to be acquired by the State of California for Freeway Road XI-SD-200-SD, under and pursuant to Division I, Part 6, Chapter 8 of Revenue and Taxation Code of State of California; authorizing Mayor and City Clerk to execute agreement approving selling price of the property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128529, prohibiting parking of automobiles at all times on and along the north side of Dunemere Drive, between La Jolla Boulevard and Sea Lane; directing installation of necessary signs and markings to be made, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The next Resolution listed on agenda, authorizing installation of overhead street lights, will be found numbered later in these Minutes.

The next Resolution listed on agenda, authorizing contract between City and County for providing music free at parks and playgrounds was numbered earlier in the meeting at request of City Manager's office.

Proposed Resolution authorizing City Manager to execute lease with Hans Starr of 223 acres in Rancho San Bernardo, was presented.

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

RESOLUTION 128530, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with Haskins and Sells, certified public accountants, providing for employment for providing Council with continuous audit and accounting of financial accounting system for fiscal year 1955-56, and furnish Council periodic written reports, for which City will agree to pay for each hour of work and service performed: Partners, \$8.00; In charge accountants, \$6.00; Senior Assistant Accountants, \$4.50; Junior Assistant Accountants, \$3.50; and Stenographers, \$2.00 - providing that total cost shall not exceed \$6,000.00, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128531, cancelling City's Invoice 39982 in amount of \$24.46, against Cuyamaca Rigging Company, June 8, 1955, due to fact that service wire crossing Liberator Street was below minimum height required for wires over public streets, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128532, authorizing Paul Beerman, Director of Water Department, and Aaron W. Reese, Deputy City Attorney, to attend meeting in Sacramento, California, Friday, September 16, 1955, for purpose of discussing legal complications in connection with State's Wildlife Conservation Board's allocation of \$10,000 toward improvement and expansion of recreation facilities on City's reservoirs; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128533, authorizing member of Inspection Department of City of San Diego, to attend annual meeting of Southwestern Section of International Association of Electrical Inspectors, to be held in Riverside, California, September 18 through 21, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128534, approving claim of Elmer L. Doiron, Document 519709, in amount of \$21.61; authorizing City Auditor & Comptroller to draw warrant in favor of Elmer L. Doiron, 725 Clark Ave., El Monte, California, in amount of \$21.61 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128535, authorizing City Attorney to settle \$146.52 claim of Elizabeth R. McCann, 3735 Arnold Avenue, San Diego 4, Document 518709, for \$100.00; directing City Auditor & Comptroller to draw warrant in favor of Elizabeth R. McCann, in amount of \$100.00 in full settlement, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128536, denying claim of C. B. Grove, Document 519527, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128537, denying claim of Emil Hofman, Document 519480, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128538, denying claim of San Diego Transit System, Document 519524, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128539, denying claim of Lewis F. Wilcox, 519836, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128540, denying claim of Alberta J. Huskis & Interinsurance Exchange of the Auto. Club of So. Calif., Document 519853, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128541, authorizing and empowering City Clerk of The City of San Diego to execute for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed conveying to the State of California all its right, title and interest in all of Lots A and B Block 214 Horton's Addition, all of Lots 29 and 30 Block 4 Reed and Hubbell's Addition, portions of Judson's Subdivision of Orange Hill Park Reserve, and Fairbairn's Subdivision of Judson's Orange Hill Park Reserve; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to take necessary steps to deliver it and acquire consideration, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution says that the City is the owner of the Horton's Addition property acquired at cost of \$70,846.00; the Reed and Hubbell Addition property acquired at cost of \$6,057.00; the other properties acquired at cost of \$44,742.00; the City has agreed to convey the property to the State of California to be used in construction of Date Street and 18th Street Freeway, upon payment of the foregoing sums to reimburse the cost of acquisition, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128542, accepting subordination agreement, executed by J. C. Fisher, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, August 19, 1955, wherein they subordinate all their right, title and interest in and to easement for right of way for storm drain or drains and appurtenances in portion Lot 39 Block 334 Choate's Addition; authorizing and directing City Clerk to file Subordination Agreement, together with certified copy of Resolution, for record in office of Recorder, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128543, accepting subordination agreement, executed by Salvatore A. Giannone and Margaret Giannone, as Beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, August 23, 1955, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto; described in Deed, of Lot 8 Gardena Home Tract; authorizing and directing City Clerk to file subordination agreement, together with certified copy of resolution, for record in office of Recorder, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128544, accepting deed of Raymond G. Olson and Shirley M. Olson, August 22, 1955, conveying portions of Lots 20, 21, 22, 23, Block 13 American Park Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128545, accepting deed of Everett Fountain and Alice B.

Fountain, August 18, 1955, conveying portion Lot 21 Block 4 Berkeley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128546, accepting deed of William S. Moyer and Elsie H. Moyer, conveying for street purposes Lots 24, 25, 26 Block 4 Berkeley; naming land 54th Street; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128547, accepting deed of Harry C. Flinn and Doris J. Flinn, August 10, 1955, conveying easement for right of way for public street and incidents thereto, in Southwesterly 5.0 feet of Southeasterly 119.95 feet Lot 8 Gardena Home Tract; naming land Gardena Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128548, accepting deed of Alan D. Rosenblatt and Renee Rosenblatt, August 26, 1955, conveying easement and right of way for street purposes in Northerly 5.0 feet of portion Lot 26 Soledad Terrace; naming land Los Altos Road; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128549, accepting deed of Gussie Kosmesky and Minnie Vantran, August 18, 1955, conveying for street purposes portions Lots 17 and 18 Boulevard Gardens; naming land Morena Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128550, accepting deed of Cora Leach, August 25, 1955, conveying for street purposes Lots 11 and 12 Block "B" Week's Addition; naming land Morena Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128551, accepting deed of Frances D. Malinski, August 23, 1955, conveying for street purposes portion Lot 33 Boulevard Gardens; naming land Naples Place; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128552, accepting deed of Eugene L. Sergent and Bernice V. Sergent, August 22, 1955, conveying easement and right of way for street purposes in por-

tion Lot 23 La Mesa Colony; naming land Seminole Drive; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128553, accepting deed of Harry C. Flinn and Doris Flinn, August 10, 1955, conveying public easement and right of way in portion Lot 8 Gardena Home Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128554, accepting deed of Isabel Bedford, August 15, 1955, conveying easement and right of way for construction, operation and maintenance of public sewer and appurtenances in southerly 5.00 feet Lot 27 Block 8 Clifton Addition to City Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128555, accepting deed of Harold F. Brown and Atta B. Brown, August 5, 1955, conveying easement for public right of way for construction, operation and maintenance of public sewer and appurtenances in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128556, accepting deed of Hamilton Cattle Company, August 29, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128557, accepting deed of John P. Harrison, a widower, September 8, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances in southerly 10.00 feet of northerly 65.00 feet Lots 1 through 10 inclusive Block 122 Choates Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson; seconded by Councilman Curran, adopted.

RESOLUTION 128558, accepting deed of Ivan F. Lee and Darle G. Lee, August 31, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances, in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128559, accepting deed of Robert J. McGettigan and James J. McGettigan, August 31, 1955, conveying easement and right of way for construction, operation and maintenance of public sewer and appurtenances in portion Lots 14 and 15 Encanto Park Addition to Encanto Heights; authorizing and directing City Clerk to file deed,

together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128560, accepting deed of Frank E. Osen and Grace R. Osen, August 18, 1955, conveying easement and right of way for construction, operation and maintenance of public sewer and appurtenances in northerly 5.00 feet Lot 26 Block 8. Clifton Addition to City Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128561, accepting deed of Robert Jaffrey Robb, August 23, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances, in southeasterly 4.00 feet Villa Lot 93 Normal Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128562, accepting deed of Blanche E. Rose, George Clarke Rose, Marguerita B. Rose, Virginia R. Olmstead, W. James Rose, August 30, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances in portion Pueblo Lots 1286 and 1288 of Pueblo Lands of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128563, accepting deed of Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, August 30, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances in portion Pueblo Lot 1286; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128564, accepting deed of Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, August 30, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer in portion Pueblo Lot 1286; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128565, accepting deed of Polly W. Smith, who acquired property as Polly W. Hay, August 12, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128566, accepting deed of Sarah G. Walton, August 19, 1955, conveying easement for right of way for construction, operation and maintenance of public sewer and appurtenances in portion Lot 57 La Jolla Hills; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson,

seconded by Councilman Curran, adopted.

RESOLUTION 128567, accepting deed of Elsie R. Harding, August 31, 1955, conveying easement for right of way for construction, operation, maintenance of storm drain, or drains and appurtenances in 10.00 foot strip of land in Lot 8 Fern Glen Colony; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128568, accepting deed of Baxter Reynolds and Hester Reynolds, August 15, 1955, conveying easement for right of way for construction, operation and maintenance of storm drain, or drains and appurtenances, in portion Lot 39 Block 34 Choates' Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128569, accepting deed of Robert Jaffrey Robb, August 2, 1955, conveying permanent easement and right of way to locate, relocate, construct, reconstruct, maintain, operate and repair water main or water mains, together with any or all fittings, structures, and appurtenances, in southeasterly 4.00 feet Villa Lot 93 Normal Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128570, accepting deed of Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, August 30, 1955, conveying permanent easement and right of way to locate, relocate, construct, reconstruct, maintain, operate and repair water main or water mains, together with any or all fittings, structures, and appurtenances, in portion Pueblo Lots 1286 and 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128571, accepting deed of Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, August 30, 1955, conveying permanent easement and right of way to locate, relocate, construct, reconstruct, maintain, operate and repair water main or water mains, together with any or all fittings, structures, and appurtenances in portion Pueblo Lot 1286; authorizing and directing City Clerk to file deed, together with certified copy of resolution, 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 128572, accepting deed of Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead, W. James Rose, August 30, 1955, conveying permanent easement and right of way to locate, relocate, construct, reconstruct, maintain, operate and repair water main or water mains, together with any or all fittings, structures and appurtenances thereto, in portion Pueblo Lot 1286; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128573, authorizing and directing San Diego Gas & Electric

Company to install a 6000 lumen overhead street light at each of following locations:

Catalina and Whittier;
Banning and Mendocina Boulevard;
Banning and Whittier,

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

The next item listed on the agenda - Ordinance amending San Diego Municipal Code Sections regulating Auction Sales and Auctioneers - was numbered out of order, by request, at the beginning of this meeting.

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

ORDINANCE 6666 (New Series) establishing grade of Alley Block 29 Ocean Beach, between southeasterly line of Sunset Cliffs Boulevard and northwesterly line of Ebers Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 6667 (New Series) establishing grade of Gardena Street, between southeasterly line of Gardena Home Tract and a line drawn between intersection of northerly line of Gardena Street with westerly line of Illion Street and intersection of southerly line of Gardena Street with northwesterly line of Knoxville Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 6668 (New Series) establishing grade of Rosefield Drive, between westerly line of 68th Street and easterly line of 67th Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portion Lot 21 Block 4 Berkeley Heights, as and for public street, and naming it 54th Street, was introduced by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating lots 24, 25, 26 Block 4 Berkeley Heights, as and for public street, and naming it 54th Street, was introduced by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portion Lots 20, 21, 22, 23 Block 13 American Park Addition, as and for public street, and naming land Morena Boulevard, was introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating Lots 17 and 18 Boulevard Gardens, as and for public streets, and naming land Morena Boulevard and Naples Place, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating Lots 11 and 12 Block "B" of Week's Addition, as and for public street, and naming land Morena Boulevard, was introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portion Lot 33 Boulevard Gardens, as and for public street, and naming land Naples Place, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

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

RESOLUTION 128574, authorizing City Manager to accept work on behalf of The City of San Diego in Clifford Point Subdivision and to execute Notice of Completion and have it recorded - agreement is documented No. 503750 - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 3:35 o'clock P.M.

It was announced that the Council would convene 1 week from today - in Conference.

ATTEST:
FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Chas. O. Dail
Mayor of The City of San Diego, California

Tuesday, September 20, 1955 - Chamber of the
Council of the City of San Diego,
California

Present--Councilmen Williams and Evenson
Absent--Councilmen Burgener, Schneider, Kerrigan, Curran, Mayor Dail (all at the meeting
of League of California Cities in San Francisco)
Clerk--Fred W. Sick

Councilman Williams adjourned the meeting for lack of a quorum.

ATTEST:
FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Chas. O. Dail
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 22, 1955

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

Vice Mayor Clair W. Burgener acted as Chairman, in the absence of the Mayor. He called the meeting to order at 10:04 o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 101
Bids, reported by Purchasing Agent, on 1911 Act proceedings were referred to City Manager and City Attorney.

After action was taken on bids, the meeting of Tuesday, September 20, 1955, was adjourned on motion of Councilman Kerrigan, seconded by Councilman Williams.

The first item was continued again, and will follow:

The Purchasing Agent reported in writing 4 bids for improvement of Alley Block 241 Pacific Beach.

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

The Purchasing Agent reported in writing 5 bids for improvement of Ozark Street, Imperial Ave., Public R/W Lot 42.

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

The Purchasing Agent reported in writing 5 bids for improvement of Quince Street.

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

The Purchasing Agent reported in writing 5 bids for improvement of T Street.

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

The continued hearing for paving and installation of sewer mains and appurtenances in portions of Morena Boulevard, Paul Jones Avenue, etc. - Resolution 127767 of Preliminary Determination, having arrived, the Vice Mayor stated that it had been agreed there be another continuance for 1 week.

RESOLUTION 128574, continuing hearing on proposed improvement of Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, et al.,

Meeting convened
Adjournment of previous meeting
Bid reports
Hearing
128574

Resolution of Preliminary Determination 127767, until 10:00 o'clock A.M., Tuesday, September 27, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on 3 low bids for furnishing Fuel Oil, Diesel Oil, and Kerosene, October 1, 1955 through June 30, 1956, was presented. It is as follows:

Pep's Kerosene Service, 95,000 (approx) gallons #5 Fuel Oil at \$0.0619 per gallon, plus State Sales Tax;

Hercules Oil Co. of San Diego Inc., approx 45,000 gallons #1 Fuel Oil at .1124 per gallon; approx 97,000 gallons Diesel Oil at .1024 per gallon; both plus State Sales Tax;

Currie Oil Co., approx 11,000 gallons Kerosene at .15 per gallon, plus State Sales Tax.

RESOLUTION 128575, accepting bid of Pep's Kerosene Service for furnishing approximately 95,000 gallons #5 Fuel Oil; awarding contract, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128576, accepting bid of Hercules Oil Co. of San Diego, Inc. for furnishing approximately 45,000 gallons #1 Fuel Oil; awarding contract, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128577, accepting bid of Currie Oil Co. for furnishing approximately 11,000 gallons Kerosene; awarding contract, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Report on low bids of Western Radio & Television Supply, and Radio Parts Company for furnishing electronics equipment - to convert 57 car radios to 12 volt - approved by City Manager, was presented.

RESOLUTION 128578, accepting bid of Western Radio & Television Supply, for furnishing 57 Genemotors at \$39.39 each, and 57 Vibrator operated Power Supplies at \$14.46 each, terms 2%, plus State Sales tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128579, accepting bid of Radio Parts Company for furnishing 114 - 20 ohm Resistors; 114 - 15 ohm Resistors; 57 - 10 ohm Resistors; 57 - 5 ohm Resistors, all at \$.27 each, terms 2%, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager on low bid of A. F. Andersen for construction of addition to Boat House on Santa Clara Point, \$2,175.00 --\$2,175.00-- was presented. There were 9 bids.

RESOLUTION 128580, accepting bid of A. F. Andersen for construction of addition to boat house on Santa Clara Point; 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 Kerrigan, adopted.

Report of Purchasing Agent on low bid of O. O. & R. E. Maurer for construction of Equipment Storage Building, 306 Yacht Harbor Drive, Shelter Island, \$3,233.00 - 9 bids, was presented.

RESOLUTION 128581, accepting bid of O. O. & R. E. Maurer for construction of Equipment Storage Building, 306 Yacht Harbor Drive, Shelter Island; 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 Williams, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager on 4 "blanket" fire insurance schedules covering buildings and other insurables:

- a. Harbor Department properties;
- b. Water Department properties;
- c. Balboa Park properties;
- d. "City General", consisting of all other City-owned properties

unless specifically excluded from insurance, was presented. It says that under each blanket schedule 5 policies are written, each for 1/5 of total value of schedule, with policies expiring consecutively, 1 each year. It reports that in this way, the City renews 1/5 of its fire insurance annually but receives discount rate applicable to a 5-year policy. It states renewal date is October 1st each year. The report says that about 6 weeks ago the City Council authorized employment of insurance specialist to consolidate Balboa Park, Harbor, and "City General" policy into single schedule in order to obtain substantial saving available under new insurance rule. It says work has progressed almost to completion, but completion has been unavoidably delayed. It states that under City Charter it is required that bids for fire insurance be obtained after proper advertising, but there is not sufficient time prior to October 1 in which to advertise and award contract. It recommends that Council authorize Purchasing Agent to secure covering notes extending the 4 expiring policies for 60 days from October 1, and states that during extension, bids will be advertised and recommendations made for awarding new policies under revised blanket form.

RESOLUTION 128582, authorizing and directing City Purchasing Agent to secure covering notes extending for 60 days from October 1, 1955, on those policies of fire insurance which would otherwise expire October 1, 1955, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128583, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 332 Civil Defense Signs, Document 520495, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128584, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Automatic Sprinkler System for Rotary Intersection and South End Turn-Around, Shelter Island, Document 520453; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128585, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal, master controller and interconnect systems on 9th Avenue from G Street to Ash Street, Document 520455; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128586, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for paving Parking Lot, Emerson Street to Dickens Street, Document 520452; 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 128587, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Newport Avenue, Cable Street and Sunset Cliffs Boulevard, Document 520454; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication, which had been continued from meetings of September 8 and

15, from Planning Commission, by P. Q. Burton, stating that Planning Commission voted 6-0 to recommend that petition for dedication of 50-foot strip of land for street purposes in Encanto area - located north from Lisbon Street about 200 feet east of Pidgeon Street - total length approximately 550 feet, be denied without asking any other city department to report, was presented.

RESOLUTION 128588, filing petition of Property Owners requesting the City accept 50-foot strip of land for street purposes in Encanto area, located north from Lisbon Street about 200 feet east of Pidgeon Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Bird Rock Addition, a 2-lot resubdivision of Lots 14 and 15 Block 11, was presented.

RESOLUTION 128589, suspending Sections 102.12-4 and 102.17-c of Municipal Code in connection with Tentative Map of Bird Rock Addition resubdivision of Lots 14 and 15, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Lots 14 and 15 Bird Rock Addition into 2 parcels, fronting on Midway Street at Bellevue Avenue, subject to 5 conditions, was presented.

RESOLUTION 128590, approving Tentative Map of Bird Rock Addition resubdivision of Lots 14 and 15 Block 11, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, reporting on Tentative Map for resubdivision of Lot 3 Burnett Addition into 2 parcels, 1 of which would front on Arista Street and the other on Marilouise Way: respectively 6,976 and 8,125 square feet in area, was presented. It says that within Burnett Subdivision Lots vary from 9,000 to 20,000 square feet, the larger lots of which are largely unusable because of existing canyons. It states that adjoining subdivision of Presidio Hills has lots varying from approximately 6,000 to 11,000 square feet, while across Arista Street lots vary from 3,700 to 14,000 square feet. It reports that at a public hearing held September 7, 1955, the Commission heard several protestants which consists of approximately 60% of property owners within 300 foot radius. The communication says that at close of public hearing the Planning Commission recommended denial on basis of non-conformity with size of lots in immediate vicinity.

RESOLUTION 128591, denying Tentative Map for division of Lot 3 Burnett Addition, in that it does not conform with development of the area, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

In connection with the next 2 items, the Vice Mayor stated that petitioner had requested reference back to the Planning Director for clarification.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with 105-lot subdivision of portion Pueblo Lot 1228, was presented.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Vista Unit No. 1, subject to 14 conditions, was presented.

Accompanying file was note from Burgener & Tavares by Ed Wilson requesting the reference back, "for clarification".

On motion of Councilman Williams, seconded by Councilman Curran, the file was referred back to Planning.

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

ing suspension of portion Municipal Code in connection with Tentative Map of College View Estates Unit 7, 21-lot subdivision of portion Lot 67 Rancho Mission, was presented.

RESOLUTION 128592, suspending Sections 102.09-1, 102.17-c of the Municipal Code in connection with Tentative Map of College View Estates Unit 7, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of College View Estates Unit 7, 21-lot subdivision of portion Lot 67 Rancho Mission, located on prolongation of Redding Road in new area just westerly of State College, subject to 5 conditions, was presented.

RESOLUTION 128593, approving Tentative Map of College View Estates Unit 7, subject to conditions of 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 Gardena Home Tract, a 3-lot subdivision of Lot 1, was presented.

RESOLUTION 128594, suspending Sections 102.09-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Gardena Home Tract, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for resubdivision of Gardena Home Tract, resubdivision Lot 1, located on Illion Street and Gardena Avenue, in Tecolote Valley area, was presented. It makes recommendation subject to 5 conditions.

RESOLUTION 128595, approving Tentative Map of Gardena Home Tract, a resubdivision of Lot 1, subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Highdale Addition, a 2-lot subdivision of Lot 143, was presented.

RESOLUTION 128596, suspending Sections 102.17-c, 102.02.1 of the Municipal Code in connection with Tentative Map of Highdale Addition, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Highdale Addition for division of Lot 143 into 2 lots, easterly of Plover Street in Encanto area, was presented.

RESOLUTION 128597, approving Tentative Map of Highdale Addition, subject to 5 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, in connection with Tentative Map of Holly Hills Tract Unit 1, a 320-lot subdivision of portion Lot 76 Rancho de la Nacion, was presented.

RESOLUTION 128598, suspending Sections 102.05, 102.09-1&2, 102.07-5, 102.11-2, 102.11-1, 102.12-6, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Holly Hills Tract Unit 1, 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 Holly Hills Tract Unit 1, for 320-lot subdivision of portion of subdivision of Tres Lomas and portion Lot 76 Rancho de la Nacion, located in Paradise Hills area, southeasterly of Wherry Housing Project and portion of property being annexed to the City, subject to 13 conditions, was presented.

RESOLUTION 128599, approving Tentative Map of Holly Hills Tract Unit 1, subject to conditions of the resolution, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Old San Diego, a 1-lot subdivision of portion Lot 2 Block 491, was presented.

RESOLUTION 128600, suspending Sections 102.11-2, 102.12-6, 102.09-1, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Old San Diego, subdivision portion Lot 2, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Old San Diego for division of portion Lot 2 Block 491 into a parcel 60 ft. x 10 ft., fronting on Juan Street, in Old San Diego (Old Town) area, subject to 6 conditions, was presented.

RESOLUTION 128601, approving Tentative Map of Old San Diego, subdivision of portion Lot 2 Block 491, subject to conditions of the Resolution, 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 in connection with Tentative Map for portion of Pueblo Lots 1286 & 1288, was presented.

RESOLUTION 128602, suspending Sections 102.07-5, 102.11-2, 102.17-c of the Municipal Code in connection with Tentative Map of portion of Pueblo Lots 1286 & 1288, a 3-lot subdivision, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for 3-lot subdivision of portion Pueblo Lots 1286 and 1288, located in Hidden Valley area immediately east of Scripps Elementary School and across street from Del Charro Hotel, subject to 5 conditions, was presented.

RESOLUTION 128603, approving Tentative Map of subdivision of portion Pueblo Lots 1286 and 1288, subject to conditions of resolution, was on motion of Councilman Curran, 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 Rancho Cabrillo Unit 3, a 374-unit subdivision of portion of "Fletcher Annexation", was presented.

RESOLUTION 128604, suspending Sections 102.07-5, 102.11-5, 102.12-6, 102.17-c of the Municipal Code in connection with tentative map of Rancho Cabrillo Unit 3, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Rancho Cabrillo Unit 3, a 374-lot subdivision of portion of "Fletcher Annexation", located southerly of Cabrillo Heights (Wherry Housing) on the southerly side of Kearny Mesa, subject to 13 conditions, was presented.

RESOLUTION 128605, approving Tentative Map of Rancho Cabrillo Unit 3, subject to conditions of the Resolution, 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 University Heights, subdivision of portion Lot 25 Block 48, was presented.

RESOLUTION 128606, suspending Sections 102.07-8, 102.12-6, 102.17-1, 102.17-c, 102.18, 102.12-4 of San Diego Municipal Code in connection with Tentative Map of University Heights, subdivision of portion Lot 26 Block 48, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map for division of portion Lot 25 Block 48 University Heights, into 2 lots fronting on Mission Avenue westerly of Alabama Street - in R-4 Zone - subject to 5 conditions, was presented.

RESOLUTION 128607, approving Tentative Map of University Heights, 2-lot subdivision of portion Lot 25 Block 48, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication J. B. Askew, M.D., Director of Public Health, submitting draft of proposed county ordinance adding penalty for payment of delinquent Public Health Permit fees - which would apply to the City of San Diego, was presented. It requests comments and opinions regarding adoption of a similar ordinance. It says that an early reply by letter or by telephone would be most helpful as the 1956 Public Health Permit forms must be ordered shortly.

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

Communication from Associated Cafes & Restaurants of San Diego, September 9, 1955, signed by D. Danforth, Manager of Offices, 307 Spreckels Bldg., San Diego 1, was presented. It calls attention to a survey of zoning of canteen trucks, mentions the area excluded. It points out that a rather small area at or about 4th and F, in the heart of downtown section, has not been excluded, and states that the situation would not be conducive to interests of good sanitation and eliminating litter from downtown streets. It states that many of the restaurants and cafes protest the fact that the area is not included in the exclusion section, and asks that the matter be given all due consideration.

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

Communication from Thomas M. Hamilton, of McInnis, Hamilton & Fitzgerald, attorneys at law, 830-840 San Diego Trust & Savings Building, San Diego 1, dated September 15, 1955, was presented. It refers to hearing for re-zoning and the filing of a tentative map for proposed shopping center at College Avenue and Federal Boulevard Freeway, set for September 29, 1955. It says that the center is based on plan to have entry from freeway turning into the property and a re-entry from property to the freeway. It states that State Highway Department has agreed informally. It requests that an emergency ordinance be passed, asking for amendment and the adjoining connections.

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

Communication from E. W. Blom, Acting City Manager, transmitting petition

signed by property owners and business people located in 3500 block on 30th Street, requesting that school crossing be moved from 30th and Capps Streets to 30th and Dwight Streets. It recommends, because location of school crossing affords greatest protection is of more important consideration than parking, that the cross-walk be not changed. The communication shows that copy had been sent to R. G. Baker, 3552 - 30th Street, a realtor whose card was attached to the petition.

RESOLUTION 128608, adopting recommendation of Acting City Manager to maintain cross at 30th and Capps Streets, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Acting City Manager returning communication from Larwood Company, 124 South Atlantic Blvd., Los Angeles 22, dated August 22, 1955, requesting the Council to take action necessary in order to provide right-of-way for extension of Faulconer Street and Grape Street and right-of-way necessary for extension of sewers from east line of the tract to existing sewer in 60th Street, was presented. It states that dedication of streets or sewer easements across the City-owned property would prevent use for purpose for which acquired - sanitary fill operations. It recommends denial, and states that the Larwood Company is being advised by copy of the recommendation as to disposition of request.

RESOLUTION 128609, denying request of Larwood Company ~~for dedication~~ for dedication of rights of way for sewers, as recommended by Acting City Manager, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, on communication from Dass Construction Co. requesting that portions of 52nd and Maple Streets, in Kolgra Manor Subdivision, be vacated, was presented. It says that subsequent letter amended original request by excepting from the proposal closing of portions to be dedicated on map of Kolgra Manor and indicating that closings would be made by Superior Court decree. It recommends closing of portions of 52nd Street and Maple Street.

RESOLUTION 128610, granting petition for closing portions of 52nd Street and Maple Street; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses of closing, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication of The Junior League of San Diego, Ltd., dated September 14, 1955, signed by Virginia E. Fletcher (Mrs. Ferdinand T. Fletcher) president, was presentation. It states that upon recommendation of the Board of Directors, the Junior League membership voted on September 13 to express approval of construction of Civic Auditorium facilities, similar to those suggested by Stanford Research Institute, and establish the facilities in a central location.

Councilman Kerrigan moved to file the communication. Motion was seconded by Councilman Williams.

After discussion on procedure, motion was changed.

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

Copy of communication from James W. Morgan, dated September 15, 1955, addressed to Property Management Department, demanding full and complete information why he was not permitted to submit bid on City-owned property that is not in use by the City nor is not included in any future plans for the city or state, was presented. It requests that portion of Block 32 Marilou Park that lies northwesterly of Home Avenue and is bordered on the west by 39th Street and Beech Street on the north be advertised for public auction. It says that response received in past is that the city would rather make private land deals than advertise and sell to highest bidder. It states "I feel this type of dealing leads in only one direction. Graft and Corruption. Unless I receive

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satisfactory explanations by return mail I feel further steps should be taken in order, to protect the taxpayers interest".

Councilman Curran moved to file the communication. Councilman Kerrigan seconded by motion.

After discussion, the motion was changed.

On motion of Councilman Curran, seconded by Councilman Kerrigan, it was referred to the City Manager for reply - with copy of reply to the Council.

Communication from Kenneth E. Omong and others, protesting Lots 1 through 7 Crestline and Lots 28 through 34 Block 475 Seaman's being placed within R-4 zone, was presented.

On motion of Councilman Evenson, seconded by Councilman Curran, it was referred to the October 6, 1955, hearing.

(Request was made that Edna Brown, AC-3-3133, be notified of hearing. She was notified Sept. 12, 1955 at 9:10 A.M. by A.M.W.)

Communication from San Diego Chamber of Commerce, Broadway at Columbia, dated September 15, 1955, signed by Robert M. Golden, president, was presented. It states that it is appreciated that opportunity has been given to study information contained in recent Stanford Research Institute Report on Public Assembly Facilities for San Diego. It states that a sub-committee of Metropolitan Planning Committee devoted considerable time to thorough review of information contained in the report, and that recommendation was concurred in unanimously by entire Metropolitan Planning Committee, and transmitted to Board of Directors. It recommends the site for a convention and community center as determined by the Stanford Research Institute be placed on the City's Master Plan, and it recommends that the City Council take steps to purchase the 4-block area for public assembly facilities as fast as practicable so that the site will be definitely settled for the group of public buildings. It expresses approval of the excellence of the report, and conveys congratulations to the Council.

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

Communication from Karl F. Tuttle Engineering Co., 4251 East Live Oak Avenue, Arcadia, California, by Ed Dulin, Manager, was presented. It requests amendment to Resolution 127259 regarding map of Judkins' Estate.

Harry C. Haelsig said that it is regarding sewer service on 2 lots which are below grade.

On motion of Councilman Kerrigan, seconded by Councilman Curran, it was referred to Planning.

RESOLUTION OF AWARD 128611, accepting bid and awarding contract to San Diego Gas & Electric Company for 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 128612, for closing portion Quince Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128613, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 281 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128614, ascertaining and declaring wage scale for paving and otherwise improving Groveland Drive, San Jacinto Drive and Castana Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128615, approving diagram of property affected or benefited by work of improvement to be done 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; 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 Evenson, adopted.

RESOLUTION 128616, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alcott Street, Resolution of Intention 122930, 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 certified copy to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128617, approving diagram of property affected or benefited by work of improvement to be done on installing sanitary sewer in La Jolla Rancho Road, in Pueblo Lot 1774, Resolution of Intention 123409, 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128618, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 40th Street, Resolution of Intention 121402, 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 certified copy to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128619, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Quimby Street, Resolution of Intention 120407, 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128620, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 44 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, Resolution of Intention 118978 and to be assessed to pay expenses, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128621, adopting recommendation of City Engineer, Document 520415; authorizing City Engineer to amend proceedings for improvement of Alley Block 334 Choate's Addition in accordance with recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128622, adopting recommendation of City Engineer, Document 520451; authorizing City Engineer to amend proceedings for improvement of portion Newton Avenue easterly of 35th Street in accordance with recommendation; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition to install sewers to serve Lots 1 through 13 Block 122 Choate's Addition, by private contract, under City inspection according to Document 520132; all work including plans and specifications and inspection at no cost to the City of San Diego, was presented.

RESOLUTION 128623, granting John P. Harrison permission to install sewers, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

In connection with the next resolution, Councilman Evenson asked for information.

Councilman Kerrigan said that it is a resolution regarding there being many streets with the same name in this area, and to attempt to correct that.

RESOLUTION 128624, declaring it to be the policy of The City of San Diego to cooperate with the County Coordinator of Street Names, and with all other cities in the San Diego Metropolitan area, in selecting names for streets, roads, highways and public thoroughfares, so that duplication, similarity and confusion in street names within the San Diego Metropolitan area may be avoided, and that:

1. That no new street shall be named or existing street name changes until proposed name has been approved by the County Coordinator of Street Names;

2. That the City Planning Director shall maintain a list of at least 25 names approved by the County Coordinator of Street Names, from which The City of San Diego street names shall be selected, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128625, establishing parking time limit of 36 minutes, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

North side of A Street between points 0 and 39 feet east of east line of Front Street; 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 to be made, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128626, prohibiting parking of automobiles at all times:

East side of Boundary Street between south line of University Avenue and north line of Wightman Street extended;

East side of Grant Street between south line of Sherman Street and dead-end of Grant Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128627, establishing time limit for parking of 1 hour between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of K Street between 9th Avenue and 10th Avenue; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission recommending approval of final map of Leonard Heights, was presented.

RESOLUTION 128628, adopting map of Leonard Heights Subdivision, a subdivision of Lots 3 and 4 Hollis Heights; accepting on behalf of the public unnamed easements shown for public purpose; declaring unnamed 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 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 Curran, adopted.

RESOLUTION 128629, authorizing City Manager to accept work on behalf of The City of San Diego in Scripps Estates Associates Subdivision and execute Notice of Completion and have it recorded, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128630, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Custom Builders, Inc., a corporation, 401 National Avenue, Chula Vista, California, subdivider of Loma Linda subdivision, providing for installation of mains and appurtenances larger than necessary on Calle Gaviota from Winchester Street to south boundary of subdivision, made at request of the City, and for reimbursement by the City to the subdivider of \$1546.95 for difference in cost of installation of larger mains made at request of City, upon execution and delivery to City of Quitclaim Deed conveying to the City all right, title and interest of subdivider in and to water distribution in Loma Linda Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128631, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with The Atchison, Topeka and Santa Fe Railway Company for construction of The Balboa Avenue Underpass shown on The A.T. & S.F. Ry. Co. Coast Lines location map and profiles attached to agreement as Exhibit "A" and under mutual promises and undertakings set forth in Document 520676, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128632, consenting to an extension of refuse collection contract between The City of San Diego and Frank Hymum, for additional period of year(1) commencing September 23, 1955, upon condition that he indicates his consent to the extension by letter to The City of San Diego (letter under date of September 21, 1955, addressed to the City Manager) is on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Kerrigan.

It is from Chula Vista Sanitary Service for the Paradise Hills area.

RESOLUTION 128633, approving Change Order 4, July 20, 1955, filed as Document 520578, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. and W. E. Maxwell Company, a joint venture, for improvement of Grand Avenue, Pacific Highway to Picó Street, contract Document 506411, changes amounting to increase in contract price of approximately \$6,918.20, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128634, granting request of Tele-Fire of California, Inc., September 13, 1955, Change Order 1, for extension of 40 days to and including October 31, 1955, filed with City Clerk as Document 520580, in which to complete contract for

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for installation of Fire Detection System in Fine Arts Building, Contract Document 517504; extending completion date of contract to October 31, 1955, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128635, granting County of San Diego permission to widen and construct Broadway over and across The City of San Diego's right of way for El Monte Pipe Line, Section II, at location shown on print of County drawing showing proposed construction, R.S. 1271, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128636, granting revocable permit to University of California, Scripps Institution of Oceanography, 8602 La Jolla Shores Drive, La Jolla, to install and maintain 3 salt water lines in La Jolla Shores Drive to provide connecting lines between University buildings at Scripps : portion of Pueblo Lot 1298, excepting and reserving strip of land 100 feet wide as right of way for boulevard extending from La Jolla Park to Torrey Pines, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128637, 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 parcel of land in North 37 acres of West 74 acres Pueblo Lot 1785, 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128638, 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 1290, 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128639, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 74 Las Alturas Villa Sites, 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128640, 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 Miramar 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128641, directing Property Supervisor to file petition with

Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Hilltop Villas, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128642, 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 Sunnyslope 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128643, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 21 Block 7 Haffenden & High's Addition to Sunnydale, 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128644, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions Lots 1 and 2 Block 3 Haffenden's Sunnydale 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; and that he is authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128645, allowing bill of San Diego Convention and Tourist Bureau, September 19, 1955, in sum of \$9,122.59 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1955-1956 for said sum, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128646, authorizing member of Purchasing Department to attend Annual Pacific Intermountain Purchasing Agents' Conference, Los Angeles, California, September 23 and 24, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128647, cancelling City's Invoice 40440 in amount of \$29.96, against Richard Burke, dated September 6, 1955, due to facts disclosed by further investigation, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128648, approving claim of Oscar A. Martinez & Olympic Ins. Co., Document 520021, \$69.17; authorizing City Auditor & Comptroller to draw warrant in favor of Oscar A. Martinez and Olympic Insurance Co., 305 W. A Street, San Diego, Calif., in amount of \$69.17 in full payment of claim, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128649, denying claim of Gene A. Langford, Florence Langford, and Debra Jean Langford, Document 518937, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution authorizing settlement of \$290.27 claim of Harold V. Rains, 4432 Milton St., San Diego 10, Document 518571 for \$180.00, was presented. It was held, at the request of Alan Firestone, Deputy City Attorney, so that Aaron Reece, Deputy City Attorney could hear statement by Mrs. Rains. (Further minute reference will be found on this subject near the end of this meeting).

RESOLUTION 128650, denying claim of Caryl McGoon, Document 517447, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128651, denying claim of William H. Paige, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128652, naming easements for street purposes in portions Pueblo Lot 1202 "Frost Street", was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128653, naming easement and right of way for street purposes in portion Lot 7 Block 42 Paradise Hills Unit 2 "Morningside Street", was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128654, vacating public utilities easements shown on Ravenna Park Unit 1 Map 1986; resolving that from and after date of order of vacation, title to land previously subject to easements shall revert to owners of land free from rights of public; authorizing and directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128655, accepting quitclaim deed of O.D. Arnold and Sons in O.D. Arnolds Hazelwood Heights Unit 1, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128656, accepting quitclaim deed executed August 29, 1955, by Custom Builders, Inc., 401 National Avenue, Chula Vista, California, 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 Loma Linda, a subdivision of portion southwest quarter of Quarter-Section 81 Rancho de la Nacion; authorizing and directing City Clerk to file deed together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128657, accepting quitclaim deed executed September 14, 1955, by Harmony Homes, a corporation, 6610 El Cajon Boulevard, San Diego 15, 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 4, a 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128658, accepting quitclaim deed executed September 14, 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 Unit 5, subdivision of portion Lot 67 Partition of Rancho Mission of San Diego filed in office of County Recorder of San Diego County April 12, 1955; 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 Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128659, accepting quitclaim deed executed September 10, 1955, by Frank Manescalchi and Tommasa Manescalchi, 4792 Filipo Street, 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 Tommasa Terrace, being all of portion of Lot 26 La Mesa Colony according to Map 3274, filed in office of County Recorder of San Diego County on July 27, 1955; 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 Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128660, accepting patent of The State of California, September 12, 1955, conveying lands in Sutherland Reservoir Basin, described as southeast quarter of northwest quarter, east half of southwest quarter and west half of southeast quarter of Section 16, Township 12 south, Range 2 east, in County of San Diego, State of California; authorizing and directing City Clerk to file patent, together with certified copy of resolution, for record in office of Recorder of San Diego County, ~~together with certified copy~~ was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128661, accepting deed of Robert H. Baker and Ethel D. Baker, executed in favor of The City of San Diego, conveying Lot 11 Block 5 Florence Heights Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 128662, accepting deed of James G. Bowen and Ruby Emma Bowen, August 30, 1955, conveying Lots 3 to 8 inclusive Block 7 Asher's Clover Leaf Terrace; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 128663, accepting deed of James G. Bowen and Ruby Emma Bowen, August 30, 1955, conveying portions Lots 20 and 21 Block 1 Berkeley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

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RESOLUTION 128664, accepting deed of James G. Bowen and Ruby Emma Bowen, bearing date August 30, 1955, conveying portion Lot 28 Lemon Villa; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 128665, accepting deed of James G. Bowen and Ruby Emma Bowen, August 30, 1955, conveying Lot 1 Oak Park Annex; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 128666, accepting deed of Malcolm B. Coutts and Dorothy E. Coutts, as undivided 1/2 interest, and Ralph L. Coleman and Louise Coleman, as joint tenants, as to undivided 1/2 interest, June 13, 1955, conveying portions of Pueblo Lot 1202; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128667, accepting quitclaim deed of George R. Daley, conveying sole and separate property interest, September 6, 1955, quitclaiming portions of east half of Peach Avenue and Hill Street and of north half of 6th Street lying westerly and southerly of, and adjacent to Lots 4 and 5 Block 27 Rosedale; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128668, accepting deed of M. R. Essery, September 13, 1955, conveying Lots 24 and 25 Block 1 Berkeley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128669, accepting deed of Mr. R. Essery, September 13, 1955, conveying Lots 22 and 23 Block 4 Berkeley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128670, accepting quitclaim deed from Frank F. Faust and Ruth K. Faust, June 22, 1955, quitclaiming Lots 1, 2, 3 and Northerly half Lot 4 Block 3 Asher's Clover Leaf Terrace; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128671, accepting quitclaim deed of Vito Frontiera, August 19, 1955, quitclaiming portion Lot 25 Boulevard Gardens; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128672, accepting deed of William Gibbs, Jr. and Barbara M. Gibbs, undivided half interest; Oril S. Harbaugh and Leila A. Harbaugh, undivided half interest, in portion Lot 11 New Riverside; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128673, accepting deed of John William Grim and Mary A. Grim, August 22, 1955, conveying Southwesterly 15.00 feet Lot 30 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128674, accepting quitclaim deed of Investment Securities Corporation, July 27, 1955, quitclaiming Lots 1, 2, 3 and Northerly Half of Lot 4 Block 3 Asher's Clover Leaf Terrace; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

(Escrow instructions are to be complied with).

RESOLUTION 128675, accepting deed of Graham M. Kelly, Julia F. Kelly, Herbert C. Kelly, Jr., Jane Kelly and Maxine T. Smith, conveying Lots 1, 2, 3 and Northerly Half Lot 4 Block 3 Asher's Clover Leaf Terrace; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128676, accepting deed of Fred F. Merrill and Delia Merrill, August 26, 1955, conveying Southwesterly 15.00 feet Lots 34, 35, 36 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128677, accepting deed of Jessie S. Roberts, formerly Jessie S. Mann, August 18, 1955, conveying portion Lot 25 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128678, accepting deed of Reginald G. Stalmer, also known as Reg G. Stalmer, conveying interest in his sole and separate property, July 19, 1955, conveying portion Lot 4 Subdivision of East Half of Pueblo Lot 1215; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128679, accepting deed of Reginald G. Stalmer, also known as Reg G. Stalmer, a married man, conveying interest in his sole and separate property, August 18, 1955, conveying portions Lots 5 and 10 New Riverside; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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RESOLUTION 128680, accepting deed of Russell L. Powers, September 8, 1955, conveying easement for right of way for public alley and incidents thereto, in portion Lot 18 Block 7 Alhambra Park; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128681, accepting deed of Russell L. Powers, September 8, 1955, conveying easement for right of way for public street and incidents in portion Lot 18 Block 7 Alhambra Park; setting aside and naming it 52nd Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128682, accepting deed of Melder E. Lawson and Joan Lawson, August 26, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot 6 Block 6 Larchmont; setting aside and dedicating and naming it Iona Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128683, accepting deed of H. H. Peterson and Emily Peterson, September 13, 1955, conveying for street purposes Lots 1 and 80 Boulevard Gardens, together with portion Lot 52 Boulevard Gardens; naming it Morena Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128684, accepting deed of R. E. Hazard and Sons, a California Corporation, April 25, 1955, conveying easement and right of way for public street and incidents, in portions Lot 67 Rancho Mission of San Diego; naming it Waring Road; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128685, accepting deed of Lynn G. Fayman and Ruth A. Fayman, July 7, 1955, conveying easement for right of way for sewer and appurtenances in portion Pueblo Lot 1288; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128686, accepting deed of Lynn G. Fayman and Ruth A. Fayman, July 7, 1955, conveying easement for right of way for sewer and appurtenances in portion Pueblo Lot 1288; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128687, accepting deed of Jonathan W. Latimer, conveying sole

and separate property, August 14, 1955, for public sewer and appurtenances in Pueblo Lot 1288; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128688, accepting deed of John D. Lyerly and Faith Lyerly, July 7, 1955, conveying easement for right of way for construction, etc. of public sewer in easterly 17.00 feet of northerly 10.00 feet of portion Pueblo Lot 1288; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128689, accepting deed of Edgar W. Hogan and Ruth J. Hogan, September 6, 1955, conveying easement for right of way for construction, etc. of storm ~~sewer~~ drains in portion Villa Lot 40 Normal Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128690, accepting deed of Lewis F. Raper and Beulah R. Raper, September 7, 1955, conveying easement for right of way for construction, etc. of storm drain in westerly 110.00 feet, measured at right angles from westerly line of southerly extension thereof, of Lot 36 Block A Resubdivision Villa Lots 1 to 11 Normal Heights; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128691, accepting deed of Louis F. Vallin and Susan Cook, September 7, 1955, conveying easement for right of way for construction, etc. of storm drain or drains and appurtenances in portion Lot 1 Block A Resubdivision Villa Lots 1 to 11 Normal Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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

ORDINANCE 6669 (New Series), setting aside and dedicating portion Lot 21 Block 4 Berkeley Heights, as and for public street, and naming it 54th Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

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

ORDINANCE 6670 (New Series), setting aside and dedicating Lots 24, 25, 26 Block 4 Berkeley Heights, as and for public street, and naming it 54th Street, was on

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

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

ORDINANCE 6671 (New Series) setting aside and dedicating portion Lots 20, 21, 22, 23 Block 13 American Park Addition, as and for public street, and naming it Morena Boulevard, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

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

ORDINANCE 6672 (New Series) setting aside and dedicating Lots 17 and 18 Boulevard Gardens, as and for public street, and naming it Naples Street and Morena Boulevard, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

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

ORDINANCE 6673 (New Series) setting aside and dedicating Lots 11 and 12 Block "B" Week's Addition, as and for public street, and naming it Morena Boulevard, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

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

ORDINANCE 6674 (New Series) setting aside and dedicating portion Lot 33 Boulevard Gardens, as and for public street, and naming it Naples Place, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Nays-None. Absent-Councilman Schneider, 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 Council prior to day of final passage written or printed copy.

ORDINANCE 6675 (New Series), appropriating \$2,400.00 from Mission Bay Bond Fund (No. 712), for construction of additional Storage Facility to the Boat House on Santa Clara Point, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance establishing official property line grades on Thorn Street between southwest-erly line of Redwood Village Unit 2 and easterly line of Redwood Village Unit 3, was introduced, by following vote: Yeas--Councilman Williams, Burgener, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portions of Lot 5 and Lot 10 New Riverside, as and for public street, and naming it Kearny Villa Road, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portion Lot 11 New Riverside, as and for public street, and naming it Kearny Villa Road, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portion Pueblo Lot 1202, as and for public street, and naming it Kearny Villa Road, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, Ordinance setting aside and dedicating portion Lot 4 of Subdivision of East Half Pueblo Lot 1215, as and for public street, and naming same Kearny Villa Road, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

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

RESOLUTION 128692 says:

"WHEREAS, Archie Moore, a resident of San Diego and Light Heavyweight Boxing Heavyweight Boxing Champion of the World fought Rocky Marciano for the Heavyweight Boxing Championship of the World on September 21, 1955; and

WHEREAS, Archie Moore's boxing career includes many performances in the City of San Diego; and

WHEREAS, the splendid sportsmanship and ability of Archie Moore has carried him to a place of prominence in the boxing world; and

WHEREAS, the career of Archie Moore has brought credit to himself and to this community; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego as follows:

That the Council of the City of San Diego, on behalf of its members and the people of the City of San Diego, hereby congratulates Archie Moore for the fame he has brought himself and for the attention he has thereby brought to his home city of San Diego", was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

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

RESOLUTION 128693, authorizing B. W. Hager, Associate Property Agent, to attend annual conference of California Real Estate Association, to be held in Los Angeles, California, on September 27 and 28, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Vice Mayor Burgener presented, under unanimous consent, the next resolution, which he read:

RESOLUTION 128694, stating that O. W. Campbell has been City Manager of the City of San Diego since 1949, that he has been active in municipal government affairs in California since 1933, that he has been President of Peninsula Division in League of California Cities and Director from Peninsula Division, and President of Manager's Section of the League and a Director from Manager's Section, and has been a Director from San Diego Division of the League, that he is retiring Vice President of the League, and has just been elected President of the League of California Cities, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

The Resolution congratulates Mr. Campbell upon his election to Presidency of the League of California, and expresses pleasure in the City Manager having received the honor in recognition of his outstanding services.

The item, listed earlier in this meeting, authorizing City Attorney to settle claim of Harold V. Rains was considered again.

Mrs. Harold Rains said that she and her husband are honest citizens, and reported to the Council on themselves. She told of having seen men from the Sewer Department, working. She said that they found what had been reported blocked. She told of seeing something coming through the house, forced through their sewer lateral. She told of the workmen having pulled out a eucalyptus root. She said that the matter was forced through the house, because it was blocked off from the sewer. She said that they jerked back the rugs. Mrs. Rains told the Council that her husband signed a \$180. release, but that she did not. She spoke of her husband being out of a job, and they could not afford to pay for the damage through the house from the sewer. She said they will accept the \$180. She stated that they have lived 8 weeks without rugs and floor finish. She declared that this "is not equitable". She stated that the City Attorney says that the City is not legally liable. She said that if the workmen had opened up the soil line, it would have run out, and they could have blocked the toilet. She contended that something was wrong with the foreman. She said that if the City is legally liable or not, it is most awful. She said that the City would not sign, if not legal. Mrs. Rains told the Council that \$180. covers 2/3 of the damage. She said that they had put in no claims for the several things that could have been included. She said that they put in for cost only, "with exemption". She said that Mr. Severson (City's claim agent) knows of this thing. She said that they had paid for a Duraseal finish. She said that it was estimated at \$160., \$117. and \$84. for the finish. She said that she put in for \$117, in that the City said that was the lowest bid. She said that would not cover the original surface of \$40. or more. Mrs. Rains said that there was more, but they did not put in claim for the paid, although it was the same situation on the rug pads. She stated that because they did not hire a maid or hire a cleaning man, they were "out of pocket" because that was not allowed. She spoke of putting in \$25. for cleaning. She said that it took her and her husband 8 hours to do the cleaning. She stated that some bubbled back in the sink and blocked the sterling. She said that they will have to take an "interior finish" on the floor. She said that sewage ran into 2-year old floor finish. She said that contractor stated it would cost \$150; Mr. Severson said it would be replaced for \$120. She told of having to be plastered. She stated that it is likely that thermostat wires in the furnace will go out by rust. Mrs. Rains said that they have been advised to jerk them out, and put in new ones. She said that many go out, and they can be \$200. Answering Councilman Burgener, she said that there was not any allowance made for that. She said that there is no choice except to accept the \$180. She said that \$250. would be reasonable. She said that they could not be compensated for the 50 gallons of sewage through the home.

She said that the furnace bill, alone, will be more than the settlement - if it goes out.

Councilmen Evenson and Williams spoke directly to Mrs. Rains.

Mrs. Rains replied to them that the furnace is working now, but it might go right out. She said that the City is working on the theory that everybody is trying to skin the City.

Councilman Williams asked if the total would come to more than \$250.

Mrs. Rains reviewed the individual costs, and said that the furnace was not included. She told the Council that the original claim was \$290.

Councilman Kerrigan said that the Council is not able to settle the matter here. He suggested continuance for 1 week, and that the item be referred to the City Attorney.

Mrs. Rains stated that she wants the floor finished, and the rugs cleaned.

Vice Mayor Burgener spoke to the attorney.

Arron Reece, Deputy City Attorney, answered that the release had been signed, but the money not paid. He said that the release could be voided. He said that if released, it would be a speedy time.

Councilman Burgener asked if that meant day or month.

Mrs. Rains asked if they would get \$250. that quickly.

Councilman Kerrigan said that it is best and quickest to continue the item to next Tuesday (September 27). He said that the Council can't say that it will save \$200.

Councilman Kerrigan moved to continue the item to the meeting of Tuesday, September 27, with review to be made by the City Attorney. Motion was seconded by Councilman Evenson.

The motion was carried, and the claim, together with City Attorney's recommendation, and proposed Resolution, were held over for the meeting of September 27, 1955.

There was a recess, awaiting the arrival of the Mayor.

Mayor Dail arrived at 10:47 A.M. and took the Chair.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:49 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstone
Deputy

Charles Dail
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Tuesday, September 27,
1955

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

Mayor Dail presented the Reverend Vincent McGarvey, Assistant Pastor at St. Patrick's. Father McGarvey gave the invocation. Included was a prayer for the President of the United States.

Minutes for this meeting are recorded on Microfilm Roll 101 (Ordinances, Resolutions, etc.)

Minutes of the Regular Council Meetings of Tuesday, September 13, 1955, Thursday, September 15, 1955, Tuesday, September 20, 1955, Thursday, September 22, 1955, were approved on motion of Councilman Kerrigan, seconded by Councilman Curran. They were signed by the Mayor.

The Purchasing Agent reported in writing 3 bids opened Friday, September 23, 1955, for improvement of Alleys Block 41 City Heights, Central Avenue, et al., on 1911 proceedings. On motion of Councilman Kerrigan, seconded by Councilman Curran, they were referred to City Manager and City Attorney.

The Purchasing Agent reported in writing 3 bids opened Friday, September 23, 1955, for improvement of East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, on 1911 proceedings. On motion of Councilman Kerrigan, seconded by Councilman Curran, they were referred to City Manager and City Attorney.

The Purchasing Agent reported in writing 4 bids opened Friday, September 23, 1955, for improvement of Gaines Street, on 1911 proceedings. On motion of Councilman Kerrigan, seconded by Councilman Curran, they were referred to City Manager and City Attorney.

The Purchasing Agent reported in writing 4 bids opened Friday, September 23, 1955, for improvement of Alley Block 6 Ocean Beach, on 1911 proceedings. On motion of Councilman Kerrigan, seconded by Councilman Curran, they were referred to City Manager and City Attorney.

The hour of 10:00 o'clock A.M. having arrived, time set for bids for furnishing electric current for lighting ornamental street lights in San Diego Lighting District No. 2, for 1 year from and including July 1, 1955, the Clerk reported bid from San Diego Gas & Electric Co. It was opened and declared.

On motion of Councilman Curran, seconded by Councilman Kerrigan, bid was referred to City Manager and City Attorney.

Meeting convened
Invocation
Bid reports from Purchasing
Bid

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed annexation to the City of San Diego of portions of Lots 64 and 65 Rancho Mission of San Diego, in The County of San Diego, State of California, to be known and designated as "Allied Gardens Tract No. 1," which if annexed, shall be added to the San Diego Unified School District, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Curran, Ordinance approving annexation to City of San Diego of uninhabited territory in portions of Lots 64 and 65 Rancho Mission of San Diego, in County of San Diego, State of California, known and designated as "Allied Gardens Tract No. 1", which territory shall be added to the San Diego Unified School District, was introduced, by the following vote: Yeas--Councilman Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Burgener, Williams, Schneider.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 128156 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 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 128157 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 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 128158 for paving and otherwise improving Valle 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 presented.

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

The Mayor and the City Attorney announced that it would be necessary to have 6 votes of the Council on Resolutions of Feasibility on several proceedings set for 10:00 o'clock A.M. They were, therefore, continued temporarily - and will be found again in these minutes.

Councilman Williams entered

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

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128695, confirming and approving Engineer's Report and

and assessment for furnishing electric current in Pacific Beach Lighting District No. 1, filed by City Engineer in office of City Clerk August 19, 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 furnishing electric current in La Jolla Shores Lighting District No. 1, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128696, confirming and approving Engineer's Report and assessment for furnishing electric current in La Jolla Shores Lighting District No. 1, filed by City Engineer in office of City Clerk August 24, 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 furnishing electric current in Midway Drive Lighting District No. 1, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128697, confirming and approving Engineer's Report and assess for furnishing electric current in Midway Drive Lighting District No. 1, filed by City Engineer in office of City Clerk August 24, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Councilman Burgener entered

The Council returned to the hearings on proceedings under Resolutions of Preliminary Determination, inasmuch as enough members of the Council were present for adoption of necessary resolutions.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 127767 - continued from meetings of September 13 and 22, 1955 - for paving and otherwise improving Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, et al and Alleys in American Park Addition - Councilman Burgener told the Council that he had looked at the area.

Asked for a report, the City Engineer said that there were no written protests.

Councilman Burgener stated that after having looked at it, it would be unfair to abandon the project. He stated that it would put one man in a spot.

No one was present to be heard.

RESOLUTION 128698, overruling and denying verbal protests of Bennie Zlatoff, Robert F. Deegan, Dale Cobb, against proposed improvement of Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, et al., was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128699, determining that improvement of Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, etc., and Alleys in American Park Addition, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 127904, 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 128700, determining that proposed improvement of Gregory Street under Resolution 127904 of Preliminary Determination; is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 127905 for paving and otherwise improving of Orange Avenue, the Clerk reported no written protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 128701, determining that proposed improvement of Orange Avenue under Resolution 127905 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 Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 127906 for paving and otherwise improving South Lane and Alley easterly of and adjacent to Block A South La Jolla, 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 128702, determining that proposed improvement of South Lane and Alley lying easterly of and adjacent to Block A South La Jolla under Resolution 127906 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 128037 for paving and otherwise improving Alley Block 7 Roseville Heights, portions of Bangor and Akron Streets, 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 128703, determining that improvement of Alley Block 7 Roseville Heights, Bangor Street and Akron Street under Resolution 128037 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 Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on paving and otherwise improving Alley Block 1 Walker's Addition, under Resolution of Preliminary Determination 128038, 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 128704, determining that improvement of Alley Block 1 Walker's

Addition under Resolution 128038 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on paving and otherwise improving Worden Street under Resolution 128039 of Preliminary Determination, 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 128705, determining that improvement of Worden Street under Resolution 128039 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 Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance incorporating portions of Parcels "O" and "OO" Lot 19 Rancho Mission of San Diego into RC-1A, CP and C-1A Zones, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

Bob Rundel, of La Mesa, held up a map. (It was he who circulated the petition for rezoning).

Communication from Planning Commission, by P. Q. Burton, giving a detailed report on the subject was not filed.

No one appeared to protest.

On motion of Councilman Curran, seconded by Councilman Kerrigan, ordinance incorporating portions of Parcels "O" and "OO" in Lot 19 Rancho Mission of San Diego, into RC-1A, CP and C-1A Zones as defined by Sections 101.0409.2, 101.0410 and 101.0411.1 of San Diego Municipal Code, and repealing Ordinance 6242 (New Series) adopted August 31, 1954, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

Report of Purchasing Agent, approved by City Manager on low bid of Frye & Smith, Ltd. for furnishing 200,000 copies of Civil Defense Evacuation Brochures, was presented. It states that low bidder made 2 bids: 1 on basis of 7 to 8 weeks delivery; 1 with 3 to 4 weeks delivery. It advises that Director of Civil Defense recommends acceptance of the \$6,620.00 bid with 3 to 4 weeks delivery.

RESOLUTION 128706, accepting bid of Frye & Smith, Ltd., for furnishing 200,000 brochures (Civil Defense); 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager on low bid of Clarence E. Rathbun for installation of Street Name Signs for \$1,275.00 - 2 bids, was presented.

RESOLUTION 128707, accepting bid of Clarence E. Rathbun for installation of Street Name Signs; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Al E.

Riley, Inc. for improvements at Taft and Midway, Taft and Colima, Taft and Forward, Bellevue and Colima, and Bellevue and Midway for \$2,496.40 - 1 bid, was presented.

RESOLUTION 128708, accepting bid of Al E. Riley, Inc. for Improvement of Intersections at Taft and Midway, Taft and Colima, Taft and Forward, Bellevue and Colima, and Bellevue and Midway; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent on low bid of U. S. Spring & Bumper Co. for furnishing 1700 lineal ft. Zinc Chromate primed steel Guard Rail and 16 galvanized End Piece - \$1,918.32 plus state sales tax; 2 bids, was presented.

RESOLUTION 128709, accepting bid of U. S. Spring & Bumper Co. of Los Angeles for furnishing 1700 Lineal Feet of Zinc Chromate Primed Steel Guard Rail and 16 Galvanized End Pieces; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, recommending purchase from Southern Equipment & Supply Co., only source of supply, of parts for overhauling an International TD-24 Tractor, at total of \$4,316.92 including state sales tax, was presented.

RESOLUTION 128710, directing Purchasing Agent to purchase from Southern Equipment & Supply Company parts for International TD-24 Tractor, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128711, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Centrifugally Spun Reinforced Concrete Pipe for period of 6 months from November 1, 1955, Document 520782, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128712, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Ferric Sulphate for 6 months beginning November 1, 1955, Document 520783, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128713, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Construction of Sanitary Sewer in Kearney Mesa Road, in Lot 78 Rancho Mission of San Diego, Document 520731; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128714, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Construction of Sunset Point Sanitary Sewers, Pump Station and Appurtenances, Document 520730; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, submitting resolution authorizing City Manager

9/27/55

to enter into contract with International Business Machines Corporation for conversion of meter and service record procedure to IBM process, and letter from Director, Water Department explaining necessity for conversion, was presented.

RESOLUTION 128715, authorizing and directing City Manager to enter into contract with International Business Machines Corporation, whereby corporation will agree to covert procedure now followed by Department of Water in recording records of meters and meter service from hand-posted process to that of mechanical system afforded by machines of the International Business Machines Corporation now used by the City for other accounting purposes, at a cost not to exceed \$3750.00 to be paid by the City upon conclusion of work by the corporation, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Resolution recites that City Manager has recommended that system be converted in the interests, and that the Manager advises it will be cheaper to have conversion take place under direction and supervision of and with labor furnished by International Business Machines Corporation than it would be to have it done by city forces.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of Clairemont Vista Unit 1, a 105-lot subdivision of portion Pueblo Lot 1228, was presented.

RESOLUTION 128716, suspending Sections 102.07-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Vista Unit No. 1, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Vista Unit 1, located in northeasterly section of Clairemont, adjacent to Clairemont Unit 9, subject to 14 conditions, was presented.

RESOLUTION 128717, approving Tentative Map of Clairemont Vista Unit 1, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Arnold Knolls Annex, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 128718, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute contract with O. D. Arnold & Sons, a co-partnership, for installation and completion of unfinished improvements and setting of monuments required for Arnold Knolls Annex Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128719, adopting Map of Arnold Knolls Annex, a resubdivision of Lots 4 and 5 Block 5, Lots 3 through 17 Block 4, Lot A, Lot C, Lot D, Lots 1 through 7 Block 7, Lots 9 through 17 Block 7, all Block 6 - all in Ravenna Park Unit 1 - accepting on behalf of the public public streets and unnamed easements shown on the map: Fir Street, Friedrich Drive, Petra Drive and Vienna Street, 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 streets and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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

RESOLUTION 128720, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Cameron Bros. Land and Real Estate, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Mesa Park Unit No. 2 subdivision; directing City Engineer to present an ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128721, adopting Map of Mesa Park Unit 2 Subdivision, a subdivision of portion of west half of Pueblo Lot 1215; accepting on behalf of the public Atlas Street, Budd Street and Beal Street and unnamed easements shown for public purposes; declaring them to be unnamed easements, public streets and unnamed easements dedicated to public use; rejecting as a dedication for public streets, the land shown as "Reserved for future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public as dedicated on the map, and that the Council rejects the dedication of portions marked "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Rasonia Estates (previously approved, and re-approved, as Tentative Map), subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 128722, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, contract with Louise L. Cosgrove, H. C. McNeil and Bettina E. McNeil, for installation and completion of unfinished improvements and setting of monuments required for Rasonia Estates subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128723, adopting Map of Rasonia Estates Subdivision, a subdivision of portion Lot 67 Rancho Mission of San Diego; accepting on behalf of the public ~~the public street~~, portions of public streets, named and unnamed easements shown on map, together with any and all abutter's rights of access in and to Alvarado Canyon Road adjacent and contiguous to Lot 1, and Lots 7 through 20 inclusive: Airose Avenue, portions of Adelante Avenue and Pennsylvania Avenue, named and unnamed easements together with any and all abutter's rights of access in and to Alvarado Canyon Road adjacent and contiguous to Lot 1 and Lots 7 through 20 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, portions of public streets, named and unnamed easements as dedicated on map, together with all abutter's rights of access in and to Alvarado Canyon Road, 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 Curran, seconded by Councilman Kerrigan, adopted.

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

Mr. Curran said that O. B. Randall, representing Encanto, was here, and that he had a letter.

Mr. Randall said that the letter, addressed to Councilman Frank Curran, dated September 26, 1955, signed by Henry S. Boyd "President, Recreation Committee", was presented to the Council and read by the Clerk. Attached was a document entitled "Future Projects", bearing 27 signatures. The letter asks, in behalf of the Encanto Recreation Committee, that the Encanto Playground be restored to a principal area. It says that the playground is now being utilized in the evenings by children from Lomita Village, Chollas View, Beverly Hills, Valencia Park and Encanto as well as by the Encanto children during the afternoons. In addition to a detailed explanation of the existing situation, it states that there is need of supervision and additional staff assigned to a principal area would provide 5 items outlined. The letter concludes by stating that the Recreation Committee urges the Council to favorably consider the requested change of status for the Encanto Playground.

Councilman Curran said that this would involve a transfer of personnel to be done Thursday. He said he wants this referred to the City Manager.

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

Mr. Randall told the Council that the letter is from the Recreation Committee, which he was authorized to come down - and protest. He said "the entire community is up in arms". He said that there was not time for a formal protest.

Mayor Dail said that the Council adopted a budget "calling for so much recreation", but did not order a specific program. He stated that Encanto is entitled to greater recreational activity.

Mr. Randall said that the item has been overlooked. He told the Council that 3 years ago Encanto was listed as a principal area. He asked why it had been taken away from a principal area "to this".

Mayor Dail asked if Councilmen had been notified of this.

Mr. Randall said there was no notification until last night.

Mayor Dail spoke of need to check for liaison. He said that he (and the City Manager) went to Washington regarding a bad procedure. He said that he thinks there should be a reverse of that situation. The Mayor said that there is need to go out.

Councilman Kerrigan moved to refer this item to the City Manager - for report on Thursday.

The roll was called on the earlier motion, for reference to the City Manager, with the addition of the motion for report on Thursday.

Communication from Planning Commission, by P. Q. Burton, forwarding communication dated September 14, 1955, signed by J. E. Padgett, who is a member of the City Planning Commission, was presented. It states that the communication was read at the joint meeting of the City Planning Commission and the County Planning Commission on September 16, 1955, and that it was again considered by the Planning Commission at its regular meeting on September 21, 1955. It reports that the Planning Commission voted unanimously that it endorsed the statements contained in the communication, and ordered that it be forwarded to the City Council for consideration in connection with problems involved in development of Kearney Mesa.

Councilman Burgener requested that Mr. Padgett's communication be read. It was read to the Council by the Clerk.

Mayor Dail said that it is good, and pertinent. He stated that the study is going on now.

Councilman Burgener moved that the communications be referred to the airport, etc., study file.

RESOLUTION 128724, referring communication from J. E. Padgett on Industrial Development Plan for Kearny Mesa Area, to the "Airport Study File", was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

(The documents are being sent to Council Conference, where the study is being made - together with consulting service).

Communication from Planning Commission, by P. Q. Burton, attaching plat showing tract called Rancho Hills South, annexed to the City as of August 15, 1955 - not now zoned - was presented. It reports area adjacent to the Paradise Hills and Tres Lomas areas, which are zoned R-1. It states that there are approximately 470 acres of uninhabited territory involved. It says that inasmuch as some is subdivided, some is being subdivided and there are several ownerships in the area, the Commission thought it should be zoned as soon as possible. It reports that at meeting of September 21, 1955, the Commission voted 4-0 to recommend emergency property use regulations identical with R-1 regulations contained in the Municipal Code.

RESOLUTION 128725, requesting City Attorney to prepare and present ordinance for emergency property use regulations for newly-annexed territory - Rancho Hills South in Rancho de la Nacion - regulations to be identical with R-1 zone regulations, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from City Manager reporting on trash cans on City streets, was presented. (Item had been listed on agenda by request, but was not here by the time of writing the minutes. Manager's office stated that it will arrive).

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

Communication from the Civil Service Commission, by Wm. P. Elser, president, dated September 20, 1955, was presented. It requests approval for attendance of Lew Fay, Assistant Personnel Director. It states that Mr. Fay has been invited to direct a panel discussion on sick leave policies and control and report on San Diego's excellent program, which has received wide attention in the field of public administration.

On motion of Councilman Kerrigan, seconded by Councilman Williams, it was referred to the City Attorney for the necessary resolution.

Communication from Eric Draper, of Eric Draper Travel Agency, 1258 5th Avenue, San Diego 1, local correspondent for Thos Cook & Son, Inc., dated September 21, 1955, was presented. It solicits business on tickets and hotel reservations for members of the City government, and recites experience in the travel business in San Diego. It concludes "Get in the habit of calling BE 9-0249, first, the tickets will be in your hands in twenty minutes, hotel reservations are obtained by direct wire or phone and it only takes this long to get you what you want".

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

Communication from Ed Fletcher, Ed Fletcher Company, 1020 - 9th Avenue, dated September 21, 1955, was presented. It says "as you know, our splendid engineer, A. D. Edmonston, is about to retire". It asks the Council to pass a resolution of appreciation as well and hopes that the Council will do so.

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

Communication from Musicians' Association of San Diego County, Local 325 American Federation of Musicians, 1154 12th Avenue, San Diego 2, dated September 21, 1955, signed by Chas. D. Safford, was presented.

It advises the Council that Edward B. Wheeler, president of Local 325 has been appointed to serve on the new City-County Music Commission. It expresses appreciation of interest and support of the important civic and cultural public service.

Mayor Dail spoke of there having been notification.

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

Communication from Aaron W. Reese, Deputy City Attorney, dated Sept. 22, 1955, giving opinion on claim of Harold V. Rains - Damage resulting from sewer stoppage - was presented. (The item was before the Council on September 22, 1955. A resolution was on that agenda authorizing City Attorney to settle claim of \$290.27 for \$180.00). Mrs. Rains talked to the Council on the subject, that day, at great length - and the item was referred to the City Attorney for report to the Council today).

The communication from the Attorney's office, which goes into the claim in considerable detail, says that it is the usual procedure that claim be denied. It states "However, one fact that is present in this case that we felt was sufficient to distinguish it from others is that the Sewer Department had not instituted periodic

periodic cleaning of the sewer main in question prior to this accident'. The letter concludes by saying that items claimed by Mr. Rains are purely speculative, and the City has no legal authority to pay speculative claims. It says that after reviewing the matter at the request of the Council, it is the opinion, considering all of the facts, that \$180. is an equitable amount to offer as a compromise of the claim, and that they are unable to approve any amount in excess of \$180.00.

Councilman Burgener said that the Council has the Attorney's report. He asked if there is any legal position if there is not agreement with the City Attorney.

City Attorney J. F. DuPaul said that if claimant does not agree with the City Attorney, he should go to court.

Mayor Dail said that the Council is not in a position to negotiate a claim. He said that Council could deny all claims, but it would then be said that the Council was unfair.

Mrs. Rains said that there are certain erroneous statements in the (attorney's) report. She said that she thinks it is somewhere between the 2 statements. She spoke of rusted furnace, but that Mr. Severson (City's claims agent) states that, arbitrarily, it is in good condition. She asked to withdraw the bid on the claim. She said it has been stipulated that they can't do the work.

The Mayor stated that the Council can't pass on the evidence.

Mrs. Rains stated that they should have gone to court with the claim, but that they could not afford to.

Mr. DuPaul said that it is still not too late.

The Mayor said that item 51 on today's agenda authorized the City Attorney to settle. He repeated that the Council is not in a position to pass on the evidence.

Mrs. Rains told the Council that she is emotional. She stated that the City has misrepresented, and will not give an estimate. She told about the many items involved, and about the \$180. settlement. She said she appreciates that the City has an attorney to protect it, but that she is stuck.

Councilman Burgener said that the 2 items on the agenda are related.

Mrs. Rains said that the Attorney hires his agents. Her husband was told they would be paid for the cleaning, but she would not be paid. She said that the neglect was on the part of the City for not opening the sewer valve. Mrs. Rains said that she figures they can't refuse, on account of not offending.

Councilman Burgener said he has another idea; claimants can go to court - after motion had been made by Councilman Kerrigan, seconded by Councilman Curran to file the matter.

Roll was called on the motion to file.

The Mayor said that if they go to court, he thinks they have a good case. There was no further action.

At this time a majority of the members of the Council signed undertakings with San Diego Gas & Electric Company:

San Diego Lighting District No. 1;
Collwood Lighting District No. 1.

RESOLUTION 128726, directing notice of filing of Assessment 2398 to cover costs and expenses of paving and otherwise improving Alley Block 14 City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128727, directing notice of filing of Assessment 2399 to cover costs and expenses of paving and otherwise improving A Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128728, directing notice of filing of Assessment 2400 to cover costs and expenses of paving and otherwise improving Akron Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128729, directing notice of filing of Assessment 2402 to cover costs and expenses of paving and otherwise improving Everts Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128730, directing notice of filing of Assessment 2401 to cover costs and expenses of paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5, 6 Block 28 Fairmount Addition to City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 128731, accepting bid of John B. Henry, and awarding contract for paving and otherwise improving Alley Block 241 Pacific Beach, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 12.9% below estimate.

RESOLUTION OF AWARD 128732, accepting bid of Daley Corporation, a corporation, and awarding contract 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 Curran, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 3.9% below estimate.

RESOLUTION OF AWARD 128733, accepting bid of M. H. Golden Construction Company, a corporation, for paving and otherwise improving Quince Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 0.8% above estimate.

RESOLUTION OF AWARD 128734, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract for paving and otherwise improving T Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 5.5% above estimate.

RESOLUTION 128735, approving plans, drawings, typical cross-sections, profiles and specifications for grading and sidewalking of Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Wilk Place, and 54th Street; approving Plat 2769 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 Kerrigan, adopted.

RESOLUTION 128736, approving plans, drawings, typical cross-sections, profiles and specifications for installation of ornamental street lighting system in Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, A Street, B Street and C Street; approving Plat 2693 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 Kerrigan, adopted.

RESOLUTION ORDERING WORK 128737, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 128738, for paving and otherwise improving Alley Block 217 Pacific Beach, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 128739, for paving and otherwise improving Alley Block 80 Point Loma Heights, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 128740, 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 ORDERING IMPROVEMENT 128741, for furnishing electric current in Five Points Lighting District 1, for 11 months and 27 days from and including August 5, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 128742, for furnishing electric current in Mission Beach Lighting District 2, for 11 months and 15 days from and including August 17, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 128743, for furnishing electric current in Ocean Beach Lighting District 1, for 11 months and 18 days from and including August 14, 1955, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT 128744, for furnishing electric current in University Avenue Lighting District 1, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT 128745, for furnishing electric current in University Avenue Lighting District 3, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128746, for paving and otherwise improving Alley Block 281 Pacific Beach, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 128747, for ~~for~~ paving and otherwise improving Groveland Drive, San Jacinto Drive and Castana Street, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128748, for grading and sidewalk-ing Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Silk Place, 54th Street, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128749, for installation of ornamental street lights in Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, A Street, B Street and C Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128750, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Pacific Beach Lighting District 2, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128751, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128752, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block C Belmont, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128753, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128754, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 72 City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128755, 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 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, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128756, adopting recommendation of City Engineer, Document 520543; authorizing City Engineer to amend proceedings for improvement of Block 8 Clifton Addition, and Block 16 Bungalow Park Addition, in accordance with recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128757, granting petition, Document 520693, for energizing Ornamental Lighting Standards 9280, 9281 and 9282 on Monmouth Drive, in Pacific Beach Lighting District 1; directing City Engineer to include in next year's contract the addition, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Harbor Commission, by Carl F. Reupsch, enclosing form of Agreement for Amendment of Martinolich Shipbuilding Company tideland lease, was presented. It reports increase of water area by approximately 48,000 square feet to provide for extension of pier to handle larger vessels - with rental increased proportionately.

RESOLUTION 128758, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 1, Document 520860, entered into between The City of San Diego acting by and through the Harbor Commission, as Lessor, and Martinolich Shipbuilding Company, a California Corporation, as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Harbor Commission, by Carl F. Reupsch, enclosing form of Agreement for Amendment to Shelter Landings, Inc. lease, was presented. It reports amendment postpones for 1 year effective date of small water area; original effective date for parcel was 15 December 1955, which has been modified to 15 December 1956.

RESOLUTION 128759, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 3, Document 520863, entered into between The City of San Diego acting by and through the Harbor Commission, as Lessor, and Shelter Landings, Inc., a California corporation, as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128760, authorizing and empowering City Manager to do all work in connection with replacement and installation of 2 radio consoles and an equipment rack at Fire Alarm Headquarters, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128761, authorizing City Manager to employ A. R. Kingaard to reconstruct termination of Alley Block 37 Resubdivision of Blocks H and I Teralta at Orange Avenue, consisting of 227 square feet of paving removal and replacement with 5-inch Portland cement concrete paving; cost of work not to exceed \$134.47, payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128762, authorizing City Manager to execute for and on behalf of the City of San Diego written permit contract dated September 6, 1955, wherein San Diego and Arizona Eastern Railway Company, for \$10.00 and covenants in the permit to be performed by the City, permits the City to construct and maintain storm drain cleanout on railroad property located at point near where 47th Street of the City crosses the railroad right of way; provided that permit may be cancelled by either party on 30 days' written notice to the other party, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128763, authorizing and empowering City Manager to execute for and on behalf of the City, an agreement with Virginia Moore, owner and operator of Virginia Moore Collection Agency, 3725 Mission Boulevard, whereby the agency agrees to collect and receive payment of City water bills in behalf of The City of San Diego and issue receipts for such payments, the City agrees to pay agency 6.8¢ per bill collected; agreement to take effect as of first day of October, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 128764, authorizing and empowering City Manager to execute, for and on behalf of the City, lease agreement with Library Association of La Jolla, leasing to the City for 5 years for branch library purposes premises in La Jolla, Document 519636 filed as form of lease agreement in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128765, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement with Mission Bay Yacht Club, agreement filed as Documents 390000 and amended by Document 466772, which is being further amended to increase premises covered by the lease, Document 521046 filed as form of amendment to lease agreement in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128766, authorizing and empowering City Manager to execute, for and on behalf of the City, Freeway Agreement with State of California Department of Public Works for construction of portion of freeway between Coutts Street and 0.3 mile south of Washington affecting City streets, under mutual terms and conditions, Document 521047 filed in office of City Clerk for mutual terms and conditions, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128767, authorizing and empowering City Manager to issue requisition against funds appropriated by Ordinance 6348 (New Series) in amount of \$200.00, to pay City's share of cost of grading westerly one-half of Highland Avenue, between Maple and Olive Streets, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128768, consenting to Conditional Sale Contract between Shell Oil Company and C. P. Sikes and Garrick O'Bryan, upon terms and conditions of Consent and Agreement attached to Conditional Sale Contract, authorizing City Manager to execute the Consent, Document 521048 filed in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128769, authorizing and directing San Diego Gas & Electric Company to install 6000 lumen overhead street light at Ozark north of Imperial Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128770, authorizing City Attorney, on behalf of The City of San Diego, in action entitled "Dass Construction Co. of San Diego, a corporation, Plaintiff, vs. City of San Diego, a Municipal Corporation, Does I to X inclusive, Defendants", No. 200115, now pending in Superior Court of State of California, in and for County of San Diego, to file stipulation that upon recordation of final map of Kolgra Manor subdivision, decree may be entered quitting title against The City of San Diego in and to portion Lot 4 and south 4 acres Lot 5 Wadsworth's Olive Grove, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128771, approving request of Walter H. Barber, September 12, 1955, Change Order 1, for extension of 30 days to and including October 12, 1955, Document 520878, in which to complete contract for installation of utilities, De Anza Point Comfort Station, contract Document 514566; completion extended to October 12, 1955, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128772, approving request of O. C. and R. E. Maurer, September 19, 1955, Change Order 1, for extension of 30 days to and including October 19, 1955, Document 521049, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128772, approving request of . . . and R. E. Maurer, September 19, 1955, Change Order 7, to extension of 30 days to completion of October 19, 1955, Document 520879, in which to complete contract for construction of 5 houses and garages for Water Department, contract Document 511175; extending completion time to October 19, 1955, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128773, approving Change Order 7, September 15, 1955, Document 520881, issued in connection with contract between City of San Diego and Rogers Construction Company for construction of San Vicente Aqueduct Connection, contract Document 502828; changes amounting to increase of approximately \$2,072.25, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128774, granting revocable permit to Edna Starr Bauer, 695 Wrelton Drive, San Diego, to construct and maintain chain link, picket or wire net fence 100 feet in length, paralleling west boundary of Lots 1 and 2 Ocean Villa Tract, Pacific Beach, and 12-1/2 feet from line at both north and south ends of fence, in portion of old street car right of way, adjacent to lots, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128775, granting revocable permit to Alden M. Farris and Lulu Farris, Route 1 Box 47, Campo, California, to install and maintain 3 sets of steps for use and benefit of owner's property: Lots 39 and 40 Block 232, over, under and across sidewalk located at 4403, 4405, 4407 and 4409 Everts Street, Pacific Beach, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128776, granting revocable permit to Lillian Pearl, Bertha Moskowitz and Union Title Insurance & Trust Company, Guardian of Estate of Max Pearl an incompetent person, 420 San Diego Trust & Savings Bldg., San Diego 1, to install and maintain private electric service conduit for use and benefit of owner's property: Lots 1 to 24 Block 99 San Diego Land & Town Company's Addition, under alley Block 99 San Diego Land & Town Company's Addition, to pole in alley between Main Street and Newton Street, south of Sicard Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128777, congratulating W. Allen Perry on his election to Presidency of American Institute of Park Executives, expressing pride in honor bestowed upon an employee of the City in recognition of his many years of faithful and efficient services, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The Resolution says that Mr. Perry has recently at Louisville, Kentucky, been elected President of the Institute, that he is the retiring Vice President, that he has faithfully, efficiently, and honorably performed duties of Park Superintendent of the City of San Diego for many years.

RESOLUTION 128778, approving claim of R. E. A. Grayner, Document 497817 in amount of \$437.85; authorizing City Auditor & Comptroller to draw warrant in favor of R. E. A. Grayner, 3701 Voltaire St., San Diego, in full payment of the claim.

RESOLUTION 128779, approving claim of Donald C. Micklish, Document 520350 in amount of \$118.76; authorizing City Auditor & Comptroller to draw warrant in favor of Donald C. Micklish, 6530 Zena Drive, San Diego 15, in full payment of claim, was on motion of Councilman Kerrigan, seconded by Evenson, adopted.

RESOLUTION 128780, authorizing City Attorney to settle \$290.27 claim of Harold V. Rains, 4432 Milton St., San Diego 10, Document 5185 71, for \$180.00; directing City Auditor & Comptroller to draw warrant in favor of Harold V. Rains in amount of \$180.00 in full settlement of claim, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128781, denying claim of Louise C. Ash, Document 518567, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

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

On motion of Councilman Kerrigan, 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 the Council prior to day of passage written or printed copy.

ORDINANCE 6676 (New Series), appropriating \$83,955.50 from 1952 Storm Drain Bond Fund (No. 716) for providing funds to pay City's share of cost of constructing storm drain in Reynard Way area near Curlew Street and Reynard Way, approximately from northerly line of Pennsylvania Avenue to Nutmeg Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

On motion of Councilman Kerrigan, 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 written or printed copy.

ORDINANCE 6677 (New Series), appropriating \$15,000.00 from Unappropriated Balance Fund to pay City's share of cost of improvements under 1911 Street Improvement Act, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

ORD. 6778 - On motion of Councilman Evenson, seconded by Councilman Burgener, Ordinance appropriating \$1400.00 from Capital Outlay Fund for installation of permanent street signs of a substantial character at various locations in the City, was ~~on motion of Councilman Evenson, seconded by Councilman Burgener~~, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

Introduction was on motion of Councilman Evenson, seconded by Councilman Burgener.

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

On motion of Councilman Burgener, seconded by Councilman Evenson, Ordinance appropriating \$1,200.00 from Unappropriated Balance Fund to pay street lighting assessments, was introduced.

On motion of Councilman Burgener, 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 written or printed copy.

ORDINANCE 6679 (New Series), appropriating \$1,200.00 from Unappropriated

Balance Fund to pay street lighting assessments and other utility charges against City-owned property, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Schneider.

On motion of Councilman Curran, seconded by Councilman Evenson, Ordinance authorizing leasing portions of Pueblo Lots 1315, 1316, 1317, 1318, 1319, 1321, 1322 and 1351 for agricultural purposes - at annual rental of \$673.00 for period of 5 years commencing September 1, 1955 - property has value of \$300,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, introduced, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilman Schneider.

The Mayor asked if anyone was present on any docket items.

A man arose at the back of the Council Chamber, and told the Council that he was interested in the matter of the rock for the 10th Avenue Marine Terminal. (The item upon which there had been considerable controversy regarding the possibility of using Mexican rock in the construction).

The Mayor stated that the item was not to be considered at this meeting; there was a meeting set for 2:00 P.M. in conference with members of the Harbor Commission today.

The man who had addressed the Council introduced the group of men who accompanied him, but their names were not understood.

The Mayor welcomed Roscoe Porter who was attending the meeting.

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

RESOLUTION 128782, urging the State Director of Public Works to include in the State budget for the 1956-58 biennium \$7,353,000 for the beginning of certain phases of work on the Feather River, including purchase of rights of way and certain lands; authorizing and directing City Clerk to forward to State Director of Public Works a certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

(By request of the Water Department, copies were forwarded to it, for transmittal to the State).

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

RESOLUTION 128783, authorizing Councilman George Kerrigan to attend hearing of Water Projects Authority to be held in Sacramento, California, October 4, 1955, and also attend hearings of Feather River Project Association to be held in Bakersfield, California, October 6, 7, 8, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128784, authorizing and directing Paul Beerman, Director of Water Department of The City of San Diego, to attend hearing of Water Projects Authority to be held in Sacramento, California, on 4th day of October, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, 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 OF INTENTION 128785, for closing portion of Evergreen Street, was on motion of Councilman Williams, 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 128786, authorizing and directing the City Manager, on behalf of the City, to apply immediately to the Division of Highways of the State of California, requesting the bureau to take over as a part of the state arterial highway system the parallel Route U.S. 395 (State Route 77) on 10th Avenue between Ash Street and Market Street, pursuant to provisions of Section 111.5 of the Streets and highways Code of the State of California, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Resolution says that in order to properly safeguard and handle traffic now flowing through the City from North to South by way of Cabrillo Freeway, which traffic southbound from Ash Street to Market Street is routed as 1-way traffic on 10th Avenue, it is necessary that the City spend a considerable sum of money in improving traffic control by master control signal system, etc. It says, also, that the Council is of the opinion that it is only fair, just and equitable, as Cabrillo Freeway is a state highway, that 10th Avenue between Ash and Market should also be taken over as a portion of the state arterial highway system, and expense of maintenance be borne from now on by the State of California.

(By request, all copies of the resolution were sent to the City Manager for transmittal to the State).

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. Headstrom
Deputy

Elmer W. Bergen
Vice Mayor of The City of San Diego, California

9/29/55

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, September 29,
1955

Present--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson
Absent--Councilman Schneider, Mayor Dail (The Mayor was welcoming, in behalf of the City
of San Diego delegates of the Governmental Research Association).
Clerk---Fred W. Sick

Resolutions and Ordinances are recorded on Microfilm Roll 102

Vice Mayor Clair W. Burgener called the meeting to order at 10:06 o'clock
A.M.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing
on Planning Commission's recommendation for denial of Tentative Map of Grade Manor - a
subdivision of portion of Pueblo Lot 1215 located at Beagle and Atlas Streets, referred
back to the Planning Commission by the Council, the Vice Mayor stated that request had
been received for postponement.

(Letter from First Brethren Church, 1828 El Cajon Blvd., San Diego 3 (not
dated, but received shortly prior to this meeting) requesting that public hearing on the
map be indefinitely postponed because of submission of another map, was in the Clerk's
file).

This hearing, which had been set for this time, was at the suggestion of
the Planning Department, and by request of Bertram Comparet, attorney.

Mr. Comparet said that a definite hearing, not too soon, would be satis-
factory. He said that 1 month would be allright.

Councilman Kerrigan told those interested in the proposed subdivision that
it would not be prejudiced by Council filing.

Councilman Kerrigan moved to file all the papers on the subject. Motion
was seconded by Councilman Curran.

City Attorney J. F. DuPaul said that it would be safer if continued to
a definite date.

Mr. Comparet then suggested 2 weeks.

Councilman Kerrigan moved to continue the subject for 2 weeks (although
motion to file was still on the floor). Motion was seconded by Councilman Curran.

Councilman Williams said that both sides should be heard.

Roy Cleator, attorney for Dr. Roberts, asked that this be settled 1 way
or the other. He told the Council of having been down 4 times before the Planning Commis-
sion.

The Vice Mayor asked Mr. Cleator if he was in opposition to the subdiv-
ision.

Mr. Cleator's reply was "yes".

Asked by the Vice Mayor how many persons were interested, 4 persons
raised their hands.

Mr. Cleator said that there have been hearings....

Councilman Kerrigan stated that this is the tentative map; there is nothing
to prevent filing other tentative maps. He said they can do so every week, if they want.

Mr. DuPaul said that he was under the impression that this was a zoning
matter.

Councilman Kerrigan repeated that there is nothing to prohibit filing a
tentative map.

Vice Mayor Burgener said that they "can re-apply".

Mr. DuPaul said that it would be better for Mr. Cleator if he knows when
it is to come up.

Mr. Cleator told the Council that he understands the procedure. He said
that the same map would be frowned upon. He said that it is inconvenient to announce
continuances.

Meeting convened
Hearing (re Grace Manor)

Councilman Kerrigan told Mr. Cleator that it does not prejudice the case to have the Council file the documents.

Mr. Comparet said that if this comes to a hearing, he would ask the Council to override the Planning Commission. He said that he doesn't want to be told that they "have ruled".

Councilman Kerrigan spoke to Mr. Comparet.

Councilman Curran wondered if they could come back in 2 weeks.

Mr. Comparet said that he will know in 2 weeks.

RESOLUTION 128787, "filing" the matter of filing of a Tentative Map of Grace Manor, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Kerrigan, Curran, Evenson. Nays-Councilman Williams. Absent-Councilman Schneider, Mayor Dail.

The next 2 hearings - on proposed rezoning in Braemar (which had been continued) and proposed rezoning in portion Lot 19 Rancho Mission for "San Diego Shopping Center" - were continued, awaiting the arrival of the Mayor.

Report of Purchasing Agent on low bid of Griffith Company for improvement of Anchorage Lane, Canon to Talbot Streets - \$7,994.95; 6 bids, was presented.

(Report says that estimated cost was \$7,790.00.)

RESOLUTION 128788, accepting bid of Griffith Company for improvement of Anchorage Lane; 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 Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent on low bid of Raymond D. Haas for construction of 28th Street Pier Cafe and Landing Building, Foot of 28th Street - \$35,667.00; 5 bids, was presented.

RESOLUTION 128789, accepting bid of Raymond D. Haas for construction of 28th Street Pier Cafe and Landing Building, Foot of 28th Street; 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 Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of W. V. Hutchison Co., Inc., for Small Water Main Replacements, Group 23 - \$103,887.55; 3 bids, was presented.

RESOLUTION 128790, accepting bid of W. V. Hutchison Company for Small Water Main Replacements, Group 23; 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 Curran, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Squires-Belt Material Co. for furnishing 900 sacks Cement for Dulzura Conduit Flooring (and Turnouts) - \$1,019.70 net, was presented.

RESOLUTION 128791, accepting bid of Squires-Belt Material Co. for furnishing cement; 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.

RESOLUTION 128792, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Extension of Sanitary Sewer at Foot of 28th Street, Document 521045; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128793, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Construction of Wood Fence for TVOR Station at Lindbergh Field, Document 521044; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communications from the Planning Commission, recommending suspension of portions of Municipal Code, and approval of Tentative Map of San Diego Shopping Center - 65-acre subdivision of portion Lot 19 Rancho Mission ("San Diego Shopping Center"), were held awaiting the hearing at the end of this meeting.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of portion Pueblo Lot 1785, a 4-lot subdivision, was presented.

RESOLUTION 128794, suspending Sections 102.07-2, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of portion Pueblo Lot 1785, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of portion of Pueblo Lot 1785, a 4-lot subdivision, located within R-1C Zone on southerly side of Alta Vista Street, westerly of Soledad Road in Soledad Terrace, area, was presented. It states that some 2 years ago the Commission adopted a community plan for the area, and the Tentative Map generally conforms with the plan. It recommends approval, subject to 9 conditions.

RESOLUTION 128795, approving Tentative Map of Portion of Pueblo Lot 1785, subject to conditions of the Resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Application of Nickolas J. Johnson, 2221 Morena Boulevard, for Cabaret license at the Silver Spigot, was presented, together with recommendations for approval.

RESOLUTION 128796, granting permission to Nickolas J. Johnson to conduct cabaret with with paid entertainment at "Silver Spigot", 2221 Morena Boulevard, 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.

There was listed on the agenda a report from the City Manager on communication from Encanto Recreation Committee relative to Restoration of Encanto Playground to a "Principal Area", by direction of the Council (it had been presented by unanimous consent September 27, 1955). Although the report did not arrive (since continuance it was shown), the Council on motion of Councilman Curran, seconded by Councilman Evenson, referred the subject to the Mayor for reply to Henry S. Boyd, who represented the Recreation Committee of Encanto.

Communication from R. G. Baker, 3552 30th Street, dated September 23, 1955, referring to previous reply received from the Assistant City Manager on petition in connection with moving school crossing from 30th & Capps Streets, was presented. It recites conditions in the area, and says that as a result of parking businessmen are inconveniences and hardship is caused. In addition to a detailed presentation, it concludes "Surely our problem has merit and should not be dismissed so lightly by the manager's office and the Police Traffic Division".

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

Communication from H. W. Barnes, 4701 Valencia Drive, San Diego 15, commenting on proposed annexation of land to the San Diego Unified School District in Rolando area - which was recently annexed to City of San Diego - was presented. It asks a great many questions regarding taxes, etc.

On motion of Councilman Williams, seconded by Councilman Kerrigan, it was filed (in that proposed annexation, as noted, would be to the School District).

Communication from Mr. & Mrs. John A. Bate, 745 Windemire Court, San Diego 8, dated 9/26/55, was presented. It requests removal of Roller Coaster from Mission Beach Amusement Center.

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

Communication from Better Business Bureau of San Diego, Ltd., by Cecil S. Candler, Assistant Manager, was presented. It attaches copy of San Diego's ordinance 6665 New Series regarding Auction Sales. The letter of transmittal, copies sent apparently to Mayors and Chambers of Commerce, generally, was read.

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

Communication from Mrs. F. E. Nottie, 219 N. Ozark St., San Diego 2, dated Sept. 26, 1955, complaining of experience regarding garbage collection, was presented.

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

Communication from residents requesting the Council to revoke permit to build and conduct a "Supermarket" type operation in RC zone, bordered by Talbot St., Catalina Blvd., and Canon, was presented. It requests that variance to use the R-1 zone contained in the RC zone be denied since granting variance would encourage further building in the now RC zone which would make for even more of a parking problem in the future.

On motion of Councilman Curran, seconded to Councilman Kerrigan, it was referred to "the file".

Communication from Fred H. Kraft, chairman, Senate Interim Committee on Bay Development and Small Boat Harbors, relative to meeting set October 10, 1955 at 9:30 A.M. in Council chambers at the Civic Center, and representation by the City, was presented.

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

(When asked by A.M.W., the City Manager's secretary stated that City Manager had replied to identical letter).

Communication from Harbor Commission, by Carl F. Reupsch, dated 26 September 1955, attaching for approval form of lease to be entered into with C.A.A., covering area of 2255 square feet near west end of Lindbergh Field to be used as site for erection and maintenance of TVOR station - for term of 11 months with annual options to renew to June 30, 1966, was presented. It states consideration for granting lease is to maintain and operate station by United States Government.

RESOLUTION 128797, ratifying, confirming and approving lease of lands located on tidelands with United States of America; Civil Aeronautics Administration, Document 521029, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128798, authorizing and empowering Harbor Commission to execute, for and on behalf of The City of San Diego, contract with Willis L. Lipscomb, Consulting Engineer, for services in preparing plans and specifications for installation of lighting system along existing runways and taxiways on Lindbergh Field, and for furnishing other necessary professional services and advice in connection with proposed airport lighting installation, at cost not to exceed \$5,000.00, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Record of Survey Map of portion Lots 17 & 18 Block 17 Alhambra Park, was presented.

RESOLUTION 128799, 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128800, authorizing City Manager to accept work on behalf of The City of San Diego in College View Estates Unit 4 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128801, authorizing City Manager to accept work on behalf of The City of San Diego in College View Estates Unit 5 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128802, authorizing City Manager to accept work on behalf of The City of San Diego in Delta Heights Annex Unit 1 Subdivision and execute Notice of Completion, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128803, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:
Bacon Street between Niagara Avenue and Narragansett Avenue;
Niagara Avenue, between Bacon Street and Cable Street;
authorizing installation of necessary signs and markings; rescinding any resolution or part of resolution in conflict, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128804, establishing parking time limit of 36 minutes, between 8:00 a.m. and 6:00 p.m., Sundays excepted:
South side of G Street, between India Street and Kettner Boulevard;

establishing Parking Meter Zone; directing City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128805, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street*at each of 9 locations, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.
*light

RESOLUTION 128806, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 8 locations, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128807, authorizing City Manager to employ Griffith Company to import and compact 170 cubic yards of fill to raise grade of easterly portion Calle del Oro, and remove and replace 29 lineal feet of curb, and construct 400 square feet of 2-inch A.C. pavement on a 6-inch plant mixed cement treated base, together with necessary subgrade preparation - cost not to exceed \$403.70 payable from Ordinance 5341 New Series - was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution refers to 1911 Street Improvement Act proceedings for improvement, necessity to do the added work, and that Griffith Company, contractor, has offered to do the work and City Manager has recommended acceptance and work be done.

RESOLUTION 128808, authorizing City Manager to employ Griffith Company to remove 54.43 lineal feet of curb and 15 square feet of paving, and construction of 30.60 lineal feet of 6-inch curb, 44.46 lineal feet Type G curb, 29 square feet of return segment and 5 square feet of sidewalk at Morrell Street and Hornblend Street; Morrell Street and Balboa Avenue; Morrell Street and Diamond Street and at Emerald Street and Noyes Street - cost not to exceed \$165.21 payable from Ordinance 5341 New Series - was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution refers to 1911 Street Improvement Act proceedings for improvement, necessity to do the added work, and that Griffith Company, contractor, has offered to do the work and City Manager has recommended acceptance and work be done.

RESOLUTION 128809, authorizing City Manager to employ Griffith Company to install 420 square feet of A.C. surfacing on portion Scott Street at Talbot Street, to make existing paving conform with new paving on Scott Street; cost not to exceed \$37.80 payable from Ordinance 5341 New Series - was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Resolution refers to 1911 Street Improvement Act proceedings for improvement, necessity to do the added work, and that Griffith Company, contractor, has offered to do the work and City Manager has recommended acceptance and work be done.

RESOLUTION 128810, authorizing City Manager to execute, for and on behalf of The City of San Diego, an agreement with The Atchison, Topeka and Santa Fe Railway Company regarding automatic protection at Rosecrans Street, copy on file with City Clerk, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128811, authorizing City Manager to execute, for and on behalf of The City of San Diego, Agreement Amending Agreement dated August 29, 1955 filed as Document

520266 with Geological Diving Consultants, Inc., whereby contract is amended to provide for making bathythermogram survey in 2 possible sewer outfall sites in San Diego area, for which City agrees to pay \$1700.00, set forth in copy of amendatory agreement on file in office of City Clerk, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 128812, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease entered into December 30, 1953, between the City and Crown Air Charter Inc. leasing portion of Montgomery Airfield, amendment being for purpose of amending description of leased premises shown on Property Management Division Plat 147 as amended September 21, 1955, amendment filed in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128813, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions Blocks 6 and 10 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 Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128814, granting permission to Doyle Baird Plumbing Co. to install 1-1/2" copper pipe for 1-1/2" cast iron pipe in plumbing job at 2304 Paseo Dorado Street, La Jolla, California - copper piping to be not less than type M, subject to conditions of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128815, granting revocable permit to Harold Rand and S. A. Powell, 3830 West Camino Del Rio, San Diego, to install and maintain 3 1-inch water lines to be installed on east side of Galveston Street, between Jellet Street and Ingulf Street, to serve Lots 1 to 5 Block 101 Morena (2539-47 and 55 Galveston Street), was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128816, granting permission to St. Rita's Church, 5124 Churchward Street, San Diego 14, to erect and maintain for period commencing October 4, 1955, and ending October 11, 1955, a tent on grounds of the church near Euclid and Imperial Avenues, for annual church bazaar, on conditions of resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128817 - numbered here by request of City Attorney - but will be shown at end of these minutes where item was introduced under unanimous consent.

RESOLUTION 128818, granting D. VanDyk, 4138 Rolando Boulevard, San Diego, revocable permit to install and maintain sewer line along K Street east of 27th Street: Lots 1 and 2 Block 50 Olmstead & Low's Addition, 2704 to 2710 K Street, on conditions of resolution, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128819, reciting background of A. D. Edmonston, State Engineer, Chief of Division of Water Resources, who has indicated his intention to retire November 1,

1955, stating that he has devoted 14 years as engineer in connection with design and construction of hydraulic structures on various irrigation, hydroelectric and municipal water projects in California, that he was Assistant State Engineer from 1945 until February 1950 when he was appointed State Engineer of California; that as State Engineer Mr. Edmonston is Engineer and Secretary of State Water Resources Board conducting investigations for California Water Plan, that as State Engineer he is also Executive Officer of Water Project Authority of California and is member of District Securities Commission and State Water Pollution Control Board, and State Soil Conservation Commission and California Colorado River Boundary Commission, and California-Nevada Water Compact Commission and California Klamath River Commission, and has served as President of Association of Western State Engineers, and is individually a member of the American Society of Civil Engineers and National Engineering Honor Society, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The Resolution commends Mr. Edmonston for his many years of faithful and outstanding public service in interest of all people of State of California, particularly with reference to problems relating to water supply planning, and proposing solutions to the difficult problems connected therewith; authorizing Clerk to forward certified copy of Resolution to Mr. A. D. Edmonston.

(The Resolution, certified, was sent to the Mayor for transmittal).

RESOLUTION 128820, authorizing Roy Butler, Civil Defense Department, to attend Governor's Conference on Civil Defense and Disaster Preparedness, to be held in Sacramento, California, October 13 and 15, 1955; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128821, vacating easements for rights of way for water pipe line purposes in portions of property in City Heights Annex No. 1 Subdivision of Blocks 3, 6, 9, 12, and in Mountain View (all listed in the Resolution), was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution says that City of San Diego acquired easement and right of way for water pipe line purposes, that easements have not been used for purpose acquired for 25 consecutive years next preceding proposed vacation, that easements are unnecessary for present or prospective public use; that from and after date of order of vacation, title to land previously subject to easements shall revert to owners of land free from rights of the public.

RESOLUTION 128822, 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 The Pacific Telephone and Telegraph Company, a corporation, all its right, title and interest in and to all real property in portion Peach Avenue closed by the City, Resolution 125636, between Lot 1 Block 26 and Lot 4 Block 27 Rosedale; determining that in event it is necessary for The City of San Diego to use property involved, or other property involved, or other property adjacent thereto for airport purposes, the Company shall, after due notice, remove its facilities without cost to the City and terminate its easement, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128823, accepting deed of Warren Harrington, conveying his sole and separate property, executed November 18, 1954, conveying all portion Lot 2 Map of Subdivision of Pueblo Lot 1174, and portion Pueblo Lot 1173, License Survey #141, and portion Lot 4 E. W. Morses Subdivision, Map #103; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128824, accepting subordination, executed by Edward H. Brooks, beneficiary, and Security Title Insurance and Trust Company, a corporation, trustee, June 7, 1955, subordinating all right, title and interest in and to easement for right of way for construction, operation and maintenance of storm drain, or drains and appurtenances in Lots

2, 3, 4 Block 6 Idyllwild, and portions of Pennsylvania Avenue closed by Resolution 16360; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128825, accepting subordination agreement, executed by Herman S. Englander and Helen P. Englander, beneficiaries, and Land Title Insurance Company, a corporation, trustee, May 24, 1955, subordinating all right, title and interest in and to easement for right of way for construction, operation and maintenance of storm drain, or drains and appurtenances in portions of South 187.3 of Pueblo Lot 1123; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128826, accepting subordination agreement, executed by First Federal Savings and Loan Association of San Diego, beneficiary, and Fidelity Guaranty Company a corporation, trustee, August 10, 1955, subordinating all right, title and interest in and to easement for right of way for public alley and incidents, in portion Lot 12 Block 97 Point Loma Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128827, accepting subordination agreement, executed by Harbor Supply and Lumber Company, Incorporated, beneficiary, and Union Title Insurance and Trust Company, trustee, September 1, 1955, subordinating all right, title and interest in and to easement in portion Lot 12 Block 97 Point Loma Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128828, accepting subordination agreement, executed by Home Federal Savings and Loan Association, a corporation, beneficiary, and Land Title Insurance Company, a corporation, trustee, May 11, 1955, subordinating all right, title and interest in and to easement for right of way for storm drain in portion of land 15.0 feet wide in Lots 13 and 14 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128829, accepting subordination agreement, executed by Elora Hubbard, W. George Hubbard and Elizabeth Hubbard Ealy, beneficiaries, and Union Title Insurance and Trust Company, a corporation, trustee, May 17, 1955, subordinating all right, title and interest in and to easement for right of way for storm drain in portion of land 15.0 feet wide in Lot 21 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128830, accepting subordination agreement, executed by Ethel M. Kamplain, beneficiary, and Union Title Insurance and Trust Company, a Corporation, trustee, June 1, 1955, subordinating all right, title and interest in and to easement for right of way for storm drain in portions of Fractional Block 411 Hortons Addition, East one half of Dove Street adjoining the Fractional Block on the West and the Northerly 20 feet of Upas Street adjoining the portion of Dove Street on the South, closed to public use by Resolutions 39054 and 9208; authorizing and directing City Clerk to file deed, together with certified copy of

of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128831, accepting subordination agreement, executed by Gwladys K. Newkirk, beneficiary, and Cuyamaca Markets, a corporation, trustee, May 25, 1955, wherein they subordinate all right, title and interest in and to easement for right of way for drains and appurtenances in portion of land 15.0 feet wide in Lot 20 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128832, accepting subordination agreement, executed by George W. Newton and Emma R. Newton, beneficiaries, and Land Title Insurance Company, a corporation, trustee, May 27, 1955, subordinating all right, title and interest in and to easement for right of way for storm drain in portions of South 187.3 feet Pueblo Lot 1123; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128833, accepting subordination agreement, executed by Silver Gate Building and Loan Association, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, September 19, 1955, subordinating all right, title and interest in and to easement for right of way for storm drain in portions Lots 7 and 8 Block 11 Bungalow Park Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128834, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title Insurance and Trust Company, a Corporation, September 22, 1955, subordinating right, title and interest to portion Lot 67 Rancho Mission of San Diego (does not state to what it is subordinated); authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128835, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a Corporation, beneficiary, and Union Title Insurance and Trust Company, a Corporation, trustee, September 22, 1955, subordinating right, title and interest in and to permanent easement and right of way for water main, together with any or all fittings, etc., in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128836, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a Corporation, beneficiary, and Union Title Insurance and Trust Company, a Corporation, trustee, September 22, 1955, subordinating all right, title, and interest to easement for access road for construction, and maintenance of water reservoir in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128837, accepting subordination agreement, Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, July 11, 1955, subordinating all right, title and interest to easement for purpose of providing access road for maintenance of water reservoir in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128838, accepting subordination agreement, Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, July 11, 1955, subordinating all right, title and interest in right of way for water mains in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128839, accepting deed of Alva E. Strouder and Stella R. Strouder, September 19, 1955, conveying Lots 16, 17, 18 Block 1 Berkeley Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 128840, accepting deed of Sam Berger Investment Company, a Limited Partnership, September 9, 1955, conveying portion Lot 67 Rancho Mission of San Diego; authorizing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128841, accepting deed of Minnie Ostrow, conveying undivided one-half interest, and Esther Goldie Ostrow Nasitir, conveying undivided one-half interest, August 20, 1955, conveying Lots 13 and 14 Block "B" Weeks Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128842, accepting deed of Sam Berger Investment Company, a Limited Partnership, September 9, 1955, conveying easement for providing access road for maintenance, etc. of water reservoir, 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 Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128843, accepting deed of Vinley Corporation, a California Corporation, July 5, 1955, conveying easement for providing access road for construction, etc. of water reservoir, 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 Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128844, accepting deed of Duncan Cowart and Margaret E. Cowart,

July 22, 1955, conveying easement for alley purposes in portion Lot 12 Block 97 Point Loma Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128845, accepting deed of Stanley H. Sessions and Cosette H. Sessions, August 4, 1955, conveying easement for right of way for public street and incidents in portion Lot 3 C. M. Doty's Addition; setting aside and dedicating for street purposes and naming Lamont Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution for record in office of Recorder of San Diego County, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128846, accepting deed of Stanley H. Sessions and Cosette H. Sessions, August 4, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot 3 C. M. Doty's Addition; accepting for and naming Malden Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128847, accepting deed of Arthur M. Houston and Mildred G. Houston, September 1, 1955, conveying portions Lot 1 Subdivision of Southwesterly portion Pueblo Lot 256; naming Morena Boulevard; authorizing directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128848, accepting deed of Theodore E. Paulson and June D. Paulson, September 19, 1955, conveying easement for right of way for public sewer in portion Pueblo Lot 1286; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 128849, accepting deed of Helen R. Arndt, July 13, 1955, conveying easement for right of way for construction, etc., of storm drain in portions Lots A, C, D and El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128850, accepting deed of Bart G. Baron, and Karnig G. Baron, conveying sole and separate property, May 25, 1955, conveying easement for right of way for storm drain in portion of intersection of Dove and Upas Streets closed; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128851, accepting deed of Department of Veterans Affairs of State of California and LeRoy Edward McDowell and Thelma Alice McDowell, May 10, 1955, conveying easement for right of way for storm drain in portions Lot 19 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128851, accepting deed of Department of Veterans Affairs of State of California and LeRoy Edward McDowell and Thelma Alice McDowell, May 10, 1955, conveying easement for right of way for storm drain in portions of Lot 19 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for storm drain in portions Lot 19 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128852, accepting deed of Helen Dobbin, as her sole and separate property, May 4, 1955, conveying easement for right of way for storm drain in portion 6.0 wide in Lots 7 and 8 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128853, accepting deed of Frank Flores and Maria Luz Flores, May 4, 1955, conveying easement for right of way for construction of storm drain in portion of land 15.0 feet wide in Lots 13 and 14 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128854, accepting deed of Roy L. Futch, Jr., and Kathryn J. Futch, May 31, 1955, conveying easement for right of way for storm drain in portions Lot 10 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128855, accepting deed of Edward G. Gunn and Lena M. Gunn, July 20, 1955, conveying easement for storm drain in portion land 15.0 feet wide in Lot 11 El Paso; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128856, accepting deed of Charles R. Haas, May 12, 1955, May 12, 1955, conveying easement for right of way for storm drain; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128857, accepting deed of Arthur Norman Hill and Mary Priscilla Hill, May 12, 1955, conveying easement for right of way for storm drain in portions of South 187.3 feet of Pueblo Lot 1123; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128858, accepting deed of William K. Jackson and Beulah M. Jackson, May 11, 1955, conveying easement for right of way for storm drain in portions of South 187.3; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128859, accepting deed of Lyle E. Jenkins and Emily P. Jenkins, May 5, 1955, conveying easement for right of way for storm drain in portion land 15.0 feet wide in Lot 16 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128860, accepting deed of Pierce J. Meyers and Dorothy B. Meyers, September 15, 1955, conveying easement for right of way, etc., for storm drain in portions Lots 7 and 8 Block 11 Bungalow Park Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128861, accepting deed of Willis H. Miller and Lois Miller, May 16, 1955, conveying easement for right of way for storm drain in portion Lot 18 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128862, accepting deed of Alexander Mix and Kathryn B. Mix, June 1, 1955, conveying easement for storm drain in portions Lots 2, 3, 4 Block 6 Idyllwild, and portions of Pennsylvania Avenue closed; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128863, accepting deed of William Edward Naylor, May 4, 1955, conveying easement for right of way for storm drain in portion of land 15.0 feet wide in Lots 1, 2, 3 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128864, accepting deed of George W. Newton and Emma R. Newton, May 20, 1955, conveying easement for storm drain in portion Lot 17 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128865, accepting deed of George W. Newton and Emma R. Newton, May 20, 1955, conveying easement for storm drain in portion of land 15.0 feet wide in Lot 12 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128866, accepting deed of W. & Inez Petry, in Lot 23 El Paso Tract, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128867, accepting deed of W. E. Starke and Cecilia G. Starke, May 5, 1955, conveying easement for right of way for storm drain in portion Lot 17 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128868, accepting deed of Michael William Seman and Elizabeth V. Seman, May 9, 1955, conveying easement for right of way for storm drain in portion of land 15.0 wide in Lot 20 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128869, accepting deed of Herman M. Swick and Mary Lou Swick, May 11, 1955, conveying easement for right of way for storm drain in portion Fractional Block 411 Hortons Addition, and portion Dove Street closed; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128870, accepting deed of Edmond Bordeaux Szekely and Deborah Szekely, May 20, 1955, conveying easement for storm drain in southerly 12.00 feet of north one half of Spruce Street closed, lying between southerly prolongations of westerly and easterly lines of Lot G Block 376 Horton's Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128871, accepting deed of Emmitt B. Zink and Melba S. Zink, May 5, 1955, conveying easement for right of way for storm drain in portion land 15.0 feet wide in Lot 21 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128872, accepting deed of Sam Berger Investment Company, a limited partnership, September 9, 1955, conveying easement for water main in portion Lot 67 Rancho Mission; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128873, accepting deed of Vinley Corporation, a California Corporation, July 5, 1955, conveying permanent easement and right of way to construct water main in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading of the next ordinance prior to 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 final passage.

ORDINANCE 6680 (New Series), establishing official property line grades on Thorn Street between southwesterly line of Redwood Village Unit 2 and easterly line of Redwood Village Unit 3, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Evenson,

reading of the next ordinance prior to 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 final passage.

ORDINANCE 6681 (New Series), setting aside and dedicating portions Lot 5 and Lot 10 New Riverside, as and for public street, and naming land Aero Drive, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading of next ordinance prior to 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 final passage.

ORDINANCE 6682 (New Series), setting aside and dedicating portion Lot 11 New Riverside, as and for public street, and naming land Kearny Villa Road, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading of next ordinance prior to 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 final passage.

ORDINANCE 6683 (New Series), setting aside and dedicating portion Pueblo Lot 1202, as and for public street, and naming land Kearny Villa Road, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading of next ordinance prior to 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 final passage.

ORDINANCE 6684 (New Series), setting aside and dedicating portion Pueblo Lot 1215, as and for public street, and naming land Kearny Villa Road, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Curran, seconded by Councilman Kerrigan, reading of next ordinance prior to 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 final passage.

ORDINANCE 6685 (New Series), setting aside and dedicating portion of Lot 25 Boulevard Gardens, and naming land Naples Place, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Kerrigan, seconded by Councilman Williams, ordinance amending Sections 92.0104, 92.0204 and 92.0301 of the San Diego Municipal Code Regulating Electrical Work, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Curran, seconded by Councilman Evenson, ordinance dedicating Unnumbered Lot in Block 239 Pacific Beach for street purposes, and naming land Balboa Avenue, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

On motion of Councilman Evenson, seconded by Councilman Curran, ordinance changing name of Chase Street to Crawford Street; Olympic Avenue to Hood Avenue; Lassen Avenue to Rainier Avenue, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Schneider, Mayor Dail.

Mayor Dail entered the meeting, and took the Chair

On motion of Councilman Williams, seconded by Councilman Curran, ordinance naming portion of County Road Survey No. 251 in Lot 70 Ex-Mission Lands (known as Horton's Purchase), Delta Street, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

On motion of Councilman Curran, seconded by Councilman Kerrigan, ordinance changing name of portion of Mesa Street in Kearny Mesa area to Mercury Street, and dedicating street easements adjacent to said Mesa Street, and naming the land Mercury Street, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

RESOLUTION 128874, approving and confirming appointment by the City Manager of James Wells as City Treasurer of The City of San Diego, was on motion adopted, by following vote: Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-Councilman Curran, Absent-Councilman Schneider.

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

Communication from Planning Commission, by Harry C. Haelsig, attaching form of resolution prepared by City Attorney's Office, setting forth a formal hearing to be held by Planning Commission in matter of site of Primary Health Center proposed to be located on Civic Center site in north parking lot, was presented. It says the Planning Department had requested advice of the City Attorney's Office as to method of procedure in that Master Plan was not adopted for the Civic Center site nor for the City-County Administration Building, and that the site had been selected in 2 elections.

RESOLUTION 128875, stating that Hospital Advisory Council of State Department of Public Health has recommended allocation of \$500,000.00 Hill-Burton funds and \$500,000.00 State funds to San Diego County, to be matched by \$500,000.00 of San Diego County funds, for construction of a Public Health Administrative Building; the Board of Supervisors of County of San Diego has approved recommendation of Director of Public Health that a primary health center be located on portion of area commonly known as north parking lot of Civic Center grounds, in accordance with plot plan submitted by Director of Public Health; Board of Supervisors of the County has requested Planning Commission of The City of San Diego to make recommendation of proposed plan - initiating, for public interest, pursuant to Section 65656 of Government Code of State of California, an addition to master plan of The City of San Diego, to-wit, a Public Building Plan consisting of portion of an area commonly known as north parking lot of Civic Center grounds,

to be site for Public Health Administrative Building, that in consonance with section 65657 of Government Code the Public Building Plan is referred to Planning Commission with direction to hold at least 1 public hearing on the addition to the Master Plan, after publishing notice at least 10 days in advance thereof, and report to Council within 40 days of adoption of the Resolution for failure to do which, the Commission's approval shall be deemed to have been given; and that at any public hearing held by the Planning Commission pursuant to the Resolution, the Planning Commission may consider alternate sites on Civic Center grounds or in vicinity for location of Public Health Administration Building, 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 listed on the agenda:

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Clairemont Unit 17, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 128876, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Watt Homes, Inc., a corporation, Ohm Homes, Inc., a corporation, and Magnet Homes, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Unit 17 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 128877, adopting Map of Clairemont Map Unit 17 Subdivision, a subdivision of portion Pueblo Lot 1224; accepting on behalf of the public, unnamed easements and access rights shown on the map; and streets: Fox Avenue, Fox Place, Moraga Avenue, Moraga Place, Tacoma Street, Caflun Avenue, Wicopee Place, Ecochee Avenue, Kenosha Avenue, Paducah Drive, Elsinore Place and Yucca Avenue, and unnamed easements shown together with any and all rights of access in and to Moraga Avenue adjacent to Lots 3567, 3568 and 3569; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that streets and unnamed easements as dedicated on map, together with any and all rights of access in and to Moraga Avenue, adjacent to Lots 3567, 3568 and 3569 are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

City Auditor John McQuilken requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

Mr. McQuilken presented Audit report of Everts and Esenoff, certified public accountants, for the Zoological Society of San Diego. He said inasmuch as the report for the Zoological Society had been prepared by a certified public accountant, he recommended that it be accepted.

RESOLUTION 128878, accepting on behalf of the City of San Diego, the statement of financial position of the Zoological Society of San Diego as of June 30, 1955 and the related statements of revenues, expenditures and equities for the year then ended, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing "closed" September 15, 1955 at which time hearing was conducted, for R-1, R-4 and SC Zones in Lot A Braemar and Lot C Braemar Extension, the Mayor stated that the item was referred to Council Conference to "check out". He said that the Council has done so.

John D. Butler, attorney, stated that a letter had been sent to the Council, obviating Mr. DuPaul's objection. He told the Council that the restaurant and bar could be handled best under zone variance. He said he has a question of restrictions in the deed; they are no part of the escrow, or the deed. He said that SC zoning, when covenants are off, would be SC on the Bay. Mr. Butler said he prefers, in behalf of the Braemar Civic Association, that there be variance granted (instead of zone change). He said that Mr. McKinnon and Mr. Taylor are fearful over that.

Councilman Burgener said that hearing would be re-opened on 1 point: arguments on covenants, according to the Mayor).

Mr. Butler stated that there was no question to re-open.

Mayor Dail said that there is no occasion for it, if in the covenants.

Councilman Burgener said that he was willing to limit it to deed restrictions and to R-4 with variance.. (The hearing was re-opened, on those points).

Vernon Taylor showed the Council a map, and stated that it was said that rezoning would set a precedent. He stated that the precedent has been set on the Bay - for the Carribean motel. He said that the Planning Commission is in favor of the development, and the Council has indicated it is in favor of such a project, with protection. Mr. Taylor said that "a majority of the people in the larger area are in favor" of this. He told the Council that residents of the immediate area are unanimously in favor, if protection is provided. He stated that the Scripps Corporation, he, and Mr. McKinnon (they are the applicants) are in favor. He said that the question is if they can protect, but finance. He spoke of being discouraged by Mr. Rick (former Planning Director) because the City could not be part of it (deed restrictions). Mr. Taylor told of having talked with attorneys and the Union Title Co. who said that covenant would be possible and proper. He stated that the "people around" can be given rights. He stated that the Scripps people were willing, because they know Mr. McKinnon and him, to build without the covenant. He said that he is willing to have restrictions in the deed if it would not jeopardize the financing. He passed around copies of a deed. He read "Deed - F. W. Scripps, Inc., to Union Title Insurance and Trust Company", which he filed later. He told the Council that the description will be put in.

Councilman Burgener spoke to Mr. Taylor regarding the restrictions.

Mr. Taylor named the property owners across the street.

Councilman Burgener spoke to Mr. Taylor regarding the permitted uses.

Mr. Taylor said that there are 21 uses.

Mr. Burgener pointed out that "restrictions run with the land".

Mr. Taylor agreed.

Councilman Burgener asked if operators of the property could be enjoined.

Mr. Taylor replied that was correct.

Mayor Dail said that the deed could be filed, and become a condition of the zoning.

City Attorney J. F. DuPaul said that the City pays no attention to deed restrictions. He told the Council that if conditions are made to other people, they can enforce them. He said that they will not be enforced by the City. Mr. DuPaul stated that a change of zone is a police power, and that money can't be accepted therefor. He said that the Police power is from the State, and "the City will not do anything" (to enforce the deed restrictions).

Councilman Burgener pointed out that Councilmen can go to the County Recorder and check to see if the deed restrictions have been filed.

Mr. DuPaul said that ordinance will not go into effect until subdivision map is filed.

Mr. Taylor said that most, or all of the uses in the covenant; are permitted in R-4 - if contained in a building. He said that they are "just asking for freedom".

Councilman Burgener asked Mr. Butler if he had gone over the restrictive covenants with his clients.

Mr. Butler replied that he has talked to most of them. He said that most things are covered in R-4, under certain conditions - the cocktail lounge is the only thing (not). He told the Council that this is practically a re-iteration of R-C. He stated that the covenants can be bought up, and it would be back to SC. He said that by zoning ordinance, it would not be protecting all the people of the City. He declared "it would be a poor procedure".

Mayor Dail said that the City does not recognize the covenants that applicants would be placing in the record. He said that there has been no decision.

Mr. Butler declared that what is wanted can be done by a variance, and that it would be up to private parties to enforce. He said that the City can allow freedom under variance.

P. Q. Burton, from City Planning Department, stated that there is misconception regarding hotels in R-4. He read the section from the Municipal Code.

Councilman Burgener spoke to Mr. Taylor regarding R-4, and subsidiary businesses. He asked about putting in the zoning, and then not building the hotel.

Mr. Taylor said that the main purpose of the development is for erection of a hotel. He spoke of being not interested in "putting in these things"; there would be only appropriate things. He stated that "very deluxe hotels have these things".

On motion of Councilman Curran, seconded by Councilman Burgener, hearing (which had been closed, but re-opened for definite discussion, with item continued from September 29, 1955) was closed.

Councilman Burgener said that Councilmen can ask questions at hearings. He asked "property owners across the street" about the restrictions.

Chaplain (Comdr., USN) Beukema answered "no". He said they are under the Braemar Pact, which expires in 1965. He told the Council that they do not want to accept deed restrictions; there are no police powers.

Councilman Burgener said he would like to see how the Council feels. He said that the new proposal eliminates a lot of objections. He stated that he would check the record, before final action.

Councilman Williams stated that he was interested in knowing if this would be proper zoning, and expressed interest in the overall effect on Mission Bay. He said that plans are not far enough along to know.

Councilman Burgener said that proponents have indicated that if they were to apply for variance, it would terminate the deal, and that opposition has indicated being in favor of variance. Mr. Burgener stated that he would favor a hotel there. He stated that this is a difficult task.

Councilman Williams asked about length of them on the Bay front, and if there is private ownership, or a lease.

Mr. DuPaul replied that it is a State lease to the Scripps people.

Mr. Burton stated that it terminates in 1976.

Mr. DuPaul said that it reverts to the City; it is now "our" lease, which the City inherited. He said that the City is the landlord, and that someday the lease will end.

Councilman Curran asked about the effect in 1965.

Mr. Butler said that it would be ineffective; the restrictions would be off. He said that they would only have to conform to the zoning, then. He spoke of it being difficult to set up, and enforce.

The Clerk read the conditions (5 of them) from the Planning Commission's report of Aug. 26, 1955.

Councilman Kerrigan asked about any requirements for improvements on Bayard.

Councilman Kerrigan moved to accept the Planning Commission recommendations, and sustain the Planning Commission. Motion was seconded by Councilman Curran.

Councilman Burgener asked about 4 votes.

Mayor Dail said that 6 votes are required in this condition.

Councilman Burgener spoke to people in the Chamber audience. He said that something had been accomplished. He said that if the Council voted to introduce the ordinance, it would mean approval in 1 week. He stated that if he goes to the Recorder and finds that the deed (restrictive covenants) is not of record, he will not vote to adopt the ordinance. He said he would get his own legal opinions.

Councilman Kerrigan spoke of getting into technicalities.

The City Attorney said that the thing before the Council is the introduction of the ordinance, with filing of map.

Councilman Burgener said that he is not satisfied yet; he can find out in a week.

Councilman Williams stated that the ordinance the Council is talking about today, is only regarding the proper zoning.

Mayor Dail said that Council Burgener is just suggesting what he shall do to check on the filing of the covenants.

Councilman Williams said that if he feels it is not proper, he has the right to vote against it - if there is not protection.

Mayor Dail said that there is no doubt that it would be a fine thing.

Councilman Evenson said that the problem is regarding Mission Bay. He said that there is a procedure which could be followed. He said that there is rather broad coverage, and thinks that the applicants should proceed in other manners - such as Mission Valley (developments made on similar properties). He said that they should follow the same procedure.

On motion of Councilman Kerrigan, seconded by Councilman Curran, Ordinance incorporating Lot A Braemar and Lot C Braemar Extension into R-1, R-4 and SC Zones, as defined by Sections 101.0405, 101.0408 and 101.0409.1 of San Diego Municipal Code, and repealing Ordinance 119 (New Series) insofar as they conflict, was introduced, by following vote: Yeas-Councilmen Burgener, Kerrigan, Curran, Mayor Dail. Nays-Councilmen Williams, Evenson. Absent-Councilman Schneider.

Councilman Curran pointed out that the vote was to "only introduce the ordinance".

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed Ordinance incorporating portion of Parcel "0" Lot 19 Rancho Mission into R-4, CP and C-1A Zones, and repealing Ordinance 6242 (New Series) insofar as it conflicts, the Mayor said that there are a number of interested parties present. He said 1/2 hour would be allotted for each side.

The Mayor invited applicants to be heard first.

Tom Hamilton, attorney, told the Council that the proposal is for the first major shopping center south of Los Angeles. He showed a map of approximately 63 acres. He stated that George Scott had to separate surveys made, and both came up "with this area". (Planning Commission report identifies property as being at College Avenue and Federal Boulevard or Broadway). He said that there would be \$25,000,000 to \$30,000,000 business done, if constructed. He stated that Sears does a \$25,000,000 per year business. He stated that this center would be providing more shopping than Sears, for the benefit of surrounding area, and convenience. He said that there will be "cut and fill". He pointed them out on the map which he had set up. Mr. Hamilton told the Council that the shopping center is basically flat, sloping slightly to the south. He said that was presented in detail to the Planning Commission. He spoke of this having been started just under 6 months ago. He told of having attempted to work it out before coming to the Council. Mr. Hamilton said that the Planning Commission had voted 6-0 to rezone, with provisions. He told of having shown buildings where there will be request for variance, if needed. He said he thinks this is the proper approach. He said that continuance of Thorn Street is shown, but they are not asking to bring it through; not urging it. He said that there is a condition of the recommendation of acquiring outfall sewer easements and outlets. He said he thinks it is possible to arrive at a compromise regarding acquisition and development. He said that there was requirement to get, and to satisfy the Planning Commission regarding landscaping. He showed plats of the landscaping, with various type plantings used, which had been prepared by Roland Hoyt. He stated that Mr. Hoyt has in writing a plan to screen sight and sound. He said that planting would be entered into, and of willingness to enter into to contract for the same, as well as for off-site development. He showed photographs of planting which Mr. Hoyt has in mind. Mr. Hamilton said he thinks that can be accomplished, and that there will be an underground concourse under the building. He stated that this is the logical use of the area. He said that there are no serious objections that cannot be overcome substantially. He said there are more people there now than there were in San Diego when Walker-Scott opened. He requested action by the Council, as recommended by Planning Commission. He said they will be back for variance, and details.

Tom Fanning, attorney, representing some of the opponents, was heard. He said that he represented a group of home owners living on 2 streets: Meridian Street, and some on Lemarand. He said that some oppose commercial development; some do not if there is a buffer. He said that the people are not experts. He said that Mr. Rick (former Planning Director) made verbal recommendation; he believed there should be 300 foot strip of property proposed to be zoned be residential zoning, and street. He said that it is not anticipated that there be variance for parking. He said that the Planning Department reserved its recommendation. He told the Council that the matter was continued, for both sides to get together regarding residential area as buffer. He said that they can't say that development is adequate buffer any more than the applicant can say it is. He said, also, that it is the largest shopping area south of Los Angeles - similar to Crenshaw. He told the Council that this is "not strip, but reservoir".

Mr. Fanning said he feels the value of property will drop. He said he tried to get loans, but could not. He spoke of there being a question of faith. He said that it is gambling against an individual, against development. He told the Council that Ben Margolis has filed a Tentative Map for 3 building sites. He claimed there was no need, relying on report to Planning. He declared there is plenty of shopping areas available. He said that private enterprise may be wonderful, and terrible. Mr. Fanning said that to gamble on faith would be wrong. He asked about the statement that they can't develop less. Mr. Fanning said that the area was zoned R-4; Mr. Margolis had difficulty in zoning R-4 - now they want it commercial. He spoke of there being available several shopping areas. He said Mr. Rick made recommendation...it was recommendation of Planning Department... Then, Mr. Fanning stated that the recommendation of the Planning Commission was withheld. He said that Planning decided to take a triangular area, plus other area in R-1. He said that at the hearing Burton (P. Q. Burton, Senior Planning Director, who had made the written report to the Council) read a recommendation. Mr. Fanning said that Burton also recommended that if Thorn Street was closed, it could be cut down. He told the Council that would work a less threat. He referred to Mr. Rick's old recommendation regarding the 300 feet. He said that Haelsig (Harry C. Haelsig, Assistant Planning Director) made recommendation regarding grading and planting. He said that a man jumped up and said he

was willing to change, after the Haelsing report. Mr. Fanning said it had been premeditated regarding the parking. He told of not trying to ham string. He said that protection is wanted. He said that to premeditate variance is to kid along. He told the Council that someone had suggested hiring Glenn Rick to advise; but he has already expressed himself. He said he heard no recommendation of the Planning Department. He told the Council that he wants to give the people a chance to say what they desire. He said, again, that he wants to protect. He stated that to put Thorn Street through is to give no consideration to the people. Mr. Fanning said that there are new, young veterans. He told the Council that "planting can be a nuisance". He said it is the policy of the City to put property on parks; this is putting it right into back yards. He said that people on Meridian think it will be commercial, and they will ask to rezone. Mr. Fanning said that the Navy is there. He said there will be a whiz bang highway.

Keith Lane, 3447 Meridian, talked of the overflow from Sears. He said this will overflow traffic. Mr. Lane said he took pictures of Sears, and said again that parking does overflow. He passed around photographs.

Councilman Burgener spoke to Mr. Lane about no parking.

Mr. Lane said that it would be a detriment - more or less like a hub.

Councilman Williams spoke to Mr. Hamilton and Mr. Fanning from a map.

Areas were identified for Mr. Williams on the map.

Joseph A. Fortier, 3301 Meridian, told the Council that when he came from Korea he bought his home - now he does not care for a shopping center. He stated that Thorn Street will increase traffic on Meridian.

Richard L. Fletcher, 3310 Meridian spoke about having had a chance to study the modification. He told the Council that he represents many people. He spoke about no change to overcome objections. He suggested abandonment of the entire development. He said that it would be better to develop presently-zoned area and developments. He spoke about being adequately serviced, and said "so will the future". Mr. Fletcher stated that this would destroy existing businesses and residences. He said that it would be setting up a pattern. He pointed out from the map, and questioned development. He related the existing conditions. He questioned the need and the wisdom for the proposal. He spoke of developers planning to utilize every square inch, at the detriment of the residents.

Councilman Burgener spoke to Mr. Fletcher about not proper area for shopping center.

Mr. Fletcher said that there would be effect on the existing area. He declared that it is new - not a slum area. He said that this raises a question the city on changes. He asked if it is to be a city of shopping centers.

John Donovan, 3401 Meridian, told the Council that he is concerned. He said he has a corner house. He said he served in World War II and in Korea. He stated that he had a survey, and bought his property because of being in R-1 zone. He said that he is the father of 5 children, and that with Thorn Street going through, there would be fast vehicles. He told of people getting out of Sears in a hurry. He said that access roads are going to be jammed, and they will use Thorn. He said that is the object, to the opening up of Thorn. He spoke of difficulty in keeping children in.

Melvin Clayton came to the microphone to speak, but was interrupted by an unidentified woman who called out from the audience and asked for extension of time on the hearing.

Mayor Dail stated that the Council does not want to cramp anyone's appearance.

Mr. Fanning said he did "not give credence to experts.

Mr. Clayton, 3341 Meridian, who had tried to speak earlier, proceeded. He said that this development would abut his property. He said that he was concerned about the danger, and of "subsidizing the street". He said that the property will be devaluated, and then be called upon to subsidize the street.

Francis Cardi (it was understood), at Meridian and Thorn, told of being called upon to subsidize the street. He declared that it will not be a decent area. He asked the Council not to extend Thorn.

Mrs. Richard Johnson, 3325 Meridian, said that this would back up against her yard. She declared, speaking of the proposed landscaping, that "some plants draw rattle snakes".

The Mayor spoke of having to extend the hearing until this afternoon. He said that allotted time has been used, and that in fairness rebuttal should be allowed.

Mr. Hamilton said the proponents would waive the rebuttal. He stated that he did not say there was a commitment of \$10,000,000.; but the proponents are ready to develop. He said that it has been demonstrated that "people will not carry their purchases up a grade. He told the Council that there is no desire to put through Thorn, if it is

objectionable to the neighborhood. He said that 4 to 1 (ratio) of parking is required.

Mr. Fanning said that he is concerned over that statement.

Mr. Hamilton stated that Sears don't have enough parking. He said that Planning asked for that parking; developers are neutral.

Councilman Williams spoke from a map about a pie-shaped area for residential purposes.

Mr. Hamilton replied that it would be expensive. He said that if the area were reduced, the project would not go on.

At the hour of 11:55 o'clock A.M. the Mayor declared a recess until 2:00 o'clock P.M., this date.

Upon reconvening at 2:05 o'clock P.M., the roll call showed the following:
Present--Councilmen Burgener, Williams, Kerrigan, Mayor Dail.
Absent--Councilmen Schneider, Curran, Evenson
Clerk---Fred W. Sick

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

The City Manager referred to it as Chollas property.

RESOLUTION 128878, authorizing and empowering City Manager to purchase from owners thereof, at a cost not to exceed \$113,000, 54.2 acres of land, being portion of North 3/4 of South 1/2 of Southeast 1/4 of Section 34, Township 16 South, Range 2 West, S.B.B.&M., and to take all steps necessary to acquire title to the property, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Curran entered
Councilman Evenson entered

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

The City Manager referred to it as the "Coleman lease".

RESOLUTION 128879, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Hans Starr of about 223 acres in Rancho San Bernardo, for 10 years beginning September 1, 1955, at annual rental of \$2610.00 plus increases in taxes, for stock grazing and agriculture; form filed in office of City Clerk as Document 521416; real property has value of \$39,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Curran, adopted.

The Council returned to the hearing from the earlier meeting on rezoning in Parcel "O" Lot 19 Rancho Mission.

Tom Hamilton stated that the grade prohibits people carrying their purchases. He said that there is 4 times shopping (corrected to parking area) of Sears, would be increase of 50% in shopping, and objections are overcome. He said that there have been no drops in value in other shopping areas. He said that it is well conceived.

The Planning report was read by the Clerk. Supplementary letter was read, also.

Maps, exhibits A and B, from the Clerk's file, were shown to the Council. They were spread on the Council table for Councilmen to study.

Councilman Burgener spoke of concern over Thorn Street.

Harry C. Haelsig, Asst. Planning Director, stated that comes in for consideration on the Tentative Map. He pointed out on a map, which he explained, regarding Thorn Street. He said that it was recommended in the planning, inclusion of Thorn Street. He said that in the case of an emergency that street could be used.

There was discussion between Councilman Burgener and Mr. Haelsig regarding people being served by Thorn.

A man, who had spoken earlier, but whose name was not obtained, talked

Hearing (rezoning por Parcel O Lot 19 Rancho Mission
- "S.D. Shopping Center")
Recess of meeting, which was re-convened
128878 - 128879 - under U.C.
Hearing resumed

about no need for Thorn Street, if Streamview is put in. He said that the shortest way from town would be to 54th Street, then to Streamview.

Councilman Burgener said that Thorn might be an invasion of privacy - at least to a degree.

Mr. Haelsig repeated that Thorn Street is an item for the Tentative Map; not part of the zoning.

Mr. Burton explained to Councilman Burgener regarding the views of the property owners.

Mr. Fanning said that Thorn serves either a limited number, or so many that fear is justified. He said it (Thorn) should be closed.

Mayor Dail said that the Council can make a recommendation on that.

Members of the Council discussed the street question with Mr. Haelsig, over a map.

Councilman Burgener said that "when it comes to making conditions on the map...."

Mayor Dail said that is another resolution, depending on Council action, to the State.

Mr. Hamilton said that if approved, they will probably come back. He stated that the point today is the zoning, and the State contract.

Councilman Burgener spoke to a lady in the audience about landscaping.

An unidentified man said that the problem is on Meridian; Lemerand and Meridian are substandard. He said they can't be kept paved; the whole street takes a beating; it is not made for heavy traffic. He said that it might have to be torn out, and asked who would stand the cost. He talked to Councilman Burgener regarding Streamview, over a map. Mr. Haelsig pointed out, also. The same man continued, by saying they have to make 90% turns, there are blind corners. He said it is not made for traffic.

On motion of Councilman Williams, seconded by Councilman Curran, the hearing was closed.

On motion of Councilman Curran, seconded by Councilman Kerrigan, ordinance incorporating portion of Parcel "O" Lot 19 Rancho Mission, into R-4, CP and C-1A Zones, as defined by Sections 101.0408, 101.0410 and 101.0411.1 of San Diego Municipal Code, and repealing Ordinance 6242 (New Series) insofar as it conflicts, introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Absent-Councilman Schneider. Nays-None.

The next resolution - having to do with the hearing just concluded above - was presented under unanimous consent granted to City Manager:

RESOLUTION 128817, requesting authority of California Highway Commission to connect the public street at Engineer's Station 255 on Road XI-SD-200-SD, A, to freeway, and agreeing that connection will be a dedicated city street and be constructed at no expense to State of California and accepted for maintenance and control by City upon its construction, and agreeing that it will enter into supplemental freeway agreement revising freeway agreement dated August 6, 1954, incorporating revisions, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution was read to the Council by the Clerk, before adoption.

(Copies were taken by Alan Firestone, Deputy City Attorney, for transmittal).

Councilman Kerrigan said that items 10 & 11 on the agenda have to do with the Tentative Map, in connection with San Diego Shopping Center. He said they have to do with the Map. (They are Resolution submitted by Planning Commission suspending 6 sections of Municipal Code in connection with Tentative Subdivision Map of San Diego; and Resolution submitting Tentative Map of San Diego Municipal Code, a 65-acre subdivision of portion Lot 19 Rancho Mission, subject to 21 conditions). Mr. Kerrigan said that the Council might like to look at the property and review the Resolution, and evaluate it on the ground. He said it would be informative.

On motion of Councilman Kerrigan, seconded by Councilman Williams, both items were continued 1 week - to October 6, 1955 - to permit the Council to examine the premises.

After the continuance of the previously-mentioned items, Mr. Hamilton

Hearing (S.D. Shopping
Center)
128817 - under U.C.
Tent Map items for S.D.
Shopping Center cont.

said that acquisition cannot be made. He said that the Council can acquire the property, and the subdivider improve. He said that the matter is in escrow.

Councilman Kerrigan said that it will be part of the Manager's recommendation. He asked if they can't comply with the recommendation.

Mr. Hamilton replied that time limit is October 5; there is 1 piece of property, and there are 2 easements.

Mr. DuPaul asked if a Resolution on Tuesday would meet the requirements.

Mr. Hamilton's reply was "yes".

Mr. DuPaul asked Mr. Hamilton to bring the item to the City Attorney's office; the Council can pass resolution next Tuesday, it is not ready to act today.

(No action).

Mr. Fanning spoke about the right of way for street, and the paving.

Mr. DuPaul referred to subdivider doing work; also sewer to the south, including drainage.

There was discussion by members of the Council with individuals in the audience regarding sidewalks - which question was brought up by unidentified persons. (Several talked at once, so no notes could be taken).

Mr. Hamilton said that would be at the developer's expense.

Mayor Dail said that the Council will go out and look at the property. He said that the Council does not have a resolution; it will be decided.

Mr. Fanning asked the Council to read. He said he wants the Council to understand the position. He said that if the Council reads it, they will know what they are concerned with.

Mr. Haelsig gave a resume of requirements on the Tentative Map. He said in addition they would be required to take care of drain, lighting, 64 foot road, slope banks, landscaping. He said subdivision is required, and improvements approved by City Engineer. Mr. Haelsig said a "banjo" at the end is required. He said it would be some 3 or 4 lots, with subdivider doing the improvements; there would be no improvements outside the subdivision.

An unidentified man spoke of requirement for sidewalks on both sides.

Mayor Dail said that the Council will have a map next week. He said that interests will be protected. He stated that the Council "will go out and look".

Mayor Dail brought up the next item, saying that Bertram B. Moore is planning on attending the dedication of the Soledad Mission (reconstruction of a ruined mission), and that the County has authorized him to represent the County.

RESOLUTION 128880, appointing Bertram B. Moore to represent The City of San Diego, at his own expense, at the symbolic rededication of Mission Nuestra Senora de la Soledad, on October 9, 1955, by Native Sons of the Golden West, commemorating the one hundred sixty-fourth anniversary of its founding; directing City Clerk to deliver certified copy of resolution to Mr. Moore, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

(The Resolution, prepared by City Attorney's office after this meeting, was sent to the Mayor's office for delivery to Mr. Moore), by request.

The next item, not listed on the agenda, was introduced under unanimous request - drafted by City Attorney's office after the meeting:

RESOLUTION 128881, expressing in behalf of the members of the Council and all citizens of City of San Diego, sorrow in sudden illness of our beloved President, and fervently hope that he will soon recover and return to the active discharge of the duties of his high office and thereby reassure the world of his statesmanlike endeavor to further peace and good will among peoples of the world, was on motion of Councilman Burgener, seconded by Councilman Williams).

(The Resolution, prepared by City Attorney's office after this meeting, was sent to the Mayor's office for transmittal to President Dwight D. Eisenhower).

The following items were returned from Council Conference, by Council Secretary - and were filed by the Clerk:

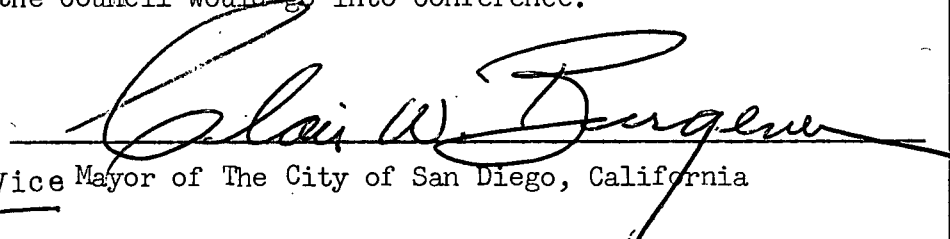
Planning Commission Documents 506423 and 506424 (Resolution 122812) only, since back on the agenda;
 1911 Act Jobs - Priority List (undocumented) - Resolution 12234;
 La Jolla High School PTA, re proposed changes at La Jolla Community Center - Document 508568 - Resolution 123341;
 North Park Business Club requesting survey on 2-lane connection with Wabash Freeway to University Ave. (Resolution 126177 only)
 Bird Rock Merchants re need for traffic light at Bird Rock Avenue and La Jolla Boulevard - Document 513967 - Resolution 126780;
 Petition of Pawn Brokers for amending Municipal Code re hours for conducting businesses, etc. - Document 511698 - Resolution 127441
 Milton Fredman, atty., communication, requesting hearing re Ordinance regulating Pawnbrokers and Second-hand dealers - Resolution 127441; Doc 516587;
 Petition of property owners for repair or replacement of Cedar Street Bridge, between 31st and Edgemont Streets - Resolution 127673;
 Planning Commission communication re RC-1A and C-1A Planting Standards - Document 518756 - Resolution 128013;
 Planning Commission communication re request for permission to start proceedings for annexation of territory in South Bay area - Document 518873 - Resolution 128089;
 Percy H. Goodwin Company communication re comprehensive Liability Insurance - Document 518798 - Resolution 128090;
 Robert J. McPherson communication requesting permission to appear before Council - Document 518573; also communication from Robert J. McPherson re Industrial Development, etc. - Document 518844 - Resolution 128015.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 2:50 o'clock P.M.

It was announced that the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk


 Vice Mayor of The City of San Diego, California

By 

Deputy

EO/4/55

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Tuesday, October
4, 1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran.
Absent--Councilman Evenson, Mayor Dail (Mayor Dail was in Los Angeles attending the
Industrial Development Conference for Southern California)
Clerk---Fred W. Sick

Dr. Hollis A. Burge, pastor of Balboa Park Baptist Church, was presented
by the Vice Mayor. Dr. Burge gave the invocation.

Vice Mayor presided at the meeting, which was convened at 10:04 o'clock
A.M.

Ordinances and Resolutions for this meeting are recorded on Microfilm
Roll 102.

The Minutes of the Regular Council Meetings of Tuesday, September 27,
1955, and of Thursday, September 29, 1955, were approved on motion of Councilman Kerrigan,
seconded by Councilman Curran, without reading.
They were signed by the Vice Mayor.

The Vice Mayor presented Toni Osterman, representing the Point Loma
Civics Class, who attended the meeting. She sat in Councilman Burgener's place, since
he presided - and the visitor was from his Councilmanic district.

Communication from Purchasing Agent reporting on 1911 Act bids opened
September 30, 1955, for paving and otherwise improving Garnet Street and Pendleton
Street - 4 bids - was presented.

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

Communication from Purchasing Agent reporting on 1911 Act bids opened
September 30, 1955, for paving and otherwise improving La Jolla Shores Drive - 5 bids -
was presented.

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

Communication from Purchasing Agent reporting on 1911 Act bids opened
September 30, 1955, for sewers in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place,
Pueblo Lot 104 - 7 bids - was presented.

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

Meeting convened
Invocation
Minutes approved
Visitor introduced
Purchasing Agent reports on 1911 bids

Councilman Evenson entered

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in San Diego Lighting District No. 3, the Clerk reported 1 bid, from San Diego Gas & Electric Company.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was opened and declared. It was referred to City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in San Diego Lighting District No. 4, the Clerk reported 1 bid, from San Diego Gas & Electric Company.

On motion of Councilman Curran, seconded by Councilman Schneider, it was opened and declared. It was referred to 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 128282 for paving and otherwise improving Northwesterly and South-easterly Alley in Fort Stockton Heights - between Hortensia and Witherby Streets - the City Clerk reported no protests.

The Vice Mayor inquired if anyone was present to protest.

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

On motion of Councilman Schneider, 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 128283 for paving and otherwise improving Landis Street, the Clerk reported no protests.

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

No one appeared to protest, 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 128284 for paving and otherwise improving Wunderlin Avenue, the Clerk reported no protests.

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

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

On motion of Councilman Schneider, 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 128159 of Preliminary Determination for paving and otherwise improving Alley Block 49 Ocean Beach, the Clerk reported no protests.

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

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

RESOLUTION 128882, determining that improvement of Alley Block 49 Ocean Beach, Resolution 128159 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 improvement, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

10/4/55

Prior to adoption of Resolution 128882, Warren Burdine, 4868 Santa Cruz, told the Council that he lives on the rear of the lot. He said that the alley needs paving; every time it rains, the alley washes through and he has to go out and do spade work. He said he is tired of it.

The Vice Mayor commented that Mr. Burdine then apparently wants the improvement.

The reply by Mr. Burdine was that he does.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 128160 for grading and sidewalk in Grape Street, Sultana Street, 54th Street, in O. D. Arnold's Westwood Hills Units 5 and 2, the Clerk reported no protests.

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

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

Councilman Curran asked if a change of grade was involved.

Russell Hall, Asst. City Engineer, replied that curbs are in; it is just "the setting of the sidewalks".

RESOLUTION 128883, determining that improvement of Grape Street, Sultana Street and 54th Street, Resolution 128160 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, and 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 Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 128161 for paving and otherwise improving San Fernando Street, the Clerk reported no protests.

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

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

RESOLUTION 128884, determining that improvement of San Fernando Street, Resolution 128161 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, and finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 128285 of Preliminary Determination for paving and otherwise improving Alley Block 23 Ocean Beach, the Clerk reported no protests.

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

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

RESOLUTION 128885, determining that improvement of Alley Block 23 Ocean Beach Park, Resolution 128285 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 hearing on Resolution 128286 for paving and otherwise improving Gillmore Street, Southlook Avenue, Oliverwood Terrace and Ocean View Boulevard, the Clerk reported no protests.

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

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

RESOLUTION 128886, determining that improvement of Gillmore Street, Southlook Avenue, Olivewood Terrace and Ocean View Boulevard, Resolution 128286 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 128287 of Preliminary Determination, the Clerk reported no written protests.

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

Two Women came to the microphone, but only Lillian Andrick, 3848 Shasta Street, spoke. She said she understands that the sidewalk has no parking. She said that in talking to the Engineer, she was told that there would be no parking. She stated to the Council that the Navy housing is in; there is parking on the other. She told the Council that the sidewalk will end at her property line - there would be a space, which would not be good looking. She said that it would not be safe for children where the sidewalk would be next to the street.

Russell Hall, Asst. City Engineer, showed a plan, which he laid out.

The Vice Mayor invited the ladies up to see the plan.

Mr. Hall explained the plan, and said there would be a 4 foot cut on Shasta - and that the City gets in trouble for putting in big cuts. He stated that there are 2 kinds of sidewalk.

The ladies then went to see the plat Mr. Hall was exhibiting.

Mr. Hall said he felt that the sidewalk could not be replaced "there".

E. W. Blom, Asst. City Manager, told of trying to get the Housing people to pay, but could get nowhere.

Councilman Kerrigan said that the U.S.A. doesn't even pay tax in the Navy housing.

There was discussion between Mrs. Andrick and members of the Council.

Mrs. Andrick said that there is sidewalk on a portion; no banking on her side of the street.

Mr. Hall said that there are 2 kinds of sidewalk now. He said the Navy portion is in; there is also a 4-foot cut.

Mrs. Andrick said the cut is not on her side.

Mr. Hall spoke of 1-1/2-foot cut; is the Navy sidewalk. He said that there could be 3 patterns. He said the City puts in lots of "these" (referring to the sidewalk next to the curb. He said that as a result, there is no difficulty.

Asked about curb, Mr. Blom replied that it is straight curb; not roll.

Mr. Hall said it could be put in front of Navy property.

Mr. Blom said that the City could try to get the Navy to put it in.

Mr. Hall said that if the City puts it in, charge has to be made.

Vice Mayor Burgener said, also, that there would be 3 patterns.

Mrs. Andrick said there would be 2.

Mr. Hall said that if put in in front of portion of Navy property, the City would have to appropriate funds.

Councilman Schneider said that 1 side of the street should be given weight.

Councilman Curran spoke to Mr. Hall regarding length of piece on the Navy frontage.

Mr. Hall pointed out on the map - 150 feet from the end of the project - to corner is 150 feet.

Councilman Curran asked how much money it would be.

The Vice Mayor said he would be glad to look at the situation.

Councilman Schneider moved to continue hearing 1 week. Motion was seconded by Councilman Williams.

Mr. Olson spoke of checking with others.

The Vice Mayor stated that there are no written protests.

Councilman Kerrigan pointed out that if plans are changed, proceedings would have to be abandoned, and started over.

Asked for a report on time, Mr. Hall replied 3 months' delay.

RESOLUTION 128887, continuing hearing on Resolution of Preliminary Determination 128287 for improvement of Shasta Street and Crown Point Drive, until 10:00 o'clock A.M., Tuesday, October 11, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

An unidentified woman came to the microphone, and referred to item 2(a) on today's agenda.

The Vice Mayor pointed out that it was not a hearing; it was just a report made by the Purchasing Agent on bids received September 30, 1955.

The woman said she wants to know the cost of the work. She told the Council she protests.

Willard Olson, of the City Engineer's office, stated that the City is putting in \$21,200. He said that it is enough to pay for the curb, the street center, and drainage. He said that the protestant would not pay for the new curb.

Vice Mayor Burgener told the protestant that the City would be paying; property owners pay between 1/3 and 1/4 of the cost.

There was no action.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current in Adams Avenue Lighting District 1, the Clerk reported no protest.

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

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

RESOLUTION 128888, confirming and adopting as a whole Engineer's report and assessment for Adams Avenue Lighting District 1, filed in office of City Clerk August 26, 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 Pacific Highway Lighting District 1 - furnishing of electric current - Clerk reported no protest.

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

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

RESOLUTION 128889, confirming and adopting as a whole Engineer's report and assessment for Pacific Highway Lighting District 1, filed in office of City Clerk August 26, 1955, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current in Roseville Lighting District 1, the Clerk reported no protest.

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

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

RESOLUTION 128890, confirming and adopting as a whole Engineer's report and assessment for Roseville Lighting District 1, filed in office of City Clerk August 26, 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 Assessment 2394 made to cover costs and expenses of work done upon paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, the Clerk reported written appeals from Mrs. Helen Wallace and others, Ralph W. Nichols and others, Robert E. Fleming, Betty L. Davis (and communications of inquiry from LeRoy Young and from Arthur W. Crawford.

Asked for a report, Russell Hall, Asst. City Engineer, said that there was 12.4% appeal.

Mr. Allanson, 4261 51st Street, told the Council that he has 450 feet of frontage. He said he has no protest on the cost. He stated that there is a sharp dip, on which there can be accidents. He requested posting of a sign. He stated that culverts had been put under 51st Street, with no ditch to carry away the water after it is dumped. He said he wants a ditch between 51st Street and Orange Avenue.

Councilman Kerrigan moved to refer the drain matter to the City Manager. Motion was seconded by Councilman Schneider. (Resolution, resulting from this motion, will be shown later - where the hearing was considered again, and assessment confirmed).

Hearings

128888 - 128890

Verbal objection (on an item;

listed earlier, under bid report from Purchasing Agent)

Ralph Nichols asked if Trojan is included.
Mr. Hall's reply was "yes".
Mr. Nichols said he has a written protest, regarding the cost. He asked if his property is being assessed for a portion of Trojan.
Mr. Blom replied that it is an area assessment.
Another man, unidentified, joined the conference which was being held over a map.
The hearing on the assessment was held over - and will be shown again, later in these minutes.

Communication from purchasing Agent on low bid of Pacific Wholesale Electric Company for furnishing 7 items of Lighting Fixtures and Lamps, at total price of \$1,582.14 plus State Sales Tax, terms 1% 10th Prox on items 1 through 6; net on item 7, was presented. There were 5 bids.

RESOLUTION 128891, accepting bid of Pacific Wholesale Electric Company for furnishing Lighting Fixtures and Lamps; 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, submitting resolution authorizing Purchasing Agent to occasionally rent for various periods of time, as needed, until November 30, 1955, a heavy dozer at \$50.00 per day - for use on Sanitary Fill while City Equipment is in shop for repair, was presented.

RESOLUTION 128892, authorizing and directing Purchasing Agent to occasionally rent a heavy dozer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128893, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Fire Insurance coverage for approximately 5 years, Document 521433, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128894, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Vitrified Clay Pipe and Fittings for period of 3 months beginning November 1, 1955, Document 521427, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128895, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements for Recapping Passenger and Truck Tires (approximately 900) for 6 months beginning November 1, 1955, Document 521429, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128896

RESOLUTION 128897

RESOLUTION 128898 - were all presented under unanimous consent at the end of the meeting, but were numbered here by request. They will be shown later in the Minutes, where they were considered.

Communication from Planning Commission, dated February 21, 1955, signed by Glenn A. Rick (former Planning Director) recommending that the Council have the City

Attorney prepare necessary resolution, and that it hold public hearing, with 10 days notice, and that it adopt plan as part of Master Plan of the City - for Public Buildings, "Theater Site" (on easterly side of Park Boulevard in Balboa Park, was presented.

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

Communication from Planning Commission, dated February 21, 1955, signed by Glenn A. Rick (former Planning Director) recommending that City Attorney prepare necessary resolution, and City Council adopt plan of Public Buildings "Sports Arena" in Master Plan, in area in Mission Bay, was presented.

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

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Aragon Heights Unit 2, for 20-lot subdivision of portion parcel "O" Lot 19 Rancho Mission, located on both sides of Aragon Drive south of University Avenue - subject to 11 conditions - was presented.

RESOLUTION 128899, suspending Sections 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Aragon Heights Unit 2, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128900, approving Tentative Map of Aragon Heights Unit 2, 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 approval of Tentative Map of Bowleria, a 1-lot subdivision of Lots 3 and 4 Pueblo Lot 1111, located on southerly side of Camino Del Rio (State Highway, U.S. 80) approximately 1/4 mile westerly of Texas Street (property on which Council approved zone variance for erection of bowling alley, was presented.

RESOLUTION 128901, suspending Sections 102.07-5, 102.11-2, 102.17-c of Municipal Code, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 128902, approving Tentative Map of Bowleria, subject to conditions of Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending denial of Tentative Map for resubdivision of Lots 324, 335 and portion Lot 334 Block 15 Crown Point, was presented. It says property has frontage on both Jewell Street and Crown Point Drive, and there is residence on property fronting Crown Point Drive. It gives a detailed reason for recommendation, stating that after providing rear yard, side yard and setbacks which would be required for proposed new lot, there would remain a strip 5 feet in depth by 80 feet in width upon which to build.

RESOLUTION 128903, denying Tentative Map for division of Lots 324, 335 and portion 334 Block 15 Crown Point, because of inadequacy of site of lot, 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 Kaiser Subdivision, 2-lot subdivision of portion Lot 14 Block 17 Encanto Heights; on north side of Broadway, easterly of Klauber Avenue in Encanto within R-2 zone - subject to 5 conditions - was presented.

RESOLUTION 128904, suspending Section 102.17-c of Municipal Code in connection with Tentative Map of Kaiser Subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128905, approving Tentative Map of Kaiser Subdivision, subject to conditions of Resolution, 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 division of Lots 38 and 39 Ocean Villa Tract into 2 parcels, one of which will front on Turquoise Street, and other on Wrelton Drive, located in Pacific Beach area just southerly of Clairemar Apartments, subject to 6 conditions, was presented. It states that purchaser of property is also owner of Lots 40 and 41, and there are plans to construct restaurant and parking lot next door - property is within C Zone.

RESOLUTION 128906, suspending Sections 102.07-5, 102.06-1, 102.12-6, 102.17-c of Municipal Code in connection with tentative map of Ocean Villa Tract, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128907, approving Tentative Map of Ocean Villa Tract, subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Rancho De La Nacion, portion Section 103, a 1-lot subdivision, located on northerly side of Alleghany Street westerly of northerly prolongation of Reo Drive, subject to 6 conditions, was presented.

RESOLUTION 128908, suspending Section 102.17-c of Municipal Code in connection with Tentative Map of Rancho De La Nacion, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 128909, approving Tentative Map of Rancho De La Nacion, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communications from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code, and approval of Tentative Map for 2-lot subdivision of portion Pueblo Lot 1256 located in Muirlands area on south and west side of El Camino del Teatro, subject to 6 conditions, were presented.

Also presented, was letter from William F. Reed, Attorney in Fact for Thomas H. Lambert, M. D., objecting to some conditions of the recommendation.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, all the papers were continued 1 week - to October 11, 1955.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Sixty Eighth Street Terrace Unit 2, 1-lot subdivision of portion Lot 36 La Mesa Colony, located on westerly side of 68th Street northerly of Saranac, adjacent to Unit 1, subject to 5 conditions, was presented.

RESOLUTION 128910, suspending Section 102.17-c of Municipal Code in connection with Tentative Map of Sixty Eighth Street Terrace Unit 2, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 128911, approving Tentative Map of Sixty Eighth Street Terrace Unit No. 2, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Torno Subdivision, a 2-lot subdivision of portion Lot C Block 14 Central Homestead, located on westerly side of 36th Street southerly of Ocean View Boulevard, subject to 6 conditions, was presented.

RESOLUTION 128912, suspending Section 102.17-c of Municipal Code in connection with tentative map of Torno Subdivision, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128913, approving Tentative Map of Torno Subdivision, 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

approval of Villa Marina, a 136-lot subdivision of portion Lot 151 Morena - property recently sold by the City, located on hillside easterly of Mission Bay, adjacent to and southerly of Bayberry Subdivision, subject to 15 conditions, was presented.

RESOLUTION 128914, suspending Sections 102.09-1&2, 102.17-c of the Municipal Code in connection with Tentative Map of Villa Marina, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 128915, approving Tentative Map of Villa Marina, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of Jesse and Robbie James for Class C license to conduct public dance at Paradise Cafe, 2672 Imperial Avenue, was presented, together with recommendations for approval.

RESOLUTION 128916, granting application of Jesse and Robbie James for Class "C" license to conduct public dance at Paradise Cafe, 2672 Imperial Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from American Municipal Association, 1625 H Street N.W., Washington 6, D.C., dated 28 September 1955, signed by Allen C. Thompson, president, was presented. The communication, addressed to the City Clerk, extends to City officials an official and cordial invitation to attend the 32nd annual American Municipal Congress to be held this year in Miami, November 27-30.

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

Communication from National Association for the Advancement of Colored People, San Diego Branch, dated September 29, 1955, signed by Ruth A. Green, president, was presented. It announces plans to launch Seal Drive, October 9, 1955 through December 15.

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

Communication from San Diego Chamber of Commerce, by Robert M. Golden, president, expressing views regarding industrial development and diversification in the City, and stating that it is believed that a City commission would lack necessary flexibility in dealing with prospective industrial clients. It commends the Mayor for his recognition of the urgency of San Diego's need, and states that it is the opinion that the work of the committees which the Mayor has appointed will contribute immeasurably to the healthy growth of the economic community.

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

Communication from San Diego Chamber of Commerce, by Robert M. Golden, president, approving and endorsing Stanford Research Institute's report on Public Assembly Facilities - including convention hall, little theatre, exhibit hall, concert hall - proposing that the City sell portion of land it owns to obtain funds to purchase the recommended site, was presented.

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

Communication from Stephen Collins Foster P.T.A., by Mrs. A. W. Richards, 4929 Twain Avenue, San Diego 15, secretary, urging bus service in Allied Gardens community,

was presented.

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

Communication from San Diego County Traffic Safety Council, 528 Land Title Bldg., San Diego, dated September 29, 1955, signed by Ronald T. Strong, president, was presented. It attaches resolution which has been passed and sent to Governor Goodwin J. Knight, and requests consideration and adoption of one by the City of San Diego in support of efforts to bring all available forces to bear against traffic accidents, injuries and deaths.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to City Attorney for Resolution.

Copy of communication from Carroll Weldin, Rancho Santa Fe, California, relative to the City spending money to honor "paid performers", was presented.

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

Communication from Mrs. Lynn C. Chamberlin, 720 Devon Court, protesting extension of roller coaster lease at Mission Beach Amusement Center, and asking that it be filed "under the Mission Beach Roller Coaster dispute", was presented.

RESOLUTION 128917, referring to Council Conference communication from Mrs. Lynn G. Chamberlain re roller coaster lease at Mission Beach Amusement Center, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 128918, authorizing and directing City Clerk to give notice of filing by Street Superintendent of Assessment 2405 made to cover costs and expenses of work done upon paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29, et al., Resolution of Intention 119653, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128919, authorizing and directing City Clerk to give notice of filing by Street Superintendent of Assessment 2406 made to cover costs and expenses of work done upon paving and otherwise improving Carleton Street, Plum Street and Dickens Street, Resolution of Intention 121184, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128920, authorizing and directing City Clerk to give notice of filing by Street Superintendent of Assessment 2403 made to cover costs and expenses of work done upon paving and otherwise improving Banks Street, Resolution of Intention 120579, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128921, authorizing and directing City Clerk to give notice of filing by Street Superintendent of Assessment 2404 made to cover costs and expenses of work re ornamental light standards in Broadway, Resolution of Intention 121648, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 128922, accepting bid of A. R. Kingaard, and awarding contract, for paving and otherwise improving East and West Alley Block 41 City Heights, Central Avenue, and 41st Street, Resolution of Intention 127366, was on motion of Councilman Williams,

seconded by Councilman Curran, adopted.

City Engineer reported in writing low bid is 11.6% below estimate.

RESOLUTION OF AWARD 128923, accepting bid of A. R. Kingaard, and awarding contract, for paving and otherwise improving East and West Alley lying northerly of and contiguous to Long and Hickok's Subdivision, Resolution of Intention 127367, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing low bid is 1.7% above estimate.

RESOLUTION OF AWARD 128924, accepting bid of A. R. Kingaard, and awarding contract, for paving and otherwise improving Alley Block 6 Ocean Beach, Resolution of Intention 127511, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing low bid is 11.1% below estimate.

RESOLUTION OF AWARD 128925, accepting bid of R. E. Hazard Contracting Co., and awarding contract, for paving and otherwise improving Gaines Street, Resolution of Intention 127368, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

City Engineer reported in writing low bid is 1.2% below estimate.

RESOLUTION OF AWARD 128926, accepting bid of San Diego Gas & Electric Co., and awarding contract for furnishing electric current in San Diego Lighting District 2, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 128927, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street and Public Right of Way; approving Plat 2737 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 128928, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Newton Avenue; approving Plat 2785 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 Curran, adopted.

RESOLUTION 128929, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street and Public Right of Way in Lots 14 and 15 Encanto Park Addition to Encanto Heights; approving Plat 2753 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 128930, for paving and otherwise improving Saranac and 67th Streets, Resolution of Intention 128156, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 128931, for paving and otherwise improving Thomas Avenue, Resolution of Intention 128157, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 128932, for paving and otherwise improving Valle Avenue, Resolution of Intention 128158, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 128933, for furnishing electric current in La Jolla Shores Lighting District 1, for 11 months and 17 days from and including September 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT 128934, for furnishing electric current in Midway Drive Lighting District 1, for 1 year from and including October 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT 128935, for furnishing electric current in Pacific Beach Lighting District 1, for 1 year from and including September 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128936, directing notice inviting sealed proposals for furnishing electric current in Five Points Lighting District 1, for 11 months and 27 days from and including August 5, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128937, directing notice inviting sealed proposals for furnishing electric current in Mission Beach Lighting District 2, for 11 months and 15 days from and including August 17, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128938, directing notice inviting sealed proposals for furnishing electric current in Ocean Beach Lighting District 1, for 11 months and 18 days, from and including August 14, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128939, directing notice inviting sealed proposals for furnishing electric current in University Avenue Lighting District 1, for 11 months and 25 days to and including August 7, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128940, directing notice inviting sealed proposals for University Avenue Lighting District 3, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128941, of Intention, for furnishing electric current in Eighth Avenue Lighting District Number One, for 1 year from and including January 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128942, of Intention, for furnishing electric current in La Jolla Lighting District Number One, for 1 year from and including January 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128943, of Intention, for furnishing electric current in Seventh Avenue Lighting District Number One, for 1 year from and including January 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128944, for paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street, Public Right of Way, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128945, for paving and otherwise improvement of Newton Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 128946, for sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street and Public Right of Way in Lots 14 and 15 Encanto Park Addition to Encanto Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128947, appointing time and place for hearing protests and directing notice of hearing for furnishing electric current in El Cajon Boulevard Lighting District 1 for 1 year from and including December 1, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128948, appointing time and place for hearing protests and directing notice of hearing for furnishing electric current in Logan Avenue Lighting District 1, for 11 months and 16 days from and including November 16, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128949, appointing time and place for hearing protests and directing notice of hearing for furnishing electric current in Montemar Lighting District 1, for 11 months and 15 days from and including December 16, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128950 - item introduced under unanimous consent at end of meeting re highway lighting numbered here by request. Will be shown at point where considered.

RESOLUTION 128951, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street and Akron Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128952, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 1 Walker's Addition, and Public Right of Way, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128953, ascertaining and declaring wage scale for paving and otherwise improving Gregory Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128954, ascertaining and declaring wage scale for paving and otherwise improving Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, et al., was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128955, ascertaining and declaring wage scale for paving and otherwise improving Orange Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128956, ascertaining and declaring wage scale 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 Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 128957, ascertaining and declaring wage scale for paving and otherwise improving Worden Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128958, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 44 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, Resolution of Intention 118978; 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128959, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 31st Street, Resolution of Intention 123158; 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 Kerrigan, seconded by Councilman Schneider, adopted.

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The Council returned to the hearing, which had been held, for assessment on paving and otherwise improving Orange Avenue, portions of 51st Street, Trojan Avenue and Altadena Avenue.

RESOLUTION 128960, referring to City Manager matter of a storm^{drain} in vicinity of 51st Street and Orange Avenue, in connection with improvement of Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128961, denying appeals of Betty L. Davis, Robert E. Fleming, Ralph W. Nichols, et al.; Mrs. Helen Wallace, et al.; John LeRoy Young, Arthur W. Crawford, from the Street Superintendent's Assessment 2394 made to cover costs and expenses of work of paving and otherwise improving Orange Avenue, 51st Street, Trojan Avenue and Altadena Avenue, Resolution of Intention 120784; confirming and approving Street Superintendent's Assessment 2394, authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128962, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

North side of University Avenue between Iowa Street and 32nd 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 128963, authorizing City Manager to accept work on behalf of The City of San Diego in Bayberry Subdivision - Agreement, Document 491125 - to execute Notice of Completion and have it recorded, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 128964, authorizing City Manager to accept work on behalf of The City of San Diego in Loma Linda Subdivision - Agreement, Document 508163 - to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128965, authorizing and empowering City Manager to do all work in connection with abandonment of 680 feet of 10-inch cast iron main and installation of 700 feet of 10-inch A.C. pipe in Frost Street, from Sharpe Memorial meter east to right-of-way to Chesterton Elevated Tank, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128966, authorizing City Manager to execute for and on behalf of The City of San Diego a Second Amendment to Fourth Supplemental Agreement for Aerial Survey by Fairchild Aerial Surveys, Inc., whereby Kearny Mesa area shall be mapped at an added expense not to exceed \$1200.00, in accordance with form of agreement filed with City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128967, approving Change Order 1 dated September 16, 1955, heretofore filed with City Clerk as Document 521473, issued in connection with contract between The City of San Diego and Griffith Company for widening Ash Street, Document 518040; changes amounting to increase in contract price of \$445.00, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128968, approving request of Royal Pipeline Construction Co., September 15, 1955, Change Order 2, for extension of 60 days to and including December 1, 1955, Document 521474, in which to complete contract for installation of Small Water Main Replacements, Group 18, contract Document 509832; extending completion time to December 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 128969, granting permission to Girl Scout Council of San Diego County to move Florence Burnham Hall from old location in Balboa Park to new location in Balboa Park in vicinity of 1200 Block of Upas Street, to construct new headquarters building and appurtenances thereto at that site, to make use of a shingle roof on the new and re-located buildings, to make use of existing plumbing and electrical installations in relocated building; Girl Scout Council of San Diego County shall take out all necessary relocation permits and building permits in connection with the construction, but shall not be required to pay any of fees in connection with issuance of permits, nor be required to post completion bond in connection with relocation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

There was listed on the agenda authorizing City Manager to execute agreement with C. S. Johnson and Wallace G. Johnson dba Street Poster Service, granting revocable permit for placing and maintaining sanitary refuse containers upon public streets, and leasing advertising space on the containers, under terms and conditions of Document 521612.

The Vice Mayor recognized Mr. Crittenden, attorney (first name or initials not identified).

Mr. Crittenden told the Council he represented the Avenue Trash Can bidder. He stated that he withdraws portion of the bid authorized, regarding conditions on the purchase of cans by the City. He said bids were asked September 1; bids submitted prior to September "by the ten, and current operator". He said that both bidders raised prices on bids. He told the Council that "the bid has been kind of auctioned"; it should stay open. He said that Mr. Jansen, present operator, purchased cans for 50¢ per can, 15 years ago from the prior operator. He said that partnership set the price, and Mr. Johnson bought them. He said there were 250 cans involved, and there is not a great investment. He said Mr. Jansen operated from 1941 to 1943, a portion of the time with Mr. Johnson. He spoke of there being no difficulty of operation. He said Avenue Advertising is not inexperienced. He said it has had the franchise and operated in Tijuana the last year. He said that bid involves new cans, with different top. He said that the present cans are 20 years old, and are bad. He said that present cans are like the mail boxes. He said new cans proposed, would cause less change for confusion. He spoke of being \$25. a month higher; that Avenue Advertising is good. He spoke of putting up a bond, the same as the present operator. He said that under Johnson first bid, if not advertised, it would be less. Mr. Crittenden stated that his client should be given consideration. He said this is the first time he has had the opportunity to discuss the question with the Council.

Councilman Schneider spoke to Mr. Crittenden about his having been sharp to Mr. Crittenden, in Conference.

Mr. Crittenden related to Councilman Schneider the personnel of the company, and said it is a corporation.

Councilman Evenson asked if it was a sealed bid.

E. W. Blom, Acting City Manager, said that originally they were; he thought authorization was made by the City Council to the City Manager to negotiate.

Councilman Williams said that the Council has no responsibility to negotiate. He said there may be some criticism, and there may be a misunderstanding. He stated that he is interested in getting as much as he can for City property. Mr. Williams stated that it is highly irregular for the Council to negotiate.

Councilman Kerrigan said that the City Manager's report had been discussed 3 times, and the City Manager was "authorized to take steps".

Councilman Williams said that it was at least 3 times.

Vice Mayor Burgener said that the item had been negotiated, after sealed bids.

Councilman Evenson said that the City is still negotiating. He said it was 4 times. He said there should be a sealed bid.

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The Vice Mayor said it should go to the high bid; should not be negotiated. Councilman Schneider said that there had been disappointment on the successful bid in the Balboa Park Golf Club (which had been before the Council, recently). He said the City should be careful.

The Vice Mayor said that if this is reopened, there should be new bids.

Councilman Kerrigan said that it was regarding Jansen reimbursement.

Councilman Williams said that the City would fall heir to the cans.

He said that the City has to have a procedure, and depend on the City Manager. He said the City should have a policy to stick to.

Councilman Schneider said there were to be propositions: 1 from each party - now this man comes in, without the other man being represented.

Councilman Williams spoke of being in a position of having acted on the proposal.

Councilman Curran said that if there is modification of action, it should be discarded, and resubmitted.

Vice Mayor Burgener said the City would then have to reopen sealed bids. He said that "there has been jockeying".

Councilman Williams asked how the other party would know what the other bid was. He said they would keep going, 1 above the other.

The Vice Mayor said it would be because it is public record.

Councilman Williams said that the City would be in an unfriendly position, if negotiations are continued. He said it is a matter of principle.

Mr. Blom said it started out for negotiation with Mr. Johnson for continuance. He said Mr. Jansen came in; the 2 bids came in September 14. He said the Manager's office was instructed to negotiate regarding amortization. He said that was not acceptable to the Council; negotiation was authorized, and reported. Mr. Blom said that Mr. Jansen submitted alternative. He reviewed the Jansen and Johnson bids. He said that now Mr. Jansen comes in with a new proposal.

Councilman Schneider said there was lower one last week; now there is a new proposal.

Mr. Blom said there were informal quotations.

Mr. Crittenden said that there were sealed bids to be opened September 1. He said information was not communicated regarding not liking reimbursement, on the bid.

Councilman Curran stated that "the City did not specify".

Councilman Schneider moved to adopt the Resolution. Motion was seconded by Councilman Evenson.

The City Clerk, asked about the matter, said that he did not have the Resolution; it was listed on the agenda by request (of the City Manager's office)

Councilman Williams asked if both parties were notified.

Mr. Critten replied that Mr. Johnson was not here last week; he was not called in.

The Vice Mayor said he feels this should be re-done, and done properly. He declared it has been messed up. He spoke of there having been wasted time, and of being no benefit.

Councilman Curran said permit had been asked for.

The Vice Mayor asked if locations had been specified.

The City Attorney read the permit.

The Vice Mayor asked if the City may cancel.

The City Attorney's reply was "yes".

Councilman Williams asked if the permit did not provide for "straight 250 cans"?

The City Attorney continued to read, and stated that provision was for not less than 250, not more than 400.

RESOLUTION 128970, authorizing and empowering City Manager to execute agreement with C. S. Johnson and Wallace G. Johnson dba Street Poster Service, granting revocable permit for placing and maintaining sanitary refuse containers upon public streets of the City and leasing advertising space on containers, under terms and conditions of Revocable Permit filed in office of City Clerk as Document 521612, was on motion of Councilman Schneider, seconded by Councilman Evenson, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson. Nays-Councilman Burgener. Absent-Mayor Dail.

RESOLUTION 128971, notifying Wright Refrigeration Company, owner of Lots 1

to 4 inclusive Block 234 Middletown, to remove structure erected between front property line and building setback line, at its own expense and at no cost or obligation on part of The City of San Diego; authorizing and directing City Attorney to mail to Wright Refrigeration Company certified copy of resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that by Ordinance 401 New Series, the Council established a building setback line 22-1/2 feet from property line abutting on Pacific Highway, that by agreement executed June 4, 1945 and recorded in Book 1890 page 331 Official Records, Robert A. Wright, owner of the property at time of execution of agreement, in consideration of permission to erect building with above specified setback to within 12-1/2 feet of front property line, agreed to remove building to the 22-1/2 foot setback line without expense to the City when the street is widened. It says the Council now finds that structure constructed within the building setback line as heretofore established should now be removed in accordance with said agreement for reason that plans are now being made to widen Pacific Highway.

RESOLUTION 128972, authorizing Lew Fay, Assistant Personnel Director, to attend annual international conference of Civil Service Assembly of United States and Canada, in Cincinnati, Ohio, October 23 through October 27, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128973, authorizing Capt. W. P. Thien, Police Department; Martin Bouman, Associate Traffic Engineer; Edward M. Hall, Transportation Research Director, to attend Governor's Traffic Safety Conference, in Sacramento, California, October 6 and 7, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 128974, 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 Walter M. McKellar portion Lot 39 Block 18 Swan's Addition; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantee upon receipt by City of deed conveying property required by the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

ORDINANCE 6686 (New Series), approving annexation to City of San Diego of uninhabited territory in portions of Lots 64 and 65 Rancho Mission of San Diego, in County of San Diego, State of California, known and designated as "Allied Gardens Tract No. 1", which territory shall be added to San Diego Unified School District, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

ORDINANCE 6687 (New Series), incorporating portions of Parcels "O" and "OO" in Lot 19 Rancho Mission of San Diego, into RC-1A, CP and C-1A Zones as defined by Sections 101.0409.2, 101.0410 and 101.0411.1 respectively of San Diego Municipal Code, and repealing Ordinance 6242 (New Series) adopted August 31, 1954 insofar as it conflicts, was on motion of

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

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

ORDINANCE 6688 (New Series), authorizing leasing of portions of Pueblo Lots 1315, 1316, 1317, 1318, 1319, 1321, 1322 and 1351, for Agricultural Purposes, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

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 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 6689 (New Series), an interim ordinance establishing Regulations Governing Use of Land in Rancho Hills South, in Rancho De La Nacion (annexed recently), was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

(It is an emergency ordinance, to take effect immediately).

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 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 6690 (New Series), appropriating \$1,200.00 from Unappropriated Balance Fund, for Photomap of the Kearny Mesa area, to be performed by Fairchild Aerial Surveys, Inc., in accordance with contract, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

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 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 6691 (New Series), appropriating \$250.00 from Unappropriated Balance Fund, to cover cost of publication of 10,000 copies of Zoning Brochure, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6692 (New Series), establishing grade of Alley Block 36 Fortuna Park, between northerly line of Crown Point Drive and southerly line of La Playa Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6693 (New Series), establishing grade of Deauville Street, between southeasterly line of Roanoke Street and southerly prolongation of easterly line of Sea Breeze Drive, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6694 (New Series), establishing grade of Delta Street, between eastern boundary line of The City of San Diego and its northerly prolongation and the westerly line of Lot 70 Ex-Mission Lands of San Diego, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6695 (New Series), establishing grade of 46th Street, between northerly line of Thorn Street and northerly line of Quince Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6696 (New Series), establishing grade of Menlo Avenue, between northerly line of Quince Street and easterly prolongation of northerly line of Lot 40 Block 7 Bungalow Park Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Williams, the next

ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6697 (New Series) establishing grade of Morningside Street, between line parallel to and distant 13.00 feet northerly from northerly line of Roanoke Street and southwesterly prolongation of southeasterly line of Lot 12 Block 45 Paradise Hills Unit 3, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6698 (New Series) establishing grade of Redwood Street, between westerly line of Menlo Avenue and northerly prolongation of easterly line of Alley Block 15 Bungalow Park Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6699 (New Series) establishing grade of 33rd Street, between west line of Date Street and line parallel to and distant 210.00 feet northerly from northerly line of Date Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Schneider, seconded by Councilman Williams, 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 written or printed copy.

ORDINANCE 6700 (New Series), establishing official property line grades on Perique Street for its entire length in Redwood Village Unit 8; Boren Street for its entire length in Redwood Village Unit 8; Boren Street for its entire length in Redwood Village Unit 6; Kerch Street for its entire length in Redwood Village Unit 6; Nelson Street for its entire length in Redwood Village Unit 6; Hughes Street for its entire length in Redwood Village Unit 8; Jodi Street for its entire length in Redwood Village Unit 8; Gayle Street between southerly line of Redwood Village Unit 8 and southerly line of Hughes Street; Gayle Street between northerly line of Hughes Street and southerly line of Rock Street; Demus Street for its entire length in Redwood Village Unit 8; Rock Street for its entire length in Redwood Village Unit 9; Marron Street for its entire length in Redwood Village Unit 9; Hegg Street for its entire length in Redwood Village Unit 9, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

RESOLUTION 128975, requesting San Diego Transit System to extend bus service to residential area within the City of San Diego known as Allied Gardens; directing City Clerk to transmit to Secretary of Public Utilities Commission of State of California, and President of San Diego Transit System, certified copies of the resolution, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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

RESOLUTION 128950, authorizing and empowering City Manager and City Clerk to execute for and on behalf of the City, an agreement between The City of San Diego and the State of California, Department of Public Works, Division of Highways, providing for modification of traffic control signal systems and highway lighting to coordinate with City's new one-way street system and highway lighting at intersections of A, B, C, Broadway, E, F and G Streets, with State Highway Route XI-SD-77-SD (11th Street), and setting forth maintenance functions that are to be performed by the State and specifying proportionate share of costs that are to be borne by the City and the State, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

(This item shown earlier in these minutes, where it was numbered - out of order, by request).

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

RESOLUTION 128976, authorizing City Manager and City Attorney to take all necessary steps to commence realignment of Racine Road as realignment is indicated on City of San Diego Engineering Department Drawing Number 12327-L, and complete such realignment as soon thereafter as practicable, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(This has to do with the rezoning of portion of Parcel "00" Lot 19 Rancho Mission, on which hearings have been held, in connection with a commercial shopping center proposed)

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

City Attorney DuPaul told the Council that this has to do with permits, which will not be granted, because of Land Title Building's cornice which encroaches 3" over public property. Asked how long that had been, the City Attorney replied that at least since he was a little boy. Members of the Council stated that if the condition had existed that long without trouble, it would probably continue to do so.

RESOLUTION 128977, granting Bills Enterprises (Leo W. Jacobs, President) to install and maintain building facade in Third Avenue for benefit of owner's property: Lot L Block 41 Horton's Addition, over, under and across Broadway and the southwest corner of Third Avenue), subject to conditions of Resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

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

RESOLUTION 128896, accepting deed of United States of America and Bayview Village, Inc. No. 1, conveying easement and right of way for street purposes in streets, roadways and alleys and other easements within property described in the deed, shown and delineated upon Record of Survey Map 3398 filed in Recorder's office quitclaiming, transferring and conveying sewer and water systems, including but not limited to water mains, water towers, pump houses and appurtenances and power lines serving the water systems, sewer mains and appurtenances, sidewalks, curbs, gutters and appurtenances located in the streets, rights of way, alleys, public places, and easements granted in the deed, within boundaries of property particularly described in Exhibit (a) attached to deed and also those locations

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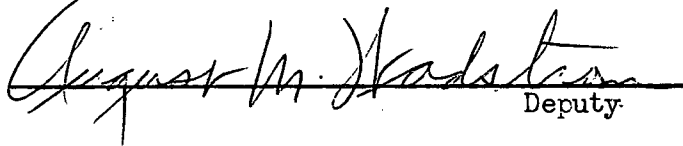
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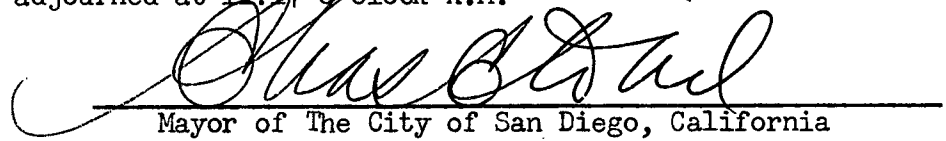
within boundaries of easement described in subparagraph B of the deed; authorizing and directing City Clerk to file deed, together with certified copy of resolution for record, in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 11:17 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk


Deputy


Mayor of The City of San Diego, California

Meeting adjourned

REGULAR MEETING

Thursday, October 6, 1955 - Council Chamber of
The City of San Diego,
California

Present--Councilmen Burgener, Williams, Curran, Evenson
Absent--Councilmen Schneider; Kerrigan (absent from the City on City of San Diego business,
on the Feather River project); and Mayor Dail.
Clerk---Fred W. Sick

Vice Mayor Burgener, who presided, called the meeting to order at 10:08
o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 102.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed rezoning of Lots 1 through 7 Crestline, and Lots 28 through 34 Block 475 C. C. Seaman's Subdivision, from R-2 to R-4, the Clerk read letter from Planning Commission signed by P. Q. Burton. In addition to a detailed report, the communication states that Mr. and Mrs. (John L.) Bartley were the only proponents who appeared at the meeting; and after hearing the Planning Department's report and the opponents of the rezoning, the Commission voted 3-2 to deny the proposed rezoning.

Richard Crake, attorney, representing the owners of Lots 1 to 7, said that it is important to consider zoning of the area generally. He outlined it in detail. He said that there is much R-4 now; only a small portion R-2. Mr. Crake told the Council there is only 1 block between 2 large R-4 zones.

Mayor Dail entered the meeting, and took the Chair.

Mr. Crake stated that the property is locally an R-4 use, is surrounded by R-4. He said that property lies in a canyon, which "they" were talking about. He said there is a large house, in an R-2 zone, with R-4 variance. He said that all the property owners signed for the change, and told of having many other signatures in favor of the change. He said that there is going to be the same character of development in the new construction. He stated that the older buildings will be replaced by smaller, multiple dwellings, with off-street parking. He declared that there is no traffic problem, and that it is even more cut off from traffic than Curlew (area in which another similar hearing had been held).

Councilman Burgener asked a member of the Planning Department to show the Council the property.

P. Q. Burton exhibited to the Council a map, from which he pointed out and described various properties. He said there is no R-1 Zone in the area, but there are single-family residences in the general. He spoke of there being a steep hill, but sharp turn. He said that Dove Street dead-ends. Mr. Burton pointed out property on the map and explained the various uses. A conference was held over the map, including Councilmen, Mr. Crake and Mr. Burton.

Mr. Crake relinquished the floor, after which the Mayor invited protestants to be heard.

George Ream, owner of Lot 15 Crestline, stated that there is only 1 entrance; no sidewalk; is a dead-end. He said that it is "quite congested now". He told the Council that the arguments (against the zone change) are contained in the letter which he and others had signed (Document 520238)

Councilman Williams talked to Mr. Ream.

Mr. Ream said that dirt washes into the street when it rains.

The letter of protest to which Mr. Ream had referred, was read to the Council by the clerk.

Edna Brown, 615 West Pennsylvania, said that all arguments mentioned are contained in the letter which had just been read. She said she did not see how more than a duplex could be built.

Meeting convened
Hearing

Mrs. Kenneth Omang said that a man who talked said that it was not much traveled. She stated that since she had bought in 1947 the traffic has doubled. She told the Council that there is no playground close, and children get in the street. She said that on the corner of Dove and Pennsylvania the street makes a cut into the street, and there is just room for 1 car. Mrs. Omang said that the Fire Department has been there, on account of children setting grass afire in the canyon.

The builder (who was apparently John L. Bartley, 4468 Longbranch Street - the petitioner for the zone change) was heard next. He said that he wants to build 4 separate units; there is off-street parking up Dove Street. He stated that cars are represented by 3 people who oppose the zoning. He told the Council that Mrs. Omang (who had spoken in protest) represents a candy company that parks trucks there, although mostly off-street. He stated that others park in the street. The speaker told the Council that he "has been in the district quite a while". He said that the congestion would be created by the people who made no provision for garages. He said there had been a horse trailer in the street (although not there now), and there is a trailer parked there. He told the Council that if the canyon lots were improved, it would take away the weeds. He stated that the district should be allowed to grow, with a lot of residences; he was not interested in keeping the canyon for weeds, or a farm. He stated that he is interested in progress, and is asking for progress. He said that if there is progress, the residents won't have to worry about fire hazard in the canyon. He said that the only place there is no off-street parking is to the south in R-2. He stated that a number of cars are parked there each night, and cars are parked at any angle the owners want. He said that "they" had objected to others moving into the neighborhood.

Councilman Burgener asked how many units are to be built.

The same man (who had made the statement earlier) spoke to Councilman Burgener, and said that on Lot 7 would be 4-unit court. He said lot is 54 x 100 + a few feet. He said that the back of Lot 5 comes to the same level, and its owner intends to ask for variance on Lot 5.

Councilman Burgener said that if it is not too inconvenient, he wants to look at the situation. He said "4 houses on 5,000 square feet, would be quite a saturation".

Councilman Williams agreed that it would be well for Councilmen to see the property. He said that streets are chopped up, and twisted.

On motion of Councilman Burgener, seconded by Councilman Williams, hearing was continued to Thursday, October 13, 1955.

The hour of 10:00 o'clock A.M. having arrived, the set for hearing on ordinance incorporating portions of Lots 72 and 78 Rancho Mission of San Diego, portions of Lots 8 and 9 The Highlands, Lot 1 Block 1 and portions of Lots 1 and 6 Block 10 Rosedale, into M-1A Zone, the Clerk reported, at question from Councilman Burgener that there were no written protests.

Report of Planning Commission, by P. Q. Burton, recommending rezoning of approximately 230 acres of land to M-1A, located on Kearny Mesa, on both sides of Cabrillo Freeway, a southerly addition to existing M-1A zone within 12,000-foot circle centered on Miramar, was read. It says property is now R-1, R-2 and interim regulation similar to B-1B. It says that rezoning is logical addition to existing industrial center on Kearny Mesa and is part of San Diego Mesa Industrial Center plan which has been considered at a joint meeting of the Commission and the County Planning Commission.

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 Curran, ordinance incorporating portions of Lots 72 and 78 Rancho Mission of San Diego, portions of Lots 8 and 9 the Highlands, Lot 1 Block 1 and portions of Lots 1 and 6 Block 10 Rosedale, into M-1A Zone as defined by Section 101.0412.1 of San Diego Municipal Code, and repealing Ordinances 5252 (New Series), 5582 (New Series) and 5890 (New Series) insofar as same conflict, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays--None. Absent--Councilmen Schneider, Kerrigan.

Communication from Purchasing Agent, approved by City Manager, recommending accepting bid of National Steel & Shipbuilding Corporation, low bidder, for furnishing approximately 2500 cast iron meter box covers for 6 months beginning October 15, 1955, at \$1.29 each plus State Sales Tax - 2 bids, was presented.

RESOLUTION 128978, accepting bid of National Steel & Shipbuilding Corporation for furnishing approximately 2500 cast iron meter box covers for 6 months beginning October; 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 Williams, adopted.

Report of Purchasing Agent on low bid of San Diego Laundry Tray, low bidder, for furnishing concrete water meter boxes for 1 year beginning October 15, 1955, at \$1.85 per box and cover; \$0.75 for concrete cover only, plus State Sales Tax - 4 bidders, was presented.

RESOLUTION 128979, accepting bid of San Diego Laundry Tray for furnishing concrete meter boxes for 1 year (box and cover) and cover only; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent on 2 identical bids for furnishing Repair Parts (list attached to report) from Cal-Val Pressure Reducing Valves for Water Distribution Division at total price of \$1,248.72 terms 1% 30 days plus State Sales Tax, was presented. Report was approved by City Manager. It states successful bidder was determined by lot.

RESOLUTION 128980, accepting bid of Industries Supply Company for furnishing Repair Parts for Reducing Valves; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Purchasing Agent, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Report of Purchasing Agent recommending exercising contract option and purchase Street Cleaner (under rental from Smith Booth Usher Company), was presented.

RESOLUTION 128981, authorizing and instructing City Manager to exercise for The City of San Diego the option contained in rental agreement under Resolution 122276 dated January 25, 1955, and purchase from Smith-Booth-Usher Company 1 OBECO Tornado Vacuum Street Cleaner, applying rental paid in on cleaner amount to \$1,545.00 against purchase price of \$7,446.00 making total balance due, including State Sales Tax, of \$6,124.38, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128982, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 2 Triple Combination 1000 gallon per minute Fire Engine Pumps, Document 521606, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 128983, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing White Traffic Paint for 6 months beginning November 5, 1955, Document 521607, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 128984, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Reroofing of Ford Building in Balboa Park, Document 521608; authorizing and directing, Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

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Mayor Dail said that there is apparently a feeling on both sides that the Braemar and Braemar Extension rezoning (for the large hotel on Mission Bay) be continued 1 week.

On motion of Councilman Burgener, seconded by Councilman Williams - ordinance incorporating Lot A Braemar and Lot C Braemar Extension into R-1, R-4 and SC Zones, and repealing Ordinance 119 (New Series) insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Williams, was continued 1 week - to October 13, 1955.

Communications from Planning Commission, submitting Resolution suspending 6 sections of Municipal Code in connection with tentative subdivision map of San Diego Shopping Center; and approving tentative map, a 65-acre subdivision of portion of Lot 19 Rancho Mission, subject to 21 conditions, were presented.

Harry C. Haelsig, Acting City Planning Director, said that there is the deletion of Thorn Street which should be added to the conditions.

City Attorney J. F. DuPaul said he understood that the map shows "Reserved for Future Street". He wondered how much change there is.

Mr. Haelsig replied that is a minor change.

Mr. DuPaul said that the map may show reservation and offer to dedicate. He said it would be a continuing offer. He said that "reservation for future street" have no reservation. He said that if that goes through improvements would be paid by the subdivider.

Councilman Burgener moved to delete Thorn Street, including reservation for future. Motion was seconded by Councilman Williams.

Councilman Burgener stated that Thorn Street is too narrow; other access should be provided.

Councilman Williams said that the subdivider could be required to put in at no expense to the City. He said the Council should hear from the counsel.

Tom Hamilton, attorney, representing the shopping district interests, said he had not discussed the issue with the subdivider, but "the subdivider would be willing to go along with the Council". He told of wanting to work with the neighbors. He said that the least desirable would be to dedicate, and not improve. He said they could not build. He said it would be safe to say they would go one way or the other. He spoke of not wanting to dedicate now, and then not improve. Mr. Hamilton said it is not necessary to dedicate. He said it is a continuing offer.

Tom Fanning, attorney who had spoken in opposition to the rezoning to permit the shopping center, said that it would be better to abandon the street at this time. He said it would give proper development and protection.

P. Q. Burton, from the Planning Department, pointed out on the map, if Thorn does not go through, the property that would be cut down.

Mr. Fanning said, again, that he wants Thorn abandoned.

Councilman Burgener said that Thorn Street would not lend itself to heavy traffic. He said that if opened, or a threat to open, it would create a serious threat to the neighbors.

Councilman Burgener repeated his motion.

Councilman Curran wondered if the Thorn Street item came from Planning; if for protection, and the reason.

Mr. Fanning said he did not understand, that that it would not be a justifiable benefit.

Mr. Hamilton said that if Thorn were not provided, there would be a cut. (Resolution, on this point, was to be changed).

Mr. Hamilton said it should be correct regarding not requiring acquisition (of additional property).

Councilman Curran moved:

- 1 - There is no need for the street (Thorn Street);
- 2 - There be no requirement for acquisition of the "other" property.

Councilman Williams seconded that motion.

(Resolution was withdrawn for correction).

The Mayor said it should be correct; then pass the Resolution.

Councilman Williams spoke to Mr. Haelsig regarding the bumper strip, and regarding closing of Thorn.

Mr. Haelsig said that would depend on the action. He said there can be

indication on the map. He said it should be determined, first, if the area is to be rezoned.

The Council then skipped to item 48 on the agenda on the zoning for the shopping center in Rancho Mission.

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

ORDINANCE 6701 (New Series) incorporating portion of Parcel "O" Lot 19, Rancho Mission in The City of San Diego, California, into R-4, CP and C-1A Zones, as defined by Sections 101.0408, 101.0410 and 101.0411.1 of The San Diego Municipal Code, and repealing Ordinance 6242 (New Series) adopted August 31, 1954, insofar as it conflicts, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-Councilmen None. Absent-Councilmen Schneider, Kerrigan.

RESOLUTION 128985, rescinding Resolution 121794 granting petition for improvement of portions of 68th Street and Rosefield Drive, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Lee S. Howard, 6505 Pacific Hwy (undated) "regarding resolution on item 32 which was passed by the Council, Oct. 4", requesting rescinding and adoption of another since installation of sidewalk is a financial burden, was presented.

It has to do with Tentative Map of Ocean Villa Tract, Lots 38 and 39.

Mr. Howard told the Council that he wants the sidewalks omitted. He stated that the gentleman next door is buying a portion for parking lot for a future business. He said that the gentleman who puts in the parking lot, would put in the driveway.

Harry Haelsig pointed out on a map, the property. He stated that the Council had instructed the Planning Department to put in sidewalk requirements.

There was discussion between Councilman Burgener and Mr. Haelsig.

Then, there was discussion between Councilman Burgener, Mr. Haelsig, and Mr. Howard.

RESOLUTION 128986, eliminating requirement for sidewalk, was on motion of Councilman Burgener, seconded by Councilman Evenson, ~~requirement for sidewalks~~ in front of the 2 lots, was adopted.

(The resolution, which did not accompany any of this discussion, is to be drawn by the Planning Department).

RESOLUTION 128987 covers item adopted later, but numbered here by request.

RESOLUTION 128988 covers item adopted later, but numbered here by request.

Communication from Mrs. Catherine M. Karson, 1889 Bacon St., Apt. 4, dated 3 Oct 1955, protesting against bus system in San Diego, was presented. It says writer does not mind so much the raise in fares, but expects to get better service for it. She says "people are still coming into San Diego by the thousands - the service should be much better.

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

Communication from Dick Ohlendorf, 11929 Venice Blvd., Los Angeles 66, dated Oct. 1st, 1955, offering detailed elaborate plan for housing units back of the U.S. Naval Hospital, etc.

At the request of the Council, it was read, partly to the Council by

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the Clerk.

filed.

On motion of Councilman Curran, seconded by Councilman Williams, it was

The Mayor was requested to answer it.

Communication from Harbor Commission, by John Bate, requesting resolution to authorize construction and pier and float at south end of Shelter Island - estimated cost \$2,000.00 - by City forces.

RESOLUTION 128989, authorizing and empowering Port Director to do all work in connection with construction of pier and float at south end of Shelter Island, by appropriate City forces, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128990, declaring the following to be "Intersection Stops":
 Lisbon Street and Jamacha Road, affecting eastbound traffic on Jamacha
 Road;
 Detroit Avenue and 65th Street, affecting northbound traffic on 65th
 Street;
 Boundary Street and 33rd Street, affecting traffic on 33rd Street;
 Francis Street and Tompkins Street, affecting traffic on Tompkins Street,
 and southbound traffic on Francis Street;
 38th Street and Madison Avenue, affecting traffic on Madison Avenue;
 Churchward Street and Las Flores Terrace, affecting northbound traffic
 on Las Flores Terrace;
 Date Street and Brookline Street, affecting northbound traffic on Brookline
 Street;
 Orchard Avenue and Cable Street, affecting northbound traffic on Cable
 Street and eastbound traffic on Orchard Avenue;
 Newport Avenue and Cable Street, affecting traffic on Cable Street;
 declaring following to be "Through Highways":
 Detroit Avenue from west line of 58th Street to west line of 65th Street;
 65th Street from north line of Detroit Avenue to south line of Skyline
 Drive;
 16th Street from north line of "B" Street to south line of 18th Street
 Road;
 Lisbon Street from east line of Imperial Avenue to west line of Jamacha
 Road;
 Jamacha Road from north line of Lisbon Street to east City limits;
 Orange Avenue from east line of Euclid Avenue to east line of 51st Street;
 Cable Street from north line of Orchard Avenue to south line of Voltaire
 Street; (except at its intersection with Newport Avenue);
 26th Street from north line of Main Street to south line of National Avenue;
 SAMPSON STREET from south line of Newton Avenue to west line of 28th Street,
 (except at its intersection with National Avenue, Logan Avenue and Ocean View Boulevard);
 28th Street from south line of Broadway to north line of Main Street (except
 at intersection with Imperial Avenue, Ocean View Boulevard and National Avenue);
 Crosby Street from north line of Main Street, to north line of Commercial
 Street, (except at its intersection with National Avenue);
 Ocean View Boulevard from north line of Commercial Street to west line of
 47th Street, (except at its intersection with Wabash Boulevard);
 authorizing installation of necessary signs and markings, was on motion of Councilman Evenson,
 seconded by Councilman Curran, adopted.

RESOLUTION 128991, authorizing Butterfield-Nelson Inc., a corporation - contract Document 511171 - to supply and spread penetrating paving asphalt and emulsified and liquid asphalt on 4 consecutive Sundays beginning October 9, 1955, price for spreading to be \$9.50 per hour, and all other terms, definitions and conditions of contract to remain unaltered, and that work be done under direction of City Engineer, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 128992, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 4 locations, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 128993, eliminating 10 overhead 6000 lumen street lights on south side of University Avenue, between Caragena Drive and 68th Street, from new Rolando Street Lighting District #2, and that future cost of maintenance of said lights be assessed against General Street Lighting Fund when new Rolando Street Lighting Assessment District #2 is formed, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 128994, authorizing and empowering City Manager to execute, for and on behalf of the City, Utilities Agreement 6337 with State of California Department of Public Works Division of Highways for improvements in connection with State Highway Project XI-SD-77-SD between B Street and 0.2 mile north of Date Street under terms and conditions of agreement filed in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 128995, authorizing City Manager to execute agreement with Allied Farms, Inc., a corporation, Louis L. Kelton and Elsa G. Kelton, Walter Bollenbacher and Grace Bollenbacher, for additional paving to be done on Waring Road, Engineer's letter to City Manager, Document 519307, in connection with work required to be done under agreement with City for installation of improvements in Allied Gardens Unit 5, form of agreement filed in office of City Clerk as Document 521737, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128996, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with H. & N. Construction Co. a corporation: c/o Glenn Napierskie, Box 385 Grossmont, California, subdivider of Linda Manor Subdivision, providing for installation of mains and appurtenances larger than necessary for the subdivision, on Logan Avenue from westerly line of Linda Manor Subdivision in easterly direction 416.27 feet and on Olvera Avenue from easterly line of subdivision in westerly direction 280.62 feet, made at request of City, and for reimbursement by City to subdivider of \$1455.43 for difference in cost of installation of larger mains as requested by City, upon execution and delivery to City of Quitclaim Deed conveying to City, all of right, title and interest of subdivider in and to water distribution system in Linda Manor Subdivision, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 128997, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute agreement between the San Diego County Safety Council and The City of San Diego wherein the Traffic Safety Council agrees to carry on and promote campaign for traffic regulation and the City agrees to make available to the Council a sum up to but not in excess of \$5000.00 to be used for expenses of said Council, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128998, approving Change Order 1, September 21, 1955, filed as Document 521637, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lights on Grand Avenue, Pacific Beach, contract Document 513413, changes amounting to increase in contract price of approximately \$5,048.32; approving request for extension of 90 days to and including December 21, 1955, in which to complete contract, and extending the completion time, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 128999, approving request of Ets-Hokin & Galvan, September 27, 1955, Change Order 1, for extension of 45 days, to and including December 18, 1955, filed with City Clerk as Document 521639, in which to complete contract for installation of traffic signals and safety lighting at 2nd Avenue and C Street and Kettner Boulevard at B Street, Document 518249; extending completion time to December 18, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 129000, approving Change Order 5, September 22, 1955, filed with City Clerk as Document 521641, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. and M. E. Maxwell Co., a joint venture, for improvement of Grand Avenue, Pico to Pacific Highway, contract Document 506411; changes amounting to increase in contract price of approximately \$1,683.49, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 129001, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions Lot 67 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 Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 129002, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southwesterly 5.0 feet of southeasterly 119.95 feet of Lot 8 Gardena Home Tract, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; 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 Burgener, adopted.

RESOLUTION 129003, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northerly 51.0 of portion Lot 26 Soledad Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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 Burgener, adopted.

RESOLUTION 129004, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 24, 25 and 26 Block 4 Berkeley Heights, together with all penalties and all other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 129005, 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 6 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 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 Burgener, adopted.

RESOLUTION 129006, granting permission to Harmony Homes, George E. Martin, 6610 El Cajon Boulevard, San Diego, to install a 1-1/2" copper pipe on exposed kitchen sink vent (because of structural difficulties) on each of 12 new residences on Minden Drive - listed in Resolution - being built in Mission Heights Subdivision; Copper tubing to be no less than type "M" Federal specification WW-T799a; subject to conditions of resolution, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 129907, granting revocable permit to Vincent H. Bodman, Bank of America Building, Whittier, California, to install and maintain electric and telephone services for use and benefit of owner's property: Lots 13, 14, 15 Block 17 La Mesa Colony Townsite Map 346, over, under and across sidewalk on west side of 73rd Street; subject to conditions of resolution, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 129008, granting James P. Laursen, 8848 Glenira, La Mesa, revocable permit to install and maintain 1-1/2" underground electric conduit under and across Lots A and B Block 98 Horton's Addition, subject to conditions of resolution, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 129009, granting revocable permit to Anthony C. Martinolich, 4525 Yerba Santa Drive (Alvarado Estates) @ mailing address of owner: 2475 East Belt Street, San Diego 13, to install and maintain power conduit and communications conduit for benefit of owner's property: Lot 66 Unit #2 Alvarado Estates, under and across Yerba Santa Drive, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129010, granting revocable permit to Jacob P. Melchior, 1141 Law Street, San Diego 9, to install and maintain a 4" cast iron sewer in Camino del Teatro and a 1" cast iron water service under Camino del Teatro from Lot 7 Block 16 Muirlands, to City sewer main near line of Lot 5 and City Water Main in Camino del Teatro respectively, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 129011, rescinding Resolution 123081 adopted March 8, 1955, authorizing and directing City Attorney to commence action in Superior Court of State of California, in and for County of San Diego, for purpose of condemning and acquiring easements and rights of way across property owned by Atchison, Topeka and Santa Fe Railway Company, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 129012, authorizing Edward M. Hall, Transportation Research Director, to attend National meeting of Institute of Traffic Engineers, to be held in Pittsburgh, Pennsylvania, October 25 through October 28, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 129013, authorizing James E. Reading, City Traffic Engineer, to attend annual meeting of Institute of Traffic Engineers, Pittsburgh, Pennsylvania, October 25 through October 28, 1955, and to go to New York City for purpose of inspecting traffic signal facilities in that city; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 129014, denying claim of Jack Edward Kellar, Document 489958, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129015, denying claim of Kay Kreeger, Document 520357, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129016, denying claim of Willard E. Woldren, Document 520038, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129017, accepting Quitclaim deed, executed 26th day of September, 1955, by H. & N. Construction Co., a corporation: care Glen Napierskie, Box 385, Grossmont, California, 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 "Linda Manor", being subdivision of Lot 62 Las Alturas Villa Sites; 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 Curran, adopted.

RESOLUTION 128987, accepting deed of Norman F. Lighthart and Clara C. Lighthart, September 16, 1955, conveying Lots 6 and 7 Block B Weeks' Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

This was numbered out of order, and shown earlier, also.

RESOLUTION 129018, accepting deed of Clyde G. Noble and Blanche R. Noble, September 26, 1955, conveying Lot 53 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 128988, accepting deed of Clarence L. Ripley and Anna S. Ripley, July 26, 1955, conveying easement for right of way for storm drain in portions of Pueblo Lot 1122 and South 187.3 feet of Pueblo Lot 2123; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

This was numbered out of order, and shown earlier, also.

RESOLUTION 129019, accepting deed of Arthur W. Rogers and Elizabeth M. Rogers, September 27, 1955, conveying easement for right of way for public sewer in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion

of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 129020, accepting deed of Anund W. Sannes and Barbara Jean Sannes, September 23, 1955, conveying Lot 81 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 129021, accepting deed of Milton Clifford Shadoan and Idamae Shadoan, September 22, 1955, conveying easement for right of way for storm drain in portion Villa Lot 4, Track #1361; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The ordinance, listed next on the agenda, for zoning in Braemar and Braemar Extension, had been continued 1 week - at the beginning of the meeting.

On motion of Councilman Burgener, seconded by Councilman Curran, the 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 written or printed copy.

ORDINANCE 6702 (New Series) amending Sections 92.0104, 92.0204 and 92.0301 of San Diego Municipal Code, Regulating Electrical Work - Board of Electrical Examiners, Permits, etc. - was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

The ordinance, listed on the agenda, for zoning in portion Parcel "O" Lot 19 Rancho Mission was adopted, earlier in the meeting.

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

ORDINANCE 6703 (New Series), dedicating unnumbered lot in Block 239 Pacific Beach for street purposes, and naming land Balboa Avenue, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

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

ORDINANCE 6704 (New Series), changing name of Chase Street to Crawford Street, Olympic Avenue to Hood Avenue and Lassen Avenue to Rainier Avenue, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Curran, 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 written or printed copy.

ORDINANCE 6705 (New Series), naming portion of County Road Survey 251 in Lot 70 Ex-Mission Lands (known as Horton's Purchase) Delta Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

On motion of Councilman Evenson, seconded by Councilman Curran, 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 written or printed copy.

ORDINANCE 6706 (New Series), changing name of portion of Mesa Street in Kearny Mesa Area to Mercury Street; dedicating street easements adjacent to Mesa Street, and naming land Mercury Street, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

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 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 written or printed copy.

ORDINANCE 6707 (New Series), appropriating \$1,700.00 from Unappropriated Balance Fund, for providing funds for obtaining Bathythermographic Studies at each of 2 possible sites of Sewer Outfall in San Diego area, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

On motion of Councilman Williams, seconded by Councilman Evenson, Ordinance setting aside and dedicating portion Lot 12 Lemona as and for public street, and naming land Wellington Street, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

The Mayor introduced, under unanimous consent, the next item, not listed on the agenda:

RESOLUTION 129022, ratifying and approving expenses incurred by Mayor Charles C. Dail, and Assistant to the Mayor, Phillip Acker, in making trip to Los Angeles, California, October 4, 1955, in connection with meeting of Los Angeles Industrial Development Conference, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

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

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

RESOLUTION 129023, adopting Map of Crown Heights Subdivision, being portion Lot 20 Block 51 Linda Vista Unit 1; accepting on behalf of the public unnamed easements for public purposes, declaring them to be unnamed easements and dedicated to public use; authorizing and directing Clerk of the City as and for act of the Council, to endorse upon map that

Council accepts the easements and dedicates them to public use; authorizing and 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 Curran, adopted.

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

RESOLUTION 129024, granting Convair permission (a Division of General Dynamics Corporation) to grade and surface portion of Harbor Drive adjoining Convair property, under plans, etc., furnished to City Engineer by Convair, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Asked for a report, E. W. Blom explained that it is not in Harbor Drive, itself, but in the property which adjoins it.

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

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

On motion of Councilman Burgener, seconded by Councilman Curran, ordinance (an emergency ordinance) was read.

ORDINANCE 6708, (New Series), an interim ordinance establishing regulations governing use of land in Grantville Rancho Mission Annexation in City of San Diego and repealing Ordinance 6488 (New Series) adopted April 21, 1955 insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

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

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

On motion of Councilman Burgener, seconded by Councilman Curran, ordinance (an emergency ordinance) was read.

ORDINANCE 6709 (New Series) establishing setback regulations along Alvarado Canyon Road, Fairmount Avenue, Mission Gorge Road and Montezuma Road within Grantville Rancho Mission, was on motion of Councilman Curran, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Kerrigan.

Items 10 and 11 on agenda for this meeting, which had been held over - having to do with suspensions of Municipal Code, and the approval of tentative map, of San Diego Shopping Center - were brought up again.

City Attorney J. F. DuPaul said that the resolutions should be worded carefully. He recommended that they be held until next Tuesday.

On motion of Councilman Curran, seconded by Councilman Burgener, they were continued until Tuesday - October 11, 1955.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:15 o'clock A.M. He announced that members of the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Charles A. Dail
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Tuesday, October
11th, 1955.

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

Reverend Arley D. Skinner, pastor of the First Church of God,
was presented by the Mayor. Reverend Skinner gave the invocation.

The meeting was convened at 10:02 o'clock A.M.

Ordinances and Resolutions for this meeting are recorded on
Microfilm Roll 102.

The Minutes of the Regular Council Meetings of Tuesday, October
24th, 1955, and of Thursday, October 6th, 1955, were approved on motion of
Councilman Kerrigan, seconded by Councilman Curran, without reading.
They were signed by the Mayor.

The Mayor awarded service emblems to the following City employees:

Lily Ann Willits, City Engineer's Office, 30-year pin and scroll.

William H. Simpson, Water Production, 30-year pin and scroll.

At this time Councilman Burgener entered and took his place on
the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for
the continued hearing on Resolution of Preliminary Determination No. 128287
for the improvement of Shasta Street and Crown Point Drive, the Clerk reported
that no further written appeals had been filed. No one was present who desired
to be heard.

Thereupon RESOLUTION NO. 129025, continuing the hearing on the
proposed improvement of Shasta Street and Crown Point Drive, under Resolution
of Preliminary Determination No. 128287, until 10:00 o'clock A.M. of Thursday,
October 13th, 1955, was on motion of Councilman Burgener, seconded by Councilman
Williams, adopted.

At this time Councilman Schneider was excused from the meeting.

RESOLUTION NO. 129026, authorizing and directing the Harbor
Commission to carry on the necessary proceedings which will result in the sale

Meeting convened.
Hearing.
Res. 129025 & 129026

of said general obligation bonds, so that the proceeds will be available for the use of said City in constructing public improvement consisting of a new pier in the Harbor of San Diego during the remainder of the fiscal year 1955-1956; authorizing and directing the City Auditor to advance the necessary moneys from the General Fund to meet any obligations of the contract incurred by the City and which are due and payable on or before the beginning of the calendar year 1956; and to reimburse said General Fund out of the proceeds derived from the sale of said general obligation bonds as soon as the same are received; etc., was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing Sheet Piling was presented. Two bids were received.

RESOLUTION NO. 129027, accepting the bid of Armco Drainage & Metal Products, Inc., Calco Division, for furnishing The City of San Diego with 86 Pieces of 12-ft. lengths of Steel Interlocking Sheet Piling at \$15.55 each; and 86 Pieces of 16-ft lengths Corrugated Steel Sheet Piling at \$33.94 each, totaling \$4,256.14 plus State Sales Tax; awarding the contract and authorizing the City Manager to execute the said contract, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids for the construction of a Cyclopean Concrete Quay Wall was presented. Six bids were received.

RESOLUTION NO. 129028, accepting the bid of M. H. Golden Construction Company for the Construction of a Cyclopean Concrete Quay Wall, 10th Avenue Marine Terminal, for the Harbor Department of The City of San Diego, for the sum of \$3,024,000.00; awarding the contract and authorizing the City Manager to execute the said contract; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from the Purchasing Agent reporting on bids for Dredging in the vicinity of 10th Avenue Marine Terminal was presented. Four bids were received.

RESOLUTION NO. 129029, accepting the bid of Standard Dredging Company for Dredging in the Bay of San Diego, Vicinity of 10th Avenue Marine Terminal for the Harbor Department of The City of San Diego for the sum of \$887,898.00; awarding the contract and authorizing the City Manager to execute the said contract; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing 191 Dock Fenders was presented. Five bids were received.

RESOLUTION NO. 129030, accepting the bid of Mission Pipe and Supply Company for furnishing The City of San Diego with 191 Dock Fenders at a price of \$80,406.10 plus State Sales Tax, terms 2% - 30 days; awarding the contract and authorizing the City Manager to execute the said contract; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing one Sprinkler System and appurtenances was presented. Three bids were received.

RESOLUTION NO. 129031, accepting the bid of Industries Supply Company for furnishing The City of San Diego with one (1) Sprinkler System at \$706.44 and 3600 Ft. 1/4" Copper Tubing at \$8.00 per C. Ft., plus State Sales Tax, terms 1%-30 days, or a total price including State Sales Tax and less 1% of \$1,014.03; awarding the said contract, and authorizing the City Manager to execute the said contract; was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from the Purchasing Agent reporting on bids for construction of a Storm Drain in Macaulay Street, northeasterly of Rosecrans Street, was presented. Four bids were received.

RESOLUTION NO. 129032, accepting the bid of Pace Construction Company for construction of a Storm Drain in Macaulay Street, northeasterly of Rosecrans Street, for the sum of \$1,999.50; awarding the contract; and authorizing the City Manager to execute the said contract; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from the Purchasing Agent recommending acceptance of 4 - 1000 gallon per minute capacity Triple Combination Fire Apparatus was presented.

RESOLUTION NO. 129033, accepting the four (4) engines furnished by P. E. Van Pelt, Inc. of Oakdale, California, in accordance with Resolution No. 121502, with certain minor accessories to be supplied by the contractor upon receipt, such accessories not presently furnished being detailed by receipts for the fire engines executed by the Acting Chief of the Fire Department on October 6th, 1955, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted. Said Resolution stated that payment to the contractor shall be made on the basis of 90% of the contract price at this time, and the remaining 10% is to be paid the contractor upon the furnishing and installing of the above referred to accessories.

RESOLUTION NO. 129034, approving plans, specifications and wage scale; authorizing the Purchasing Agent to proceed to publish in accordance with law, notice to contractors calling for bids for the Resurfacing of Third Avenue, University Avenue to Walnut Street; Fourth Avenue, Washington Street to north end; Adams Avenue, Park Boulevard to west end; et al., was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Burgener, seconded by Councilman Williams, consideration of the following two items was continued until the meeting of Thursday, October 13th, 1955:

(Continued Item.) Communication from the City Planning Commission submitting Resolution suspending sections of the Municipal Code relative to the tentative map of a portion of Pueblo Lot 1256.

(Continued Item.) Communication from the City Planning Commission submitting Resolution approving the tentative map of a portion of Pueblo Lot 1256.

The continued matter of suspending sections of the San Diego Municipal Code and the continued matter of approving the tentative map of San Diego Shopping Center were both taken up at this time.

Harry Haelsig explained the requirements for this subdivision, including the paving and channelizing of College Avenue, and the installation of sewers, water mains, storm drain, etc.

No further communications on these matters had been received since the meeting of October 6th, 1955; and no one appeared at this meeting to be heard.

RESOLUTION NO. 129035, suspending Sections 102.09-1, 102.05, 102.07-5, 102.11-2, 102.11-1 and 102.17-c of the San Diego Municipal Code, in connection with the tentative subdivision map of San Diego Shopping Center, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 129036, approving the tentative map of San Diego Shopping Center, a 65-acre subdivision of a portion of Lot 19, Rancho Mission, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

At this time Councilman Williams was excused from the meeting.

Communication from the City Planning Commission relative to the tentative map of Del Cerro Units Nos. 2 and 3 was presented.

RESOLUTION NO. 129037, reapproving the tentative map of Del Cerro Units Nos. 2 and 3, approved by Resolution No. 126965, adopted June 21, 1955, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted. This Resolution revised Items 5 and 8 of the original Resolution, and provided for a 24 foot island for the entire length of Del Cerro Boulevard; and for certain divided road paving, etc.

The matter of the tentative map of South Chollas Addition was considered at this time.

The Clerk read the report from the City Planning Commission relative to conditions required for approval of this map.

Mr. Richard Van Os, the applicant for the map approval, spoke. He wanted the pavement put in on the 10-year plan.

Councilman Kerrigan asked him the lot values in this vicinity. The lots are worth about \$1500.00 each, according to Richard Van Os.

Mr. Richard Van Os answered questions by Councilmen Burgener and Kerrigan.

Harry Haelsig showed a plat and explained the required paving and other improvements.

The sale of City-owned property at this location was discussed by Councilmen Burgener, Curran and Kerrigan and by Mr. Blom.

It developed the tentative purchase was to be made by Richard Van Os; and that all affected property is in R-4 Zone. It was mentioned that the City Planning Commission recommended the improvements under discussion by a vote of six to zero.

A motion was made by Councilman Burgener, seconded by Councilman Evenson, that street paving only be deleted from the requirements for this subdivision. A Roll call on the motion showed Councilmen Burgener, Curran and Evenson voting "Yea"; Councilman Kerrigan and Mayor Dail voting "Nay"; absent Councilmen Williams and Schneider. Thereupon, the Mayor declared the motion lost; as it lacked enough favorable votes to override the City Planning Commission.

RESOLUTION NO. 129038, suspending sections 102.18-5; 102.07-5 and 102.17-c of the San Diego Municipal Code, in connection with the two-lot resubdivision of Lot 26 and a portion of Lot 25, Block 10, South Chollas Addition, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129039, approving the tentative map for the resubdivision of Lot 26 and a portion of Lot 25, Block 10, South Chollas Addition, subject to the six conditions contained in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from the City Planning Commission recommending changing the name of a portion of Deauville Street to Dittman Street was presented.

RESOLUTION NO. 129040, requesting the City Attorney to prepare and present to the City Council the necessary ordinance to change the name of Deauville Street, between Sea Breeze Drive and the prolongation of the westerly line of Lot 7, Block 39, Paradise Hills Unit No. 3, to Dittman Street, as recommended by the City Planning Commission, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from W. H. Black of La Jolla Farms requesting that a piece of property of approximately five acres located on Kearny Mesa and held by the City for Park Purposes be reconveyed to the original grantors, was on motion of Councilman Kerrigan, seconded by Councilman Curren, referred to the City Manager and to the City Attorney.

Communication from the San Diego Taxpayers' Association opposing the acquisition of real property by the City for investment or speculative purposes was presented, and on motion of Councilman Kerrigan, seconded by Councilman Williams ordered filed.

The Mayor announced a Breakfast meeting will be held to discuss this and other matters next Monday morning at 7:30 A.M. at the Chamber of Commerce Building.

RESOLUTION NO. 129041, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2407 made to cover costs and expenses of work done upon paving and otherwise improving a portion of the Alley in Block 11, Subdivision of Lots 20 to 50, Block N, Teralta, under Resolution of Intention No. 119094, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129042, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2408 made to cover costs and expenses of work done upon paving and otherwise improving a portion of the Alley in Block 31, University Heights, under Resolution of Intention No. 119095, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129043, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2410 made to cover costs and expenses of work done upon paving and otherwise improving 40th Street, between Ocean View Boulevard and T Street, under Resolution of Intention No. 121402, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129044, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2409 made to cover costs and expenses of work done upon paving and otherwise improving Quimby Street, easterly of Willow Street, under Resolution of Intention No. 120407, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 129045, accepting the bid of Griffith Company, and awarding contract, for paving Garnet Street, between Morrell Street and Pendleton Street; and a portion of Balboa Avenue, under Resolution of Intention No. 127631, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 129046, accepting the bid of Griffith Company, and awarding contract, for paving La Jolla Shores Drive, from Camino del Oro to El Paseo Grande, under Resolution of Intention No. 127632, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD NO. 129047, accepting the bid of L. B. Butterfield, and awarding contract, for the installation of sewer mains in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, under Resolution of Intention No. 127633, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD NO. 129048, accepting the bid of San Diego Gas & Electric Company and awarding contract for furnishing electric Current in San Diego Lighting District No. 3, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD NO. 129049, accepting the bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for San Diego Lighting District No. 4, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK NO. 129050, for paving and otherwise improving the Northwesterly and Southeasterly Alley in Fort Stockton Heights, under Resolution of Intention No. 128282, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK NO. 129051, for paving and otherwise improving Landis Street, between Mississippi Street and Arizona Street, under Resolution of Intention No. 128283, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK NO. 129052, for paving and otherwise improving Wunderlin Avenue, between 65th Street and a line parallel to and distant 400.00 feet easterly of 65th Street, under Resolution of Intention No. 128284, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK NO. 129053, for the closing of Revere Avenue, lying contiguous to the northeasterly line of Pacific Highway (business route), adjacent to Blocks 4 and 5, Stephen's Addition, according to map No. 964, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK NO. 129054, for the closing of that portion of Evergreen Street, adjacent to Blocks 8 and 9, Bayside Country Club Estates, Unit No. 1, according to Map thereof No. 2009, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted. This Resolution also closed all of Roland Place.

RESOLUTION ORDERING IMPROVEMENT NO. 129055, for furnishing of electric current in Adams Avenue Lighting District No. 1, for a period of eleven months and eighteen days from October 13th, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 129056, for furnishing of electric current in Pacific Highway Lighting District No. 1, for a period of eleven months and twenty-seven days, from November 5th, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 129057, for furnishing of electric current in Roseville Lighting District No. 1, for a period of eleven months and sixteen days from October 15th, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS No. 129058, for furnishing electric current in La Jolla Shores Lighting District No. 1, for eleven months and seventeen days from September 15th, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129059, directing notice inviting sealed proposals for furnishing electric current in Midway Drive Lighting District No. 1, for one year from October 1st, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129060, directing notice inviting sealed proposals for furnishing electric current for Pacific Beach Lighting District No. 1 for a period of one year from September 1st, 1955, was on motion of councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION NO. 129061, for paving the Alley in Block 7, Roseville Heights; a portion of Bangor Street, between the westerly prolongations of the northerly and southerly lines of the Alley in Block 7, Roseville Heights; and a portion of Akron Street, between the easterly prolongations of lines parallel to and distant 5.00 feet northerly and southerly, respectively, of the northerly and southerly lines of the Alley in Block 7, Roseville Heights; was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION NO. 129062, for paving and otherwise improving the Alley in Block 1, Walker's Addition, between Market Street and F Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129063, for paving and otherwise improving of Gregory Street, between Ocean View Boulevard and Florence Lane, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129064, for the installation of sewer mains and appurtenances in portions of Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, Trenton Avenue, Ticonderoga Street, Bunker Hill Street, Brandywine Street, Alleys in Blocks 2, 3, 4, 8, 9, 10, American Park Addition; and Public Rights of Way in Lot 5, Partition of Pueblo Lot 1209, Superior Court Case No. 8341, and Lot 22, Block 5, American Park Addition, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129065, for the paving and otherwise improving of Orange Avenue, between Estrella Avenue and 49th Street, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129066, for the paving and otherwise improving of South Lane, between La Jolla Boulevard and the easterly line of the Alley lying easterly of and adjacent to Block A, South La Jolla; and the Alley lying easterly of and adjacent to Block A, South La Jolla, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129067, for the paving and otherwise improving of Worden Street, between Voltaire Street and Tennyson Street, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129068, for furnishing of electric current in Crown Point Lighting District Number One, for a period of one year, from February 1st, 1956, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129069, for furnishing of electric current in El Cajon Boulevard Lighting District Number Two, for a period of one year, from March 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129070, for furnishing of electric current for Garnet Street Lighting District Number One, for a period of one year from February 1st, 1956, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129071, for furnishing of electric current for Presidio Hills Lighting District Number One, for a period of one year from February 1st, 1956, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 129072, for furnishing of electric current for Talmadge Park Lighting District Number One, for a period of one year from March 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION NO. 129073, for furnishing of electric current for Talmadge Park Lighting District Number Two, for a period of one year from March 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION NO. 129074, for furnishing of electric current for Talmadge Park Lighting District Number Three, for a period of one year from March 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION NO. 129075, for furnishing of electric current for Sunset Cliffs Lighting District Number One, for a period of one year from January 1st, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION NO. 129076, for furnishing of electric current for University Avenue Lighting District Number Two, for a period of one year, from March 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129077, ascertaining and declaring the wage scale for paving and otherwise improving the Alley in Block 23, Ocean Beach Park, between Froude Street and Ebers Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129078, ascertaining and declaring the wage scale for paving the Alley in Block 49, Ocean Beach, between Sunset Cliffs Boulevard and Cable Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129079, ascertaining and declaring the wage scale for paving and otherwise improving Gillmore Street, between 36th Street and 37th Street, Southlook Avenue, between Gillmore Street and Olivewood Terrace; Olivewood Terrace, between Gillmore Street and Ocean View Boulevard; and a portion of Ocean View Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129080, ascertaining and declaring the wage scale for grading ~~and~~ sidewalking of Sultana Street, between Grape Street and Tokay Street; and portions of Grape Street and 54th Street, in O. D. Arnold's Westwood Hills Unit No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129081, ascertaining and declaring the wage scale for paving and otherwise improving of San Fernando Street, between Kellogg Street and the northerly boundary of the U. S. Military Reservation, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129082, approving the diagram of the property affected or benefited by the work or improvement to be done on installing sewer mains in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, under Resolution of Intention No. 121533; directing the City Clerk at the same time of this approval, to certify the fact and date thereof, and to deliver said diagram so certified to the Superintendent of Streets of the City, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129083, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement of paving Macaulay Street and Willow Street, as particularly described in Resolution of Intention No. 126851, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129084, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on paving Morrell Street, between the southerly line of Pacific Beach Drive and the southerly line of Grand Avenue, as particularly described in Resolution of Intention No. 126629, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129085, authorizing the City Engineer to amend the proceedings for the installation of sewers to serve Lots H and I, Sullivan Tract; to include sewers and appurtenances to serve Lots G, H, I and J, La Mesa Colony; Lot A, Sullivan Tract; a portion of Colony Estates, including portions of Amherst Street and 68th Street; was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129086, granting the petition for paving and otherwise improving Rosefield Drive, between 67th Street and 68th Street, to include work on a portion of 67th Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129087, approving an Agreement for Assignment of Lease, between Llano D. Briggs, an individual doing business as San Diego Marine Exchange, Assignor, and John H. White and Elliott W. Pohl, partners, d.b.a. San Diego Marine Exchange, Assignees, on certain tideland property, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129088, commending the employees of The City of San Diego for their splendid contribution to the United Success Drive, and expressing the pride of the Council individually in the City Employees' active participation in civic affairs, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129089, authorizing the City Manager to employ A. R. Kingaard to install a concrete retaining wall and a 6.6-foot length of corrugated metal pipe culvert in conjunction with the paving of the Alley in Block 4, Carmel Heights; the cost of said work not to exceed the sum of \$388.66; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129090, approving Change Order No. 1, issued in connection with the contract between The City of San Diego and M. H. Golden Construction Company, for paving the floor of "B" Street Pier Transit Shed No. 2; and approving the changes therein set forth, amounting to an Increase in the contract price of \$600.47; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129091, approving the request of Griffith Company, contained in Change Order No. 1, for an extension of 120 days time, to and including March 19, 1956, in which to complete the contract for the improvement of Morrell Street, from Grand Avenue to Balboa Avenue, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129092, approving Change Order No. 1, issued in connection with the contract of Rogers Construction Company for the construction of the Chollas Pumping Plant and Chollas-Redwood Village Pipe Line; and approving the changes therein set forth, amounting to an increase in the contract price of \$330.82; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129093, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes against property described in said Resolution, being a portion of Lot 23, La Mesa Colony, according to Map thereof No. 346, together with all penalties and other expenses, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; etc., was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129094, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes against property described in said Resolution, being a portion of the East Half of Lots 22 and 23, Block 13, American Park Addition, according to Map thereof No. 983, together with all penalties and other expenses, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; etc., was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129095, granting permission to the San Diego Branch of the National Association for the Advancement of Colored People to sell "Freedom" seals on the public sidewalks on certain specified streets in the City, on October 26th through October 29th, 1955, between the hours of 9:00 A.M. and 6:00 P.M., for the purpose of raising funds; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129096, granting permission to the Mayor, the San Diego Assembly for the U. N. Way to use the Balboa Park Bowl, the Conference Building, Recital Hall, Puppet Theatre, and the Ford Building on Saturday, October 22nd, 1955, and Sunday, October 23, 1955, for public use, without the payment of fee for the use of any of said structures, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129097, authorizing Vice Mayor Clair W. Burgener, Councilmen Chester E. Schneider, Frank E. Curran, Justin C. Evenson and Dudley D. Williams to attend the American Municipal Congress, to be held in Miami, Florida, from November 27th to 30th, 1955; authorizing them to incur all expenses necessary in connection with said trip; was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129098, authorizing Charles Calhoun Dail, the duly elected and qualified Mayor of The City of San Diego, to attend the forthcoming Japan-American Pacific Coast Mayors and Chamber of Commerce Presidents Conference to be held in Japan on the 10th to and including the 12th day of November, 1955; authorizing him to incur all necessary expenses for said trip; was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

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

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

ORDINANCE NO. 6710 (New Series), appropriating the sum of \$3,235.00 from The Capital Outlay Fund of The City of San Diego, for the purpose of providing funds to pay the City's share of the costs of widening and channelizing the intersection at Montezuma Road and Fairmount Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--Councilmen Williams and Schneider.

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

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

ORDINANCE NO. 6711 (New Series), appropriating the sum of \$2,200.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the construction of a Storm Drain in Macaulay Street, northeasterly of Rosecrans Street, in the City, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--Councilmen Williams and Schneider.

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

ORDINANCE NO. 6712, (New Series), appropriating the sum of \$1850.00 from the Unappropriated Balance Fund of The City of San Diego, for the purpose of reimbursing the Stanford Research Institute for the Cost of 100 Leather-bound copies of the Report authorized to be furnished by Resolution No. 122862, adopted February 24, 1955, and the preparation and delivery to said City of certain charges in connection therewith, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by the following vote:

Yeas--Councilmen Burgener, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--Councilmen Williams and Schneider

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

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

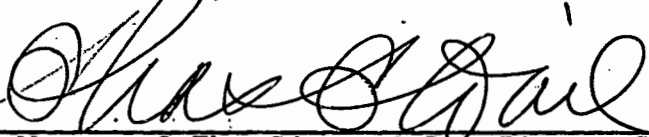
ORDINANCE NO. 7613, (New Series), appropriating the sum of \$500.00 out of the Unappropriated Balance Fund of the City of San Diego, for the purpose of providing funds for the purchase of a Photocopy Machine with paper plate attachment, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--Councilmen Williams and Schneider

RESOLUTION NO. 129099, approving and confirming the appointment by the Mayor of The City of San Diego of Mr. Percy H. Steele, Jr., 753 Duval Street, San Diego, California, as a member of the Social Work Commission, to succeed Miss Cecelia Brennan, resigned, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129100, consenting to and approving the designation and appointment by the Mayor of The City of San Diego of Mr. H. Fred Landgraf, Attorney at Law, 2015 Torrey Pines Road, San Diego, California, as the City's representative on the Board of Directors of the San Diego County Water Authority, to fill the unexpired term of Mr. J. W. Fisher, deceased, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129101, authorizing the Director of the Water Department to sell to Mrs. L. George W. Scott, 4506 Delta Street, in the City of San Diego, a bulk supply of water in an amount not to exceed 350 hundred cubic feet, at the rate of 50 cents per hundred cubic feet; said supply of water to be in addition to the supply of water heretofore authorized to be furnished by Resolution No. 128512, adopted on September 15th, 1955, was on motion of Councilman Kerrigan, 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 10:50 o'clock A.M.



Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk

By



Deputy.

REGULAR MEETING

Thursday, October 13th, 1955 - Council Chamber of
The City of San Diego,
California.

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

Absent---None.

Clerk----Fred W. Sick.

Mayor Dail, who presided, called the meeting to order at 10:03
o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 102.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed rezoning of Lots 1 through 7, Crestline, and Lots 28 through 34, Block 475, C. C. Seaman's Subdivision, from R-2 to R-4, the Clerk presented all papers in connection with the matter.

Attorney Richard Crane spoke in favor of the proposed rezoning. He said all affected property owners were in favor of the zone change; also owners of the adjoining property.

Councilman Kerrigan stated that there seven 25-foot lots in the subject area.

Peyton Q. Burton explained the plat of the district.

Mr. John L. Bartley said he planned to grade and use his lots for R-4 purposes.

The City Clerk read the report to the Council from the City Planning Commission. According to said report the vote was three to two to deny the petition for requested rezoning.

A motion was made by Councilman Williams, seconded by Councilman Curran, that the Planning Commission be upheld. This action would deny the petition for rezoning.

Mr. Paul Swan spoke in favor of the proposed rezoning. He owned land near the intersection of Curlew Street and Pennsylvania Avenue. It was stated that very few of the present residents owned cars, and that parking would be no problem.

Mr. Hall Bartley, owner of Lot 5 shown on the plat, spoke in favor the proposed rezoning. He said there was no through traffic on the front-age streets.

An opponent, B. G. Ream, of 637 West Pennsylvania Avenue, said there was not enough room to park automobiles.

Mr. William Beers said he was now building a home, and objected to the rezoning. He said his lot was purchased with the understanding that the present zoning would remain in force.

All interested persons having been heard, RESOLUTION NO. 129102, denying the petition of Property Owners for the rezoning of Lots 1 through 7, Crestline, and Lots 28 through 34, Block 475, C. C. Seaman's Subdivision, in the vicinity of Dove Street and Pennsylvania Avenue, from Zone R-2 to Zone R-4, as recommended by the City Planning Commission, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on Resolution of Preliminary Determination No. 128287, for the improvement of Shasta Street and Crown Point Drive, the Clerk presented all papers in connection with the matter.

Councilman Burgener reported on the sidewalk pattern, which will result in a jog in the finished sidewalk, where the new work meets old sidewalk in the Housing Project. He said it may be corrected when the Housing Project moves out.

Mr. R. A. Hall, of the City Engineer's office, said the percentage of protest was not shown in his file. The City Clerk stated the protests were all verbal.

Mrs. A. L. Andrick turned in a written request from seven property owners in the 3800 Block of Shasta Street favoring having a parkway between the curbing and the sidewalk when the new work is done.

A motion was made by Councilman Burgener, seconded by Councilman Schneider to abandon the present proceedings and redesign the work without any sidewalks. This motion was later withdrawn.

A motion was made by Councilman Kerrigan, seconded by Councilman Schneider, that the City Engineer be requested to poll the area relative to the type of sidewalks desired; and that the hearing be continued for one week.

Mr. R. A. Hall, in response to a question, said the sidewalks would cost about \$2.00 per running foot.

All interested persons having been heard, RESOLUTION NO. 129103 continuing the hearing on the proposed improvement of Shasta Street and Crown Point Drive, under Resolution of Preliminary Determination No. 128287, until the hour of 10:00 o'clock A.M. on Thursday, October 20th, 1955; and further requesting the City Engineer to poll the area regarding type of sidewalk installation desired to be installed in connection with this proposed improvement; 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 the hearing on a proposed Ordinance amending the San Diego Municipal Code by adding thereto Sections 42.0130, 42.0131, and 42.0132, and repealing Sections 42.0123, Regulating the operation and parking of Food Vending Vehicles, the proposed Ordinance was presented.

A motion was made by Councilman Burgener, seconded by Councilman Curran, to introduce the proposed Ordinance. This motion was withdrawn.

A Mr. Steinmetz spoke; objecting to provisions in the proposed Ordinance on Page 4, Paragraph 1. He stated he has a business at Union and Beech Street, handling affected products for sale on trucks. Mr. Firestone said the term "unprotected" food should be changed to unwrapped or uncovered food. It was suggested that the proposed Ordinance be referred to the City Attorney for revision.

Mr. Steinmetz objected to Section 42.0132, on page 5 of the ordinance relative to the parking of vehicles, as being unreasonable and affecting food handling vehicles only; not all trucks.

The Police Chief's letter in this connection was read by the City Clerk. The Chief recommended keeping food handling vehicles out of the congested district. This was to prevent sales of food from parked vehicles in this area.

Dr. Julius B. Askew spoke relative to the proposed revision. He suggested regulations relative to the sale of fish be included in the proposed ordinance.

Mr. T. B. Swartz spoke on food handling service to companies with large pay rolls by food handling trucks. Page 5, Paragraph 8 was objected to relative to the inspection of food vending vehicles every 30 days - - when fully loaded. He said licenses should run for six months, and no permit be required every 30 days.

The matter of inspecting food handling trucks was discussed by Councilman Schneider and Dr. Askew.

Councilman Burgener asked questions relative to such inspections.

All interested persons having been heard, RESOLUTION NO. 129104, referring to the City Attorney for clarification, the proposed Ordinance Amending the San Diego Municipal Code by adding thereto Sections 42.0130, 42.0131 and 43.0132, and repealing Section 42.0123, Regulating the operation of and Parking of Food Vending Vehicles, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

A continued item, Number 30 on to-day's calendar, being a proposed Ordinance Incorporating Lot A, Braemar and Lot C, Braemar Extension, in The City of San Diego, California, into R-1, R-4 and SC Zones, as defined by Sections 101.0405, 101.0408 and 101.0409.1 of The San Diego Municipal Code, and repealing Ordinance No. 119 (New Series), adopted January 3rd, 1933, insofar as the same conflicts herewith, was taken up out of order and considered at this time.

Mr. Clinton D. McKinnon, one of the promoters for the Hotel, stated that they could proceed under R-4 Zoning, and a variance, to go ahead with the Hotel Layout as projected.

Mr. Vern C. Taylor presented a sketch showing the zoning as originally requested -- for business and R-4 Zoning. He also showed a plat reflecting the recommendation of the City Planning Commission; also a plat showing the effect of the proposed Ordinance. He reviewed the compromises resulting from previous hearings.

Councilman Kerrigan asked questions relative to the proposed subdivision map; and adjudicating the mean High Tide Line.

Attorney John Butler spoke relative to the proposal of Mr. Vern Taylor for changing the proposed zoning; and the granting of a zone variance on R-4 property. He said the new arrangement should be less objectionable to the opponents.

Councilman Williams said he considered the requests of Clinton D. McKinnon and Vern Taylor quite reasonable.

The City Attorney stated a Hotel could be built on one big lot in an R-4 Zone. He said a Motel or Auto Court would be something else; as these uses are listed as not permissible in the zone proposed. The new zoning will be subject to the filing of a final subdivision map.

Mrs. Dorothy Kuhlman of 968 Pacific Beach Drive, said it would be very good property for apartments, and should be used for apartments, rather than for a Hotel.

All interested persons having been heard, on motion of Councilman Williams, seconded by Councilman Burgener, the matter was referred to the City Attorney for preparation of a new Ordinance.

Petition of William H. Black for vacating portions of County Road Old Survey 122, lying between the southerly line of Lot 7 of the Highlands, according to Map thereof No. 284, and the southwesterly line of land conveyed to Isadore Jacobson on October 13, 1954, by Deed recorded in Book 5394, page 218 of Official Records, was on motion of Councilman Burgener, seconded by Councilman Williams, referred to the City Manager.

Communication from the Purchasing Agent reporting on bids for furnishing one (1) Air Receiver was presented. Three bids were received.

RESOLUTION NO. 129105, accepting the bid of National Steel & Shipbuilding Corporation for furnishing The City of San Diego with 1 - Air Receiver, at a price of \$1,041.00 plus State Sales Tax; awarding the contract, and authorizing the City Manager to execute said contract; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent relative to selling to the City of Chula Vista certain street lighting electrical material was presented.

RESOLUTION NO. 129106, authorizing and directing the Purchasing Agent to sell to the City of Chula Vista the following street lighting material: 2--Mounting Cans as fabricated by the Electrical Division, Department of Public Works at \$7.50 each; and 2--By-Pass Disconnect Switches at \$35.00 each, totaling \$85.00; was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from the Purchasing Agent relative to the purchase of repair parts for Enterprise Engines was presented.

RESOLUTION NO. 129107, authorizing and directing the Purchasing Agent to purchase from National Steel & Shipbuilding Corporation Repair Parts for Enterprise Engines, as itemized in said Resolution, at a total price of \$1,154.34, including State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Purchasing Agent's Resolution No. 129108, approving plans, specifications and wage scale; authorizing bids for the construction of a storm drain in La Jolla Boulevard between La Canada and Camino De La Costa, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Purchasing Agent's Resolution No. 129109, approving plans, specifications and wage scale; authorizing bids for the construction of a storm drain in Crown Point Drive northerly of Fortuna Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Purchasing Agent's Resolution No. 129110, approving plans, specifications and wage scale; authorizing bids for the construction of a storm drain at Torrey Pines Road and Amalfi Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Two continued items in connection with the tentative map of a portion of Pueblo Lot 1256, were presented.

Mr. William F. Reed, Attorney in Fact for Thomas H. Lambert, M. D., spoke on the requirements for improvements in connection with this tentative map. He wanted certain improvements installed under 1911 Act Proceedings.

Councilman Burgener spoke; saying he thought the grading of streets should be deleted from the list of required improvements.

On motion of Councilman Burgener, seconded by Councilman Schneider, the requirements for grading streets and installation of storm drains were deleted from the resolution approving the tentative map. Councilman Curran voted "Nay" on the motion.

Thereupon, RESOLUTION NO. 129111, suspending Sections 102.11-1, 102.07-3, and 102.17-c of the Municipal Code in connection with the tentative map of a Portion of Pueblo Lot 1256, a 2-lot subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129112, approving the tentative map of a portion of Pueblo Lot 1256, a 2-lot subdivision, subject to certain conditions which did NOT include grading nor the installation of storm drains, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Roy M. Cleator requesting that he be notified of any hearing to be held on the tentative map of Grace Manor was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Clerk for filing.

RESOLUTION NO. 129113, requesting and urging that Governor Goodwin J. Knight immediately approve and place before the Governor's Traffic Safety Committee, the California Highway Patrol, appropriate interim committees of the State Legislature, and such other agencies as he deems advisable, recommendations relative to traffic accidents and deaths, etc., was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129114, authorizing the City Manager to accept the work on behalf of The City of San Diego in Sixty-Eighth Street Terrace subdivision, and to execute a Notice of Completion and have the same recorded, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129115, authorizing the City Manager to do all the work in connection with the making of the necessary water connections, sterilization, and installation of certain valves in conjunction with Small Water Mains Replacements, Group 23, by appropriate City forces, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129116, waiving any damages which may have accrued to the City of San Diego under contract with J. R. Stevens and Son, Document No. 510114, solely because of failure of said Contractor to perform said contract within the time specified therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129117, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, penalties, and all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as Lots 11 and 12 of Block "B" of Week's Addition, according to map thereof No. 123.

RESOLUTION NO. 129118, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, penalties and all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as Lots 1, 2, 3 and the Northerly Half of Lot 4, in Block 3, of Asher's Clover Leaf Terrace, according to Map thereof No. 1568.

RESOLUTION NO. 129119, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, penalties, and all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as Lots 3 to 8 inclusive in Block 7 of Asher's Clover Leaf Terrace, according to the Map thereof No. 1568.

RESOLUTION NO. 129120, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, penalties, and all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; and to take whatever steps he may deem necessary

to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as the Southwesterly 15.00 feet of Lot 30, Boulevard Gardens according to Map thereof No. 1505.

RESOLUTION NO. 129121, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, penalties, and all deeds to the State of California for delinquent taxes on certain City-owned property be cancelled; and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The property affected was described as the Southwesterly 15.00 feet of Lots 34, 35 and 36, Boulevard Gardens, according to Map thereof No. 1505.

RESOLUTION NO. 129122, accepting the Quitclaim Deed executed by Mid City Heights, Inc., quitclaiming to The City of San Diego all water mains and appurtenances, located either within or without the subdivision named "Clairemont Regional Business Center Unit No. 1" being a portion of Pueblo Lot 1237 of the Pueblo Lands of San Diego; authorizing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129123, accepting the Quitclaim Deed executed by Middlebury Enterprises, a corporation, quitclaiming to The City of San Diego all water mains and appurtenances located either within and without the subdivision named "Clairemont Villas Unit No. 1", being a subdivision of a portion of Pueblo Lot 1243 of the Pueblo Lands of San Diego; authorizing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129124, accepting the deed of Daniel B. Elmore, executed in favor of The City of San Diego, conveying to said City the southwesterly 15.00 feet of Lot 33, Boulevard Gardens, according to Map thereof No. 1505; Authorizing the City Clerk to transmit the said deed, together with a certified copy of this Resolution, to the Properties Department for recording, when all escrow instructions have been complied with; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129125, accepting the deed of Pirl Oates and Esther K. Oates, executed in favor of The City of San Diego, conveying to said City the northerly 4.0 feet of Lot 26, Block O, Riviera Villas; and the southwesterly 4.0 feet of said Lot; said 4.0 feet being measured at right angles to the southwesterly line of said lot; according to Map thereof No. 1929; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129126, accepting the deed of Frank Miles Flint and Claire Sharp Flint, husband and wife as joint tenants, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for a public alley, through, over, under, along and across a portion of Lot 14, Block 44, Paradise Hills Unit No. 3, according to Map thereof No. 2102; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129127, accepting the deed of Tom Willmoth and Ruby Willmoth, executed in favor of The City of San Diego, conveying to said City for street purposes a portion of Lots 11 and 12 of Boulevard Gardens, according to Map thereof No. 1505; and naming the lands conveyed therein Morena Boulevard; Authorizing the City Clerk to transmit the said deed, together with a certified copy of this Resolution, to the Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129128, accepting the deed of W. W. Whitney and Esther G. Whitney, husband and wife, executed in favor of The City of San Diego, conveying to said City a public easement and right of way through, over, under, along and across the northwesterly 4.00 feet and the southwesterly 4.00 feet of Lot 143, Highdale Addition to Encanto Heights, according to Map thereof No. 1176; authorizing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of said San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129129, accepting the deed of Margaret C. Battenfeld by Margaret B. Hashinger, one and the same person, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across a portion of Pueblo Lot 1287 of the Pueblo Lands of San Diego; together with all that portion of Lots 26 and 27, La Jolla Hills, according to the Map thereof No. 1479; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129130, accepting the deed of Frank Miles Flint and Claire Sharp Flint, husband and wife as joint tenants, executed in favor of The City of San Diego, conveying to said City an easement for the right of way for the construction, operation and maintenance of a public sewer and water pipe line or water pipe lines and appurtenances thereto, through, over, under, along and across the southeasterly 4.00 feet of Lot 12, Block 44, Paradise Hills Unit No. 3, according to Map thereof No. 2101; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the recorder of said San Diego County, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129131, accepting the deed of Lansford L. Leigh and Martha Kellogg Leigh, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across a portion of Pueblo Lot 1288 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129132, accepting the deed of T. Keery Merwin and Beatrice Marcy Merwin, husband and wife, each conveying an undivided 1/2 interest, conveying to the City of San Diego an easement and right of way for the construction, operation and maintenance of a public sewer and appurtenances

through, over, along and across a portion of Pueblo Lot 1286 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129133, accepting the deed of The Bishop's Schools upon the Scripps Foundation, a corporation, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for the construction, operation and maintenance of a storm drain, over, under, along and across a portion of the easterly 1/2 of the Alley (closed) lying within Block 13, La Jolla Park and all that portion of Ravina Street (closed) lying northerly of said Block 13, La Jolla Park, according to Map thereof No. 352; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129134, accepting the deed of Anthony Bregante, Jr. and Ester Bregante, as tenants in common, executed in favor of The City of San Diego, conveying to the City an easement for a right of way for the construction, operation and maintenance of a stormdrain, through, over, under, along and across a strip of land 10.0 feet wide in Block 335, Horton's Addition; and in a portion of Quince Street closed lying adjacent to and north from said Block 335; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129135, accepting the deed of the San Diego Chapter of the Indoor Sports Club, Inc., a non profit corporation, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for the construction, operation and maintenance of a stormdrain, through, over, under, along and across a strip of land 10.0 feet wide in Block 335, Horton's Addition; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129136, accepting the Quitclaim deed by O. W. Cotton Co., a co-partnership, consisting of O. W. Cotton, William O. Cotton and John Cotton, quitclaiming to The City of San Diego all water mains and appurtenances located either within or without the subdivision named "Mira Dera" being a subdivision of Lots 7, 8, 9 and 10, Block 4, Marine View Map No. 1182, and a portion of Pueblo Lot 1122; authorizing and directing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

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

ORDINANCE NO. 6714 (New Series), incorporating portions of Lots 72 and 78, Rancho Mission of San Diego; portions of Lots 8 and 9, The Highlands; Lot 1, Block 1 and portions of Lots 1 and 6, Block 10, Rosedale,

in The City of San Diego, California, into M-1A Zone as defined by Section 101.0412.1 of The San Diego Municipal Code, and Repealing Ordinances Nos. 5252 (New Series), 5582 (New Series) and 5890 (New Series), insofar as the same conflict herewith, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by the following vote; Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--None.

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

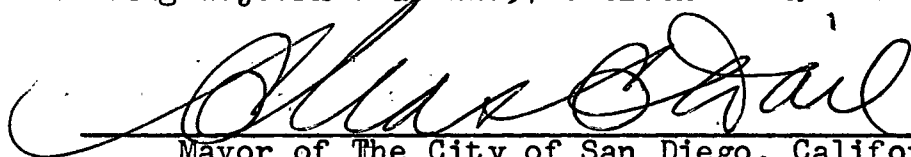
ORDINANCE NO. 6715 (New Series), which set aside and dedicated a portion of Lot 12, Lemona, in the City of San Diego, as and for a public street, and named the same WELLINGTON STREET, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--None.

The following items were brought up by Unanimous Consent, on motion of Councilman Kerrigan, seconded by Councilman Schneider.

RESOLUTION NO. 129137, granting property owners permission to grade and pave a portion of 69th Street, northerly of Mandalay Road, by private contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129138, authorizing the City Manager to execute, for and on behalf of the City of San Diego, a lease with Gibbs Flying Service, Inc., of a portion of Montgomery Field for the operation of hangars and other related aircraft activities, under the terms and conditions set forth in the form of lease filed in the office of the City Clerk as Document No. 521972, was on motion of Councilman Schneider, 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 11:57 o'clock A. M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk,

By  Deputy.

Ord.

6715 N.S.
Res. 129137 - 129138.

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Tuesday, October
18th, 1955.

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

Absent----Councilman Burgener.

Clerk-----Fred W. Sick.

Father Bolton, St. Charles Borromeo, Diocese of San Diego of
the Catholic, San Diego, 10, California, was presented by the Mayor. Father
Bolton gave the invocation.

The Mayor presided at the meeting, which was convened at 10:02
o'clock A.M.

Councilman Burgener entered after the invocation.

Ordinances and Resolutions for this meeting are recorded on
Microfilm Roll 102.

The Minutes of the Regular Council Meetings of Tuesday, October
11th, 1955, and of Thursday, October 13th, 1955, were approved on motion of
Councilman Schneider, seconded by Councilman Williams, without reading.
They were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for
hearing on Resolution of Intention No. 128394, for paving and otherwise improv-
ing the Alley in Block 274, Pacific Beach, between Morrell Street and Noyes
Street, the City Clerk reported that no written protests had been received.
The Mayor inquired if anyone was present who wished to protest.
No one appeared to protest, and no written protests were pre-
sented.

On motion of Councilman Schneider, seconded by Councilman Cur-
ran, the proceedings were referred to the City Attorney for Resolution Ordering
Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for
hearing on Resolution of Intention No. 128395, for paving and otherwise improv-
ing the Alley in Block 317, San Diego Land and Town Company's Addition, and por-
tions of Commercial Street, Hensley Street and 28th Street, the City Clerk re-
ported that no written protests had been received.

The Mayor inquired if anyone was present who wished to protest.
No one appeared to protest, and no written protests were pre-
sented.

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

Convened
Hearings.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 128396, for paving and otherwise improving 63rd Street, between El Cajon Boulevard and Choctaw Drive, the City Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present who wished to protest. No one appeared to protest, and no written protests were presented.

On motion of Councilman Curran, seconded by Councilman Evenson, the 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 Preliminary Determination No. 128397, for paving and otherwise improving the Alley in Block K, Montecello, between Monroe Avenue and El Cajon Boulevard, 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.

RESOLUTION NO. 129139, determining that the improvement of the Alley in Block K, Montecello, between the southerly line of Monroe Avenue and the northerly line of El Cajon Boulevard, under Resolution of Preliminary Determination No. 128397, is feasible and that lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that public convenience and necessity require the proposed improvement, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 128398, for the installation of sewers and appurtenances in Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, Public Rights of Way in Lots in Block G, La Jolla Country Club Heights, Unit No. 2, Public Rights of Way in Pueblo Lot 1263 and the Lanes between Lots 3 and 4 and 6 and 7, in La Jolla Country Club Estates, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

Mr. Thomas E. Whitlock presented and read a signed petition or protest covering the proposed sewer construction, requesting that a definite plan of assessment be formulated, to be used in spreading the total cost of the assessment, etc.

Mr. Thomas E. Whitlock inquired why no formal plan of assessment had been drawn up. He wanted to know definitely how the assessment will be pro-rated.

R. O. Hall of the City Engineer's office said a long outfall through the Golf Course would be necessary; and that the work will be expensive, about \$12.00 a front foot levy on property served.

Councilman Burgener said the request for a preliminary assessment estimate was reasonable.

Mr. Whitlock asked what percentage of the cost will be charged to the Country Club, how much to the Pueblo Lot and how much to the subdivided lots.

City Attorney Jean DuPaul said this hearing was to determine if a \$59,000.00 assessment would be too much in comparison with the value of properties to be assessed. He said the City Engineer could not be asked to supply estimates on individual assessments at this stage of the proceeding. The question now is --- can this land stand this type of improvement?

Councilman Schneider asked why the outfall went through the Golf Course. Mr. Hall said that in order to serve the property east of the golf course it was necessary to go through said golf course, as that was the natural down-grade flow.

Councilman Burgener said the City Engineer should furnish an approximation of cost, or parcel assessment estimate, prior to the next hearing. Councilman Kerrigan said he planned to vote "Nay" on the 6-vote Resolution, as he thought the debt limitation investigation should be made in this case.

The Mayor said that ordinarily no cost estimate was given at a Preliminary Determination hearing.

Mr. Willard Olson said the engineers did not know how the bids will come in -- high or low --, and that any estimate furnished would necessarily be high.

Mr. R. O. Hall, of the City Engineer's office objected to making such early assessment estimates.

Councilman Schneider said the primary question was how much the golf course will be assessed.

Mr. Whitlock said it was an unusual condition and they needed assessment estimates.

City Attorney said the percentages chargeable could be protested at the assessment hearing.

Councilman Burgener asked what the City Engineer would know about the job three or four months from now that he does not know now.

By this time a large delegation of about sixteen men, property owners in the assessment district, lined the rail.

Attorney James Archer spoke for Mr. J. Cotton. He said numerous homes were now on septic tanks, and that no delay should be made in installing the sewer mains, regardless of the cost estimates. He said the matter of percentage of cost charges could be taken up at the assessment hearing. He asked for a favorable vote to secure sewer main service for new houses as soon as possible.

Mr. Whitlock said a portion of the Pueblo Lands will be served which is not in the assessment district, and should be included in said district.

The Mayor advised parties interested to attend the next hearing; by which time a total cost estimate will have been submitted.

Mr. Whitlock said he wants the plan of the assessment --- the percentage charges to various parcels --- not the money figures.

Attorney James Archer spoke again, stating that there were many new homes being erected in the assessment district.

Councilman Kerrigan said passage of the 6-vote resolution would save three or four months' time; as against use of the debt limitation proceedings.

Mr. William N. Goodell said a majority of the affected people want the sewer. He asked why all of Mr. Cotton's property is not in the assessment district. He asked if the work could be protested out at the next hearing if the cost was found to be too high.

Councilman Burgener said that property owners are entitled to have advance cost estimates.

All interested property owners having been heard, the Mayor declared the hearing closed.

RESOLUTION NO. 129140, overruling and denying the protest of Property Owners, filed under Document No. 522461, against the proposed installation of sewer mains in Country Club Drive, Minulus Way, Mint Canyon Path, Lobella Path, Public Rights of Way in Lots in Block G, La Jolla Country Club Heights, Unit No. 2; Public Rights of Way in Pueblo Lot 1263; and the lanes between Lots 3 and 4 and 6 and 7, in La Jolla Country Club Estates, under Resolution of Preliminary Determination No. 128398, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129141, determining that the improvement of installing sewer mains and appurtenances in Country Club Drive, Mimulus Way, Mint Canyon Path, Lobella Path, Public Rights of Way in Lots in Block G, La Jolla Country Club Heights, Unit No. 2; Public Rights of Way in Pueblo Lot 1263; and the Lanes between Lots 3 and 4 and 6 and 7, in La Jolla Country Club Estates

within the limits and as particularly described in said Resolution of Preliminary Determination No. 128398, is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment, also finding and determining that public convenience and necessity require the proposed improvement, and that the Special Assessment, Investigation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129142, instructing the City Engineer to provide a tentative estimate of the cost distribution prior to, or at the time of the next hearing on the proposed installation of sewers in Country Club Drive, Mimulus Way, Mint Canyon Path, Lobella Path, Public Rights of Way in Lots in Block G, La Jolla Country Club Heights, Unit No. 2; Public Rights of Way in Pueblo Lot 1263; and the Lanes between Lots 3 and 4 and 6 and 7, in La Jolla Country Club Estates, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 128399, for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, the Clerk reported that no written protests had been received.

The Mayor inquired if anyone was present to be heard.

Mr. E. D. Bogart, of 2128 Felspar Street, spoke relative to City contributions for various storm drains. He said some were financed 100% by the City; that the City was paying half the cost on the Balboa Avenue drain; and inquired why the percentage the City pays towards the cost of various storm drains varies.

Councilman Burgener explained that drains in some sections are of greater benefit to the taxpayers at large than in other sections; where they are more of a local benefit.

Mr. R. O. Hall of the City Engineer's office said the drain in this district had to be installed; that it would be large --- a 54" drain in places; and that the cost per lot for the drain would be about \$30.00. He stated it would be necessary to abandon the job if no drains are installed.

Mr. Black, a property owner, said there was an existing drain in Diamond Street. He suggested that all storm drains should be put in at one time.

Mrs. Donald Jones asked for full width paving on Noyes Street, beside the Government project. Councilman Kerrigan said the United States Government can not be assessed for street paving. Mr. E. D. Bogart how paving could be done alongside a Government Housing Project. City Attorney Jean Du Paul said the City would have to pay for it.

All interested persons having been heard, the Mayor declared the hearing closed.

RESOLUTION NO. 129143, overruling and denying the verbal protests of E. D. Bogart and Mrs. Donald G. Jones against the proposed improvement of paving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, under Resolution of Preliminary Determination No. 128399; overruling and denying all other protests; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129144; determining that the improvement of paving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, under Resolution of Preliminary Determination No. 128399, is feasible and that lands to be assessed therefor will be able to carry the burden of the proposed assessment, also finding and determining that public convenience and necessity require the proposed improvement, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

At this time Mr. Pat Hyman read a resolution from the Downtown Kiwanis Club, citing the good work of the Mayor's Anti-Litter Committee, and commending Charles Dail, Mayor of San Diego, O. W. Campbell, City Manager of San Diego, John Warlick, Chairman of the Anti-Litter Committee, and Frank Gibson, Chairman, and the Members of the San Diego County Board of Supervisors for their effective work in the cause of Highway Cleanliness, and enforcing Anti-Litter laws and ordinances.

Mayor Dail acknowledged the presentation of this Resolution. A picture was taken of Mr. Pat Hyman presenting said Resolution to the Mayor.

The City Clerk read a letter signed by Mayor Charles C. Dail in connection with the resignation of John P. Warlick, as Chairman of the Anti-Litter Committee; commending him for meritorious service.

RESOLUTION NO. 129145, commending Mr. John P. Warlick for his outstanding service as Chairman of the Anti-Litter Committee, and expressing regret at his resignation from said Committee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129146, commending Mrs. Raymond E. Smith, Chairman of the City Beautiful Committee, for her fine work in securing a clean and beautiful City, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2395, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 95, Ocean Bay Beach, under Resolution of Intention No. 118393, the Clerk reported that no appeals had been filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 129147, confirming and approving the Street Superintendent's Assessment No. 2395, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 95, Ocean Bay Beach, under Resolution of Intention No. 118393; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his office the warrant, diagram and assessment; 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 Street Superintendent's Assessment No. 2396, made to cover the cost and expenses of paving and otherwise improving of the Alley in Block 2, Ocean View and Block 5, Ocean Beach Park, under Resolution of Intention No. 121773, the Clerk reported that no appeals had been filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 129148, confirming and approving the Street Superintendent's Assessment No. 2396, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 2, Ocean View and Block 5, Ocean Beach Park, under Resolution of Intention No. 121773; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his office the warrant, diagram and assessment; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2397, made to cover the

cost and expenses of paving and otherwise improving the Alley in Block 8, La Jolla Park, under Resolution of Intention No. 123156, the Clerk reported that no appeals had been filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 129149, confirming and approving the Street Superintendent's Assessment No. 2397, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 8, La Jolla Park, under Resolution of Intention No. 123156; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his office the warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent reporting on bids for paving Parking Lot, Emerson Street to Dickens Street, was presented. Six bids were received.

RESOLUTION NO. 129150, accepting the bid of R. E. Hazard Contracting Co. for Paving Parking Lot, Emerson Street to Dickens Street, for the sum of \$3,890.70; awarding the contract; authorizing the City Manager to execute said contract for paving the Parking Lot; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing Fire Hose was presented. Seven bids were received.

RESOLUTION NO. 129151, accepting the bid of Hudson Equipment Co. to furnish The City of San Diego with Booster Fire Hose at a price of \$1,283.40 plus State sales tax; awarding the contract; authorizing the City Manager to execute said contract for purchasing said Fire Hose; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for Installation of Automatic Sprinkler System for Rotary Intersection and south end Turnaround at Shelter Island, was presented. Three bids were received.

RESOLUTION NO. 129152, accepting the bid of V.C. Moffitt & Co. for the Installation of Automatic Sprinkler System for Rotary Intersection and South End Turnaround at Shelter Island for the sum of \$10,282.00; awarding the contract; authorizing the City Manager to execute said contract for Installation of said Sprinkler System; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129153, approving plans, specifications and wage scale; authorizing bids for the Grading, preparation for landscaping, and installation of a sprinkler system in the State Park Land lying east of Pacific Highway (U.S. 101), between Jellett Street and the extension of Littlefield Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129154, approving plans, specifications and wage scale; authorizing bids for the installation of a Safety Lighting System at the intersection of Fairmount Avenue and Montezuma Road; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from the City Planning Commission relative to the final map of Camino Vista was presented.

RESOLUTION NO. 129155, adopting the final Map of Camino Vista Subdivision and accepting the public street, portions of public streets and unnamed easements as shown thereon, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from the City Planning Commission relative to the final map of Channel View Heights (Old San Diego, Block 491) was presented.

RESOLUTION NO. 129156, adopting the final map of Channel View Heights and accepting the portion of a public street and the unnamed easement shown in said Subdivision Map, was presented, and on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from the City Planning Commission relative to the Final Map of Colony Park was presented.

RESOLUTION NO. 129157, authorizing the City Manager to execute a contract with Mark Uselton and Sarah Virginia Uselton, husband and wife, for the installation and completion of the unfinished improvements and the setting of the monuments required for Colony Park subdivision; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129158, adopting the final map of Colony Park Subdivision and accepting the public street and unnamed easements as shown thereon, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129159, approving the filing of a record of survey map in lieu of Final Subdivision Map under Section 102.02.1 of the San Diego Municipal Code --- on Lot 143, Highdale Addition to Encanto Heights, Map No. 1176, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129160, approving the filing of a record of survey map in lieu of a Final Subdivision Map under Section 102.02.1 of the San Diego Municipal Code --- on a portion of Lots 25, 26, 27 and 28, in Block 93, E. W. Morse's Subdivision of Pueblo Lot 1150, Map No. 547, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from the City Planning Commission recommending suspending sections of the Municipal Code in connection with the tentative map of Christman Heights, was presented.

RESOLUTION NO. 129161, suspending two sections of the Municipal Code in connection with the tentative map of Christman Heights, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted. The suspended sections were numbered 102.07-5 and 102.17-c.

Communication from the City Planning Commission recommending approval of the tentative map of Christman Heights, subject to certain conditions, was presented.

RESOLUTION NO. 129162, approving the tentative map of Christman Heights, a one-lot subdivision of a portion of Lot 18, Ex-Mission Lands, subject to seven conditions, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from the City Planning Commission recommending the approval of the Final Map of Del Cerro Unit No. 2, was presented.

RESOLUTION NO. 129163 authorizing the City Manager to execute, on behalf of The City of San Diego, a contract with The Vinley Corporation,

for the installation and completion of the unfinished improvements and the setting of the monuments required for Del Cerro Unit No. 2 subdivision; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129164, adopting the final map of Del Cerro Unit No. 2, subdivision and accepting the public streets and unnamed easements shown therein on said map, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending suspending four sections of the Municipal Code in connection with the tentative map of La Jolla Farms was presented.

RESOLUTION NO. 129165, suspending sections 102.11-2, 102.11-1, 102.04 and 102.17-c of the Municipal Code in connection with the tentative map of La Jolla Farms, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from the City Planning Commission recommending approval of the tentative map of La Jolla Farms, subject to certain conditions, was presented.

RESOLUTION NO. 129166, approving the tentative map of La Jolla Farms, a 90-lot subdivision of a portion of Pueblo Lots 1312 and 1313, subject to thirteen conditions, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from the City Planning Commission recommending suspending three sections of the Municipal Code in connection with the tentative map of the resubdivision of Lots 11 and 12, Linda Vista Unit No. 1, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129167, approving the tentative map of the resubdivision of Lots 11 and 12, Linda Vista Unit No. 1, insofar as suspending Sections 102.07-5, 102.06-1 and 102.17-c of the San Diego Municipal Code are concerned; and suspending said sections of said Municipal Code, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from the City Planning Commission recommending approval of the tentative map for the resubdivision of Lots 11 and 12, Linda Vista Unit No. 1, subject to certain conditions, was presented.

RESOLUTION NO. 129168, approving the tentative map for the resubdivision of Lots 11 and 12, Linda Vista Unit No. 1, subject to two conditions, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from the City Planning Commission recommending that the petition for abandonment of the easement market "Reserved for Future Street" be denied --- in a portion of Linda Vista Unit No. 6 --- was presented.

RESOLUTION NO. 129169, denying the petition of Property Owners for the abandonment of an easement market "Reserved for Future Street, on portions of Lot 1 and 2, Block 14, and Lot 21, Block 15, Linda Vista Unit No. 6, as recommended by the City Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from the City Planning Commission recommending suspending three sections of the Municipal Code in connection with the tentative map of Muirlands Knolls was presented.

RESOLUTION NO. 129170, suspending sections 102.07-5, 102.11-2 and 102.17-c of the Municipal Code, in connection with the tentative map of Muirlands Knolls, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from the City Planning Commission recommending approval of the tentative map of Muirlands Knolls, a 3-lot subdivision of a portion of Pueblo Lot 1255, subject to ten conditions, was on motion of Councilman Williams, seconded by Councilman Evenson, presented.

RESOLUTION NO. 129171, approving the tentative map of Muirlands Knolls, a 3-lot subdivision of a portion of Pueblo Lot 1255, subject to ten conditions, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from the City Planning Commission recommending suspending two sections of the municipal code in connection with the tentative map of the resubdivision of Lots 1, 2 and 3, Block 5, Ocean Beach, was presented.

RESOLUTION NO. 129172, suspending Sections 102.08-3 and 102.17-c of the Municipal Code in connection with the tentative map of the resubdivision of Lots 1, 2 and 3, Block 5, Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Burgener, adopted.

Communication from the City Planning Commission recommending approval of the tentative map for the redivision of Lots 1, 2, and 3, Block 5, Ocean Beach, subject to two conditions, was presented.

RESOLUTION NO. 129173, approving the tentative map for the redivision of Lots 1, 2 and 3, Block 5, Ocean Beach, subject to two conditions, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from the City Planning Commission recommending suspension of one section of the Municipal Code, in connection with the tentative map of Wabash Heights, was presented.

RESOLUTION NO. 129174, suspending one section of the Municipal Code in connection with the tentative map of Wabash Heights, a 13-lot subdivision of a portion of Block 152, Choates Addition, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from the City Planning Commission recommending approval of the tentative map of Wabash Heights, subject to thirteen conditions, was presented.

RESOLUTION NO. 129175, approving the tentative map of Wabash Heights, a 13-lot subdivision of a portion of Block 152, Choates Addition, and a portion of Pueblo Lot 1151, subject to thirteen conditions, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129176, directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the grading, paving and installation of curbs, sidewalks, drainage structures, sewers, water services and sewer laterals in 68th Street, between Amherst Street and Tower Street; in accordance with the recommendation of said City Engineer; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129177, granting the petition for the closing of the northerly 12 feet of Grape Street adjacent respectively to Lots 1 and 24, Block 134, and to Lots 12 and 13, Block 133, and the southerly 12 feet of

Hawthorn Street adjacent to Lots 1 and 24, Block 133, Choate's Addition, Map 351, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing; was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the San Diego Chamber of Commerce regarding an opportunity to participate in the airport need survey which is now being undertaken for the City of San Diego by Lee Fisher and Associates; offering the facilities of said Chamber of Commerce in the development of data to be used in the survey, etc., was presented and on motion of Councilman Schneider, seconded by Councilman Kerrigan, ordered filed.

Copy of letter from the Linda Vista Improvement Association to Taylor & Sloan Construction Co. protesting against the unnecessary hazardous construction conditions left in the Linda Vista area, etc., was presented and on motion of Councilman Williams, seconded by Councilman Schneider, referred to the City Manager.

Communication from Harry L. Summers requesting a special sewer line permit for La Jolla Highlands; the estimated cost of said sewer to be \$39,200.00; was presented and on motion of Councilman Schneider, seconded by Councilman Williams, referred to the City Manager.

Communication from Mrs. A. E. Warner relative to a petition of property owners for opening and improving of Torrence Street, between Keating and Pringle Streets; and the need for access to her property; was presented and on motion of Councilman Schneider, seconded by Councilman Williams, referred to the City Manager; after a discussion of the situation.

Mrs. A. E. Warner spoke in support of her request.

The Mayor said he had read the letter, and the answer to the request was "No". He stated a public improvement proceeding would be voted out.

Mrs. Warner presented signed "contracts" for certain work on this street. She said the majority of property owners were in favor of improvements under the 1911 Improvement Act. She said five of the eight affected property owners had signed for the work.

The Mayor said an improvement district could be started under the 1911 Act without a petition; but the proceeding would probably be protested out.

Mr. Olson of the City Engineer's office said proceedings for paving Torrence Street, between Keating and Pringle Streets could be initiated by property owner's signatures, or by the City Council.

Councilman Schneider said the City Engineer could report on the possibilities of securing the desired improvement.

Mr. Milligan spoke on the neighbors' views relative to improving this street.

A communication from W. M. Wood relative to sewage control problems, etc. was presented and on motion of Councilman Schneider, seconded by Councilman Williams, referred to the City Manager.

RESOLUTION NO. 129178, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2411, made to cover the costs and expenses of the work done upon paving and otherwise improving of Oliver Avenue, between Lamont Street and Olney Street; and Pacific Beach Drive, between Lamont Street and Morrell Street; under Resolution of Intention No. 120580, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 129179, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving La Jolla Hermosa Avenue, between the northwesterly line of La Canada and the northeasterly prolongation of the northwesterly line of Lot 3, Block 17, La Jolla Hermosa; approving Plat No. 2555 showing the exterior boundaries of the district to be included in the assessment for said work and improvement; directing the City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 129180, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Vancouver Avenue, between the easterly prolongation of the northerly line of Kalmia Street and the southerly termination of Vancouver Avenue; and Kalmia Street, between the southerly prolongation of the westerly line of Vancouver Avenue and its termination in Vancouver Avenue; approving Plat No. 2766, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; directing the City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 129181, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains in the Alley in Block 8, Clifton Addition to City Heights; Chamoune Avenue; Quince Street and Public Rights of Way; approving Plat No. 2793, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; directing the City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 129182, directing notice inviting sealed proposals for furnishing electric current in Adams Avenue Lighting District No. 1, for eleven months and eighteen days from and including October 13th, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129183, directing notice inviting sealed proposals for furnishing electric current in Pacific Highway Lighting District No. 1, for eleven months and twenty-seven days from and including November 5th, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129184, directing notice inviting sealed proposals for furnishing electric current in Roseville Lighting District No. 1, for eleven months and sixteen days from and including October 15th, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION NO. 129185, for paving and otherwise improving Gillmore Street, between 36th Street and 37th Street; Southlook Avenue, between Gillmore Street and Olivewood Terrace; Olivewood Terrace, between Gillmore Street and Ocean View Boulevard; and a portion of Ocean View Boulevard; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION NO. 129186, for paving and otherwise improving of the Alley in Block 49, Ocean Beach, between Sunset Cliffs Boulevard and Cable Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION NO. 129187, for paving and otherwise improving San Fernando Street, between Kellogg Street and the northerly boundary of the U. S. Military Reservation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION NO. 129188, for grading and sidewalking Grape Street, between 54th Street and the easterly line of O. D. Arnold's Westwood Hills Unit No. 5; Sultana Street, between Grape Street and Tokay Street; and 54th Street, between the southerly line of O. D. Arnold's Westwood Hills Unit No. 2 and its westerly prolongation and the northwesterly prolongation of the northeasterly line of Lot 123, O. D. Arnold's Westwood Hills Unit No. 2; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION NO. 129189, for paving and otherwise improving of the Alley in Block 23, Ocean Beach Park, between Froude Street and Ebers Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 129190, for paving and otherwise improving La Jolla Hermosa Avenue, between La Canada and the north-easterly prolongation of the northwesterly line of Lot 3, Block 17, La Jolla Hermosa, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 129191, for paving Vancouver Avenue, between Kalmia Street and Vancouver Avenue; and a portion of Kalmia Street, at Vancouver Avenue, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 129192, for paving the Alley in Block 8, Clifton Addition to City Heights; Chamoune Avenue, Quince Street and Public Rights of Way, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129193, granting property owner permission to install sanitary sewers to serve a portion of Lot 1, Block 4, Florence Heights Addition, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129194, approving the diagram of property affected or benefited by the work of improvement to be done on paving and otherwise improving Taft Avenue, between Colima Street and Forward Street; and Bellevue Avenue, between Colima Street and Midway Street; under Resolution of Intention No. 122545; directing the City Clerk of the City of San Diego at the same time of approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129195, declaring C Street, from the west line of Columbia Street to the east line of Front Street, excepting State Street, to be a through highway; authorizing the installation of the necessary signs and markings; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129196, establishing a parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays excepted, on both sides of 14th Street, between A. Street and B. Street; authorizing the City Manager to cause Parking Meters to be installed on said street, between the limits mentioned, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129197, prohibiting the parking of Automobiles at all times on the North side of Russ Boulevard, from 18th Street east to the dead-end; authorizing the installation of the necessary signs and markings on said street, between the limits mentioned, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129198, establishing a parking time limit of one hour, between 8:00 a.m. and 6:00 p.m., Sundays excepted, on Both sides of Silverado Street, between Fay Avenue and Herschel Avenue; and on Both sides of Herschel Avenue, between Prospect Street and Silverado Street; authorizing the installation of the necessary signs and markings on said streets; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129199, approving Change Order No. 1, issued in connection with the contract between The City of San Diego and O. O. & R. E. Maurer for the construction of an Equipment Storage Building at 306 Yacht Harbor Drive, Shelter Island; the changes therein set forth amounting to an Increase in the contract price of \$20.00; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129200, approving the request of A. W. Thorpe, contained in Change Order No. 1, for an extension of time of five days, to and including October 7th, 1955, in which to complete his contract for the improvement of Sunset Cliffs Boulevard, from Adair Street to Hill Street; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129201, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, making certain findings and charges, pursuant to Sections 67.70 and 102.23 of the San Diego Municipal Code, as follows:

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the Water District plat of the Fulton Canyon Area, together with a Water Department Director's report thereon, approved by the City Manager, both of which have been heretofore filed with the City Clerk as Document No. 521895, dated October 10, 1955, are hereby approved.
2. That the construction of said water mains serves the public interest.
3. That the proportionate share of the construction cost of the water mains serving the Fulton Canyon Area to be borne by each benefited property owner within the Fulton Canyon area, shall be \$35.00 per family unit, or its equivalent (if the unit is used for non-residential purposes).
4. That the Water Department is authorized and directed to permit the property owners within the Fulton Canyon Area to connect to the Kearney Mesa Pipeline System, upon the payment to the City of the sum of \$35.00 per family unit, or its equivalent.

RESOLUTION NO. 129202, granting a revocable permit to C. G. Erickson, 1707 - 49th Street, to install and maintain a retaining wall for the

use and benefit of owner's property (described as Lot 4, Block 7, Arnold Park), over, under and across 49th Street at Elm Street; subject to certain conditions; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION NO. 129203, granting a revocable permit to A. B. Harris, 4867 Biona Drive to install and maintain two water lines over, under, and across Geneva Street and 51st Street to connect with City line in Euclid Avenue, to serve dwellings on Lots 8 and 9, Block 4, Beverly Tract; subject to certain conditions; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129204, granting a revocable permit to Frank S. Palmer, 3583 Wawona Drive, to install and maintain a 3' chain link fence for the use and benefit of Lot 1, Block 8, (Owner's property), over, under and across Wawona Drive; subject to certain conditions; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted. (The Block 8 referred to in this Resolution seems to be a portion of Point Loma Heights.)

RESOLUTION NO. 129205, authorizing the City Attorney to settle the \$900.00 claim of Frank S. Palmer, on file under Document No. 521383, for the sum of \$350.00; authorizing the City Auditor to draw his warrant in favor of said Frank S. Palmer in the amount of \$350.00, in full settlement of the aforesaid claim; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted. City Attorney Jean DuPaul explained the compromise to the Council.

RESOLUTION NO. 129206, authorizing the City Auditor and Comptroller and the Chief Supervisor of the Accounting Division, to attend the meeting of the California Committee on Municipal Accounting in San Francisco on November 3rd and 4th, 1955, and to incur all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129207, accepting the deed of Woodhue Homes, Inc., conveying to the City of San Diego the North three Quarters of the South Half of the Southeast Quarter of Section 34, Township 16 South, Range 2 West, San Bernardino Meridian, in Rancho Mission of San Diego; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the Properties Department for recording, when all escrow instructions have been complied with; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

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

ORDINANCE NO. 6716 (New Series), Appropriating the sum of \$112,874.80 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the purchase of property adjacent to the Chollas Station, to be used as a sanitary fill, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson and 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 in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6717 (New Series), appropriating the sum of \$658.50 out of the Unappropriated Balance Fund of The City of San Diego, for the purpose of providing funds for compromising and settling the matters between the City of San Diego and Gibbs' Flying Service, Inc., in connection with the old lease at Montgomery Field, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--None.

A new draft of a proposed Ordinance re-zoning a portion of Braemar, dated October 17th, 1955, was presented. Several hearings had previously been held on this matter; the last Council Action having been a reference to the City Attorney for redrafting.

Councilman Williams said he thought the new draft should be held for action until Thursday, October 20th, 1955.

City Attorney Jean DuPaul said it was a new Ordinance, supplementing and changing the old Braemar rezoning ordinance. He said the old draft should be filed.

On motion of Councilman Burgener, seconded by Councilman Williams, a new draft of Ordinance, prepared on October 17th, 1955, incorporating a portion of Lot A, Braemar and a portion of Lot C, Braemar Extension in The City of San Diego, California, into R-4 and C Zones as defined by Sections 101.0408 and 101.0411 of The San Diego Municipal Code, and Repealing Ordinance No. 119 (New Series) adopted January 3, 1933, insofar as the same conflicts herewith, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson and Mayor Dail. Nays--None. Absent--None.

On motion of Councilman Burgener, seconded by Councilman Williams, the old draft of a proposed Ordinance re-zoning a portion of Braemar, formally introduced at the meeting of October 13th, 1955 under Item No. 30 (Continued Item), as an Ordinance introduced at a previous meeting and ready for dispensing with the reading, and adoption, was ordered filed.

City Attorney Jean DuPaul explained that the new draft of the Braemar re-zoning Ordinance, introduced to-day, can be adopted one week from to-day. He said it would take five votes of the Council to adopt it at that time.

By unanimous consent, at the request of the Mayor, RESOLUTION NO. 129208, consenting to and approving the designation and appointment by the Mayor of The City of San Diego of Vice Admiral George C. Henderson, USN, retired, as the City's representative on the Board of Directors of the San Diego County Water Authority, for a full term, was on motion of Councilman Schneider, 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 11:22 o'clock AM..

ATTEST:
FRED W. SICK, City Clerk

By

Clark M. Foote

Deputy.

Mayor of The City of San Diego, California.

10/20/55

REGULAR MEETING

Thursday, October 20th, 1955 - Council Chamber of
The City of San Diego,
California.

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

Mayor Dail, who presided, called the meeting to order at 10:03
o'clock A.M.

Ordinances and Resolutions are recorded on Microfilm Roll 102.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on Resolution of Preliminary Determination No. 128287, for the improvement of Shasta Street and Crown Point Drive, the Clerk presented all papers in connection with the matter.

No additional protests had been received, since the hearing was continued on October 13th, 1955, and no one was present who desired to be heard.

Thereupon, RESOLUTION NO. 129209, continuing the hearing on the proposed improvement of Shasta Street and Crown Point Drive, under Resolution of Preliminary Determination No. 129287, until the hour of 10:00 o'clock A.M., of Thursday, October 27th, 1955, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing the appeal of Property Owners from the decision of the Board of Zoning Adjustment in granting permission to Whitney Enterprises to construct a duplex on Lot 3, Block 2, Bay Shore Addition to New Roseville, on Talbot Street, easterly of Scott Street in Zone R-1, the Clerk presented all papers in connection with the matter.

Communication from the Board of Zoning Adjustment was read by the City Clerk.

No one was then present to represent the applicant.

The Mayor stated the opponents to the zone variance would then be heard.

John O. Card, owner of Lot 5 of an unstated block on Scott Street, spoke in opposition to the zone variance. He introduced Mr. Tom J. Allen.

Mr. Tom J. Allen, a property owner in the same block as the proposed zone variance, said the subject property was between an R-1 and an R-4 area. He wished the existing zoning regulations to be strictly adhered to.

Pictures and a plat showing the affected area were passed to the Councilmen for perusal.

Mr. E. M. Fischer, 2905 Talbot Street, objected briefly to the zone variance.

Mrs. Mary A. Riling, 3888 Pringle Street, said her lot was close to the proposed apartments, and she objected to apartments so near her property.

Mr. Robert Whitney, speaking in favor of the proposed variance, said that Talbot Street was a very busy street; and that an R-1 use of his property was not desirable. He said if the protests are sustained he will have to wait for a later time to improve the property.

Councilman Schneider inquired as to the size of the lots. Robert Whitney said the lots were 50 feet by 75 feet each.

Convened.
Hearings. Res. 129209

Councilman Kerrigan inquired of Mr. Robert Whitney as to how long he had owned the property. The reply was -- since April, 1955.

Mr. Tom J. Allen spread out a map of the area, showing the affected property.

Mr. Robert Whitney said he would leave the land vacant, if necessary, until he could find a buyer, if no zone variance was forthcoming.

The Mayor mentioned that only five Councilmen were present, and that seven votes would be available at the next meeting..

Mr. J. Smith, a property owner near Talbot and Rosecrans Street, objected to the granting of zone variances in this area.

A lady in the audience, later identified as Mrs. M. V. Hogan, residing at 3760 Warner Street, asked questions relative to the use of property under zone variances. The questions were answered by the Mayor and by Councilman Schneider.

Mrs. Louise Quintard, of 904 Scott Street, said she favored variances being granted in the interest of progress, and as conditions change.

After further consideration, and after all interested persons had been heard, on motion of Councilman Kerrigan, seconded by Councilman Curran, the matter was continued for one week.

The hour of 10:00 o'clock AM. having arrived, the time set for the hearing on the appeal of John C. Fischer, Jr., and other property owners from the decision of the Board of Zoning Adjustment in granting the request of Ebbe A. and Emily M. Brelin, owners, and J.M.B. Development Co., lessee, to use that portion of property lying within the R-1 Zone in the portion of Pueblo Lot 183 bounded by Catalina Boulevard, Talbot and Canon Streets, for parking in connection with the proposed shopping center in the R-C Zone; to construct walkways to building and driveway to parking lot through the R-1 portion; to permit entrances and windows of market and future stores to face on the R-1 area; to permit the eaves to project into the R-1 area; all as shown on plans on file in the Planning Office; subject to certain conditions; the Clerk presented all papers in connection with the matter.

Communication from the Board of Zoning Adjustment was read by the City Clerk.

The Mayor stated that the proponents of the proposed zone variance would be heard at this time.

Miss Juanita Steiger asked that the matter be continued one week as only five Councilmen were present.

Mr. Bannister, representing the J.M.B. Development Company, the applicant, spoke. He read an answer to the appeal. It stated that \$70,000.00 had been invested in this project for a Super Market. It stated that the ground taxes on the bare land amounts to \$1400.00 a year. It stated this project will be completed -- with or without the zone variance.

Mr. Pat Brannon spoke on behalf of the investors in the proposed Super Market. He said thirteen signatures from property owners in the 300-foot radius favoring the project had been secured. He presented pictures and a new petition favoring construction of the shopping center, and use of a parking lot. He said sixty-one signatures favoring the zone variance had been secured.

Attorney John Cranston spoke in favor of allowing a parking lot on the subject property. He said one of the conditions imposed for a gift of a twenty-foot strip of land for widening of Talbot Street. He said the term "Super Market" is not used in any portion of the Zoning Ordinance. He said there is not a legal "Super Market" in San Diego at the present time; and read portions of the existing zoning regulations in support of this statement.

A large plat or chart was presented by the proponents; showing on a large scale all features of the Super Market development. These drawings showed, among other things, that the total investment for improvements, walls, sidewalks, etc. is about \$40,000.00. One sheet showed the number of square feet allocated for each use on the grounds. It was stated that the warehouse area will be less than 25% of the total improved area. One sheet of this plat showed all off-street parking areas around the buildings.

It was stated that no Bar nor Filling Station was provided for. One sheet of the plat showed the percentage of population gains from 1950 to 1955 in the Loma Portal, La Playa and Ocean Beach areas. It was stated that there were 6180 homes within a one-mile radius from the Super Market. It was stated that fully developed the parking lots will accomodate 156 cars.

Mrs Norman A. Christman, owning property directly across the street from the proposed Super Market, spoke in favor of the development.

About twenty people in the audience arose at the request of Mr. Bannister, indicating that they favored the project.

Mr. Roscoe Porter spoke in favor of the development; stating he represented the owners of the subject property. He mentioned strips of land being given to the City for widening of Canon and Talbot Streets. He mentioned the need for off-stree parking around this Super Market.

Attorney Jean DuPaul, in response to a question from Councilman Williams, stated that to sustain or overrule the Zoning Adjustment Board five votes would be required. He said that an amendment to the requirements would require only a majority vote of Council members present.

The Mayor stated that the opponents to the proposed zone variance would be heard at this time.

Mr. John C. Fischer, Jr. read a statement in opposition to a Super Market and a parking lot, in violation of the provisions of the Municipal Code. He suggested at further condition be imposed as to the total percentage of the entire area which could be used for parking.

Questioned by Councilman Schneider, Mr. David E. South of the City Planning Office stated, "There is no law that forces people to provide off-street parking".

John C. Fischer Jr. read a definition of "Super Market" to show it differed from the ordinary store or shop, as mentioned in the City Zoning regulations.

Questioned by the Mayor, Attorney Jean Du Paul said that the Market itself may properly be built in the present zone. He stated, "In my opinion we can justify in a court a zone variance to supplement the main use of the area". He said the words "Super Market" do not appear in the Municipal Code. He said the building is to be in an R-C Zone.

Councilman Williams questioned Attorney Jean DuPaul on his favorable report on the matter of allowing a Super Market and off-street parking in the subject area.

Councilman Schneider questioned John C. Fischer Jr. on his suggestion relative to off-street parking for this Super Market. The question developed as to where the cars could park if no off-street parking in the R-1 zone was allowed.

Mr. Eddie Jones spoke in opposition to the zone variance. He opposed the use of an R-1 Zone for other than R-1 purposes. He stated he lived close to the subject property, and thought that the City Board of Zoning Adjustment should be overruled.

Mr. Robert Strong said fifty cars can be parked on the area covered by the proposed zone variance; and objected to allowing the variance. Questioned by Councilman Schneider, he said that cars could be parked on Talbot Street, if the variance is denied. He said the people in the adjacent area should be given more consideration.

Mr. Bannister started to refute some of the statements made by Robert Strong, but was stopped by the Mayor, who did not wish a debate on the matter under discussion.

Mrs. Anita Schenck, of 890 Catalina Boulevard, spoke in opposition to the zone variance, stating she lives right across from the end of the tract. She said the existing traffic situation was bad, and thought that there would be many accidents after the Super Market is opened. She said more off-street parking space would mean more traffic accidents. She expressed herself as being against the whole project, including the zone variance.

Mrs. M. V. Hogan, of 3760 Warner Street, asked questions about the ingress to and egress from the off-street parking areas, to and from Canon Street, which is a thoroughfare.

Mrs. Kendall Bush, of 1970 Catalina Boulevard, objected to the zone variance. Mr. Kendall Bush said this would be a bad precedent for other areas.

He lives in an R-1 Zone; and stated that if variances became too general he could build a duplex on the rear of his lot.

Mr. Pat Brannon objected to some of Mr. Kendall Bush's remarks as being erroneous.

Mr. Charles Smith, of 973 Temple Street, said some of the speakers lived too far away to be considered.

Mrs. Juanita Steiger cited certain sections of the Municipal Code, and Ordinance No. 8924, and other ordinance sections. She read a statement relative to the requested zone variance on Pueblo Lot 183. She asked the Council to sustain all zoning regulations.

On motion of Councilman Curran, seconded by Councilman Kerrigan, the hearing was declared closed.

Thereupon, on motion of Councilman Curran, seconded by Councilman Kerrigan, the hearing was continued for one week.

A petition from H. H. Peterson requesting that the matter of rezoning a portion of Pueblo Lot 256 and a portion of Boulevard Gardens be referred back to the City Planning Commission.

Mr. H. H. Peterson spoke in support of his petition.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the matter was referred back to the Planning Commission as requested.

A hearing had already been set on this matter for Thursday, October 27th, 1955.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Curran, the Council took a recess until the hour of 2:00 o'clock P.M. this date.

The City Council reconvened at the hour of 2:04 o'clock P.M. on Thursday, October 20th, 1955.

Present---Councilman Williams, Schneider, Kerrigan and Curran.

Absent---Councilmen Burgener, Evenson and Mayor Dail.

Clerk-----Fred W. Sick.

In the absence of the Mayor and Vice Mayor, Councilman Schneider acted as Chairman pro tempore.

Communication from the Purchasing Agent reporting on bids for the installation of a feeder main from pumping station at Romero Drive and Country Club Drive to Country Club Reservoir was presented. Four bids were received.

RESOLUTION NO. 129210, Accepting the bid of Hood Construction Co. for the installation of a 12" a.c. Feeder Main from Pumping Station at Romero Drive and Country Club Drive to Country Club Reservoir for the sum of \$46,698.60; awarding the contract, and authorizing the City Manager to execute said contract, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing 2 - Power Sweepers at \$579.00 each, and 2 - Canvas Hoppers at \$30.00 in accordance with the bid of Hudson Equipment Company; the lowest of three bidders, was presented.

RESOLUTION NO. 129211, accepting the bid of Hudson Equipment Co. for furnishing The City of San Diego with 2--Power Sweepers at \$479.00 each, and 2--Canvas Hoppers at \$30.00 each, totaling \$1,218.00 plus State Sales tax;

awarding the contract, and authorizing the City Manager to execute said contract; was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from the Purchasing Agent reporting on the sole bid for furnishing Centrifugally Spun Reinforced Concrete Pipe was presented.

RESOLUTION NO. 129212, accepting the bid of American Pipe and Construction Co. to furnish The City of San Diego with its requirements of Centrifugally Spun Reinforced Concrete Pipe for a period of six months beginning November 1, 1955, in accordance with schedule attached to said Resolution; awarding the contract, and authorizing the City Manager to execute said contract; was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Purchasing Agent's RESOLUTION NO. 129213, approving plans, specifications and wage scale; authorizing the publication of notice inviting bids for the Installation of 54th Street 12" A. C. Pipeline from Collier Avenue to Montezuma Road, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Purchasing Agent's RESOLUTION NO. 129214, approving plans, specifications and wage scale; authorizing the publication of notice inviting bids for replacements of Small Water Main Replacements, Group 24, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Purchasing Agent's RESOLUTION NO. 129215, approving plans, specifications and wage scale; authorizing the publication of notice inviting bids for the construction of the Switzer Creek Storm Drain Outfall across the tidelands at 10th Avenue Marine Terminal, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from the Purchasing Agent relative to the sale of one length of Pipe to the United States Navy was presented.

RESOLUTION NO. 129216, approving the sale of one (1) 18 ft. length of 16" cast iron pipe to the United States Navy for emergency repairs, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent relative to the final map of Kolgra Manor was presented.

RESOLUTION NO. 129217, authorizing the City Manager to execute a contract with Dass Construction Company of San Diego, for the installation and completion of the unfinished improvements and setting of the monuments required for Kolgra Manor Subdivision; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129218, adopting the Final Map of Kolgra Manor subdivision and accepting Aaron Court, a portion of 52nd Street, named and unnamed easements as shown thereon, and rejecting the dedication for a public street of those portions of Lots 8 and 9, marked "Reserved for Future Street", was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending suspension of two sections of the Municipal Code in connection with the tentative map of a portion of Lots 72 and 78, Rancho Mission, was presented.

RESOLUTION NO. 129219, suspending sections 102.07-5 and 102.17-c, in connection with the tentative map of Mesa Industrial Tract Unit No. 1, a 9-lot subdivision of a portion of Lots 72 and 78, Rancho Mission, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from the City Planning Commission recommending approval of the tentative map of Mesa Industrial Tract Unit No. 1, under certain conditions, was presented.

RESOLUTION NO. 129220, approving the tentative map of Mesa Industrial Tract Unit No. 1, a 9-lot subdivision of a portion of Lots 72 and 78, Rancho Mission, subject to six conditions, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from the City Planning Commission recommending use of final Record of Survey Map on a portion of Pueblo Lot 105 (Trepte) was presented.

RESOLUTION NO. 129221, approving the filing of a record of survey map in lieu of final subdivision map under Section 102.02.1 of the San Diego Municipal Code, of a portion of Pueblo Lot 105 (Trepte), of the Pueblo Lands of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from the City Planning Commission recommending suspending four sections of the Municipal Code in connection with the revised tentative map of Rancho Cabrillo Unit No. 3, was presented.

RESOLUTION NO. 129222, suspending sections 102.07-5; 102.11-5; 102.12-6 and 102.17-c of the Municipal Code in connection with the revised tentative map of Rancho Cabrillo Unit No. 3, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission recommending approval of the revised tentative map of Rancho Cabrillo Unit No. 3, was presented; the approval being subject to certain conditions.

RESOLUTION NO. 129223, approving the revised tentative map of Rancho Cabrillo Unit No. 3, a 372-lot subdivision of a portion of the Fletcher Annexation, subject to thirteen conditions, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from the City Planning Commission recommending the use of a final record of survey map for Riviera Villas, Block O, Lot 26, was presented.

RESOLUTION NO. 129224, approving the filing of a record of survey map in lieu of final subdivision map under Section 102.02.1 of the San Diego Municipal Code of Lot 26, Block "O", Riviera Villas, according to Map thereof No. 1929, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from W. H. Black, from La Jolla Farms, relative to land to be dedicated for a park in Pueblo Lot 1280, at such time as the property is subdivided, was presented and on motion of Councilman Kerrigan, seconded by Councilman Williams, referred to the City Manager.

Communication from the City Engineer submitting a drawing showing the proposed closing of Unnamed Road in Lot 67, Rancho Mission, adjacent to Waring Road, as authorized by Resolution No. 128343, was presented and on motion of Councilman Kerrigan, seconded by Councilman Williams, referred to the City Manager.

Communication from Wm. P. Elser, President, Civil Service Commission, submitting recommendations for amendment to the Salary Ordinance relative to creation of new classifications; namely: Principal Engineering Aide, and Corrosion Engineer, was presented and on motion of Councilman Curran, seconded by Councilman Kerrigan, referred to the City Attorney.

Communication from La Jolla Corinthian Yacht Club making a request for a location on Mission Bay was presented, and on motion of Councilman Williams, seconded by Councilman Curran referred to the City Manager.

Communication from the Ocean Beach Civic Committee requesting that a member from their organization be appointed to the Mission Bay Development Commission was presented and on motion of Councilman Williams, seconded by Councilman Curran, referred to Council Conference; by RESOLUTION NO. 129225.

Communication from the San Diego Convention and Tourist Bureau endorsing the Stanford Research Institute Report was presented and on motion of Councilman Kerrigan, seconded by Councilman Curran, ordered filed.

Communication from Mrs. Emily Switters relative to storm overflow possibilities on the south side of West Spruce Street, between India Street and Kettner Boulevard, was presented and on motion of Councilman Kerrigan, seconded by Councilman Curran, referred to the City Manager.

Communication from the Traffic Appliance Corporation submitting literature on the Fine-O-Meter collection system which consists of a red collection box and an envelope type citation was presented and on motion of Councilman Kerrigan, seconded by Councilman Williams, referred to the City Manager.

RESOLUTION NO. 129226, authorizing and directing the San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the locations specified below in College Ranch, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted:

Jackson Drive at Blue Lake Drive;
 Lake Alamo Avenue at Blue Lake Drive;
 Lake Alamo Avenue, north of Blue Lake Drive;
 Lake Alturas Avenue, south of Lake Murray Boulevard;
 Anvil Lake Avenue at Blue Lake Drive;
 Amber Lake Avenue at Blue Lake Drive;
 Lake Alturas Avenue at Blue Lake Drive;
 Lake Albano Avenue at Blue Lane Drive;
 Lake Albano Avenue, north of Blue Lake Drive;
 Amber Lake Avenue at Lake Angela Drive;
 Anvil Lake Avenue, at a point north of Blue Lake Drive; and
 Anvil Lake Avenue, at Lake Angela Drive.

RESOLUTION NO. 129227, authorizing and directing the San Diego Gas & Electric Company to install a 6000 lumen overhead street light at 44th Street at "T" Street, and at Elizabeth Street at "T" Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129228, authorizing and empowering the City Manager to do all the work in connection with the re-arrangement of water facilities in conjunction with the improvement and changes of State Highway 395 near Chesteron Subdivision and Aero Drive, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129229, authorizing the City Manager to execute an agreement between the City of San Diego and the San Diego Chamber of Commerce

a corporation, providing for the services of said San Diego Chamber of Commerce in advertising, exploiting and making known the resources and advantages of The City of San Diego for the purpose of increasing the trade and commerce thereof, from July 1, 1955, to and including June 30, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Consideration of a proposed Resolution authorizing the City Manager to execute an amendment to the lease agreement with Earl B. Hunter and Carl M. Rutherford, partners, of portions of Pueblo Lots 1208 and 1797, was on motion of Councilman Kerrigan, seconded by Councilman Williams, continued until Thursday, October 27th, 1955.

Consideration of a proposed Resolution authorizing the City Manager to execute an amendment to the lease agreement with Mitchell N. Angus, Peggy Ann Angus, Tom H. Haynes, Betty B. Haynes, Frank J. O'Doul, Jean O'Doul, and Lawrence L. Knezerich, of portions of Lots 15, 16, 17, 23 and 24 of Lemon Villa, for the operation of a public golf course and appurtenances, was on motion of Councilman Kerrigan, seconded by Councilman Williams, continued until Thursday, October 27th, 1955.

A proposed Resolution approving an agreement between the City-County Band and orchestra Commission and the Musicians Club for Halloween dances at various schools, was presented and on motion of Councilman Curran, seconded by Councilman Williams, adopted.

On motion of Councilman Curran, seconded by Councilman Williams, this action was reconsidered.

Thereupon, RESOLUTION NO. 129230, referring to Conference with the Board of Supervisors the proposed Agreement between the City-County Band and Orchestra Commission and the Musicians Club of San Diego to furnish music for such functions as may be a part of the music program for the fiscal year 1955-1956, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129231, approving the participation of the City in payment of the cost of a certain sewer in the La Jolla area, indicated on Document No. 522766 to the extent approved by the City Manager, to-wit: 25% of the total cost thereof, or \$10,000.00, whichever amount is less, upon completion of a proposed subdivision in connection therewith, and to the satisfaction of the City Engineer, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129232, authorizing the Property Supervisor to advertise for a period of at least five consecutive days in the official newspaper of the City the sale at public auction of Lot 14, in Block 309, Seaman & Choate's Addition; the appraised value of which is \$900.00; and establishing \$900.00 as the minimum amount which the Council will consider for the sale of said property; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129233, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as Lots 6 and 7 in Block B of Weeks' Addition, according to Map No. 123.

RESOLUTION NO. 129234, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as The Northeasterly 10.00 feet of that portion of the 15.00 foot wide alley (closed) lying adjacent to the Northeasterly line of Lot 6, Block 17, La Jolla Hermosa, according to the Map thereof No. 1810

RESOLUTION NO. 129235, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as a portion of the West Half of Lots 20 through 23, inclusive, Block 13, American Park Addition, according to Map thereof No. 983.

RESOLUTION NO. 129236, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as Lots 24 and 25, in Block 1 of Berkeley Heights, according to Map thereof No. 1131.

RESOLUTION NO. 129237, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as Lots 22 and 23 in Block 4 of Berkeley Heights, according to Map thereof No. 1131.

RESOLUTION NO. 129238, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as a portion of Lots 3 to 16, both inclusive, in Block 1; also, a portion of Lots 25 and 26, in Block 2; also, a portion of Lot 28, in Block 11, all in Electric Line Addition, according to Map thereof No. 861.

RESOLUTION NO. 129239, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes against certain City-owned property, together with all penalties and other expenses in

connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The property affected by said Resolution was described as a portion of Lots 4, 5, 6 and 7, Block 1, Electric Line Addition, according to Map thereof No. 861.

RESOLUTION NO. 129240, Authorizing the City Manager to request the State Park Commission at the public hearing in Los Angeles to investigate and consider the addition of the ocean front park at Ocean Beach as a part of the Five-Year Master Plan, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129241, approving the request of H. W. Grizzle, contained in Change Order No. 3, for an extension of time of twenty days, to and including October 23, 1955, in which to complete his contract for the construction of Linda Vista Recreation Center, and which said contract is contained in Document No. 511035, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129242, approving the request of U. S. Steel Corporation, American Steel & Wire Division, Cyclone Fence Department, contained in Change Order No. 1, for an extension of time of thirty days, to and including November 8, 1955, in which to complete its contract for the construction of fences around nine Water Department facilities, and which said contract is contained in Document No. 516639, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129243, granting a revocable permit to Charles R. Brady, 861 Beryl Street, to install and maintain a garage ramp over surface of paved alley to give safe access to garage from alley (Legal description of owner's property: Lots 15 and 16, Block 80, Pacific Beach); subject to certain conditions.

RESOLUTION NO. 129244, authorizing Lt. W. R. Scott, Commanding Officer, Crime Laboratory, to attend the conference on law enforcement photography, to be held at Rochester, N. Y., November 27th through December 3rd, 1955; authorizing him to incur all expenses necessary in connection with said trip; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129245, authorizing Paul Beerman, Director of the Water Department, and the Supervisors of Water Accounting and Water Divisions, to attend the annual conference of the California Section of the American Water Works Association, to be held in Sacramento, California, October 25th through October 28th, 1955; authorizing them to incur all expenses necessary in connection with said trip; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129246, authorizing Miss Clara Breed, City Librarian, and the Assistant City Librarian, to attend the annual conference of the California Library Association, being held in San Jose, California, from October 25th through October 29th, 1955; authorizing them to incur all expenses necessary in connection with said trip; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129247, approving the claim of Louise C. Ash on file under Document No. 518567, in the amount of \$27.34; authorizing the City Auditor to draw his warrant in favor of Louise C. Ash for \$27.34 in full payment of the said claim; rescinding Resolution No. 128781; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129248, approving the claim of Sara Cheron on file under Document No. 521523, in the amount of \$19.07; authorizing the City Auditor to draw his warrant in favor of Sara Cheron for \$19.07 in full payment of said claim; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129249, approving the claim of Laron S. Franklin on file under Document No. 521524; in the amount of \$40.00; authorizing the City Auditor to draw his warrant in favor of Laron S. Franklin for \$40.00, in full payment of said claim; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129250, approving the claim of Norma Harlan on file under Document No. 521099, in the amount of \$16.22; authorizing the City Auditor to draw his warrant in favor of Norma Harlan in the amount of \$16.22 in full payment of the said claim; was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129251, denying the claim of Delman C. Butts and Helen Annette Butts, on file in the office of the City Clerk under Documents No. 514022 and 513612, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129252, denying the claim of E. N. Chevalier, on file in the office of the City Clerk under Document No. 521102, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129253, denying the claim of Robert Joseph Downie, on file in the office of the City Clerk under Document No. 520424, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129254, denying the claim of Sybell Hurder, on file in the office of the City Clerk under Document No. 510108, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129255, denying the claim of Kenneth D. Kunker, on file in the office of the City Clerk under Document No. 520806, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129256, denying the claim of Richard Issac Maxey, on file in the office of the City Clerk under Document No. 520803, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129257, denying the claim of Shields A. Maxwell, on file in the office of the City Clerk under Document No. 521381, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129258, denying the claim of Keria Roberts, on file in the office of the City Clerk under Document No. 521022, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129259, accepting the subordination agreement executed by Bank of America National Trust and Savings Association, et al. wherein said parties subordinate all their right, title and interest in and to a public easement and right of way through, over, under, along and across the northwesterly 4.00 feet and the southwesterly 4.00 feet of Lot 143, Highdale Addition to Encanto Heights, in The City of San Diego; authorizing and directing the City Clerk to file the said subordination agreement, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129260, accepting the quitclaim deed executed by John H. Lovett and Lucille Lovett, quitclaiming to The City of San Diego, all sewer mains, laterals, manholes and appurtenances lying within the streets and dedicated easements as constructed in the subdivision known as Camino Vista; authorizing and directing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129261, accepting the deed of Albert L. Peterson and Edythe A. Peterson, executed in favor of The City of San Diego, conveying to said City an Easement for a right of way for the construction, operation and maintenance of a storm drain and appurtenances, through, over, under, along and across a portion of Lot 23, Muirlands Village Unit No. 1; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129262, accepting the deed of Richard E. Wright and Euphemia I. Wright, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for the construction, operation and maintenance of a storm drain, and appurtenances, through, over, under, along and across the Westerly 110.00 feet of Villa Lot 5, Tract No. 1361; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129263, accepting the deed of L. H. Wilson and Leona Wilson, executed in favor of The City of San Diego, conveying to said City an easement and right of way for the construction, operation and maintenance of a public sewer, stormdrain and water pipeline and appurtenances, and for all public utility purposes, through, over, under, along and across a portion of Lot 6, Block 88, Linda Vista Unit No. 3; together with portions of Lots 5 and 6, 26 and 27, Block 88, Linda Vista Unit No. 3; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129264, accepting the deed of Joel D. Fagg, Jr. and Elizabeth I. Fagg, executed in favor of The City of San Diego, conveying to said City an easement and right of way for the construction, operation and maintenance of a public sewer, storm drain and water pipeline, and appurtenances,

and for all public utility purposes, through, over, under, along and across a portion of Lot 26, Block 88, Linda Vista Unit No. 3, together with portions of Lots 5 and 6, 27, 26, Block 88, Linda Vista Unit No. 3; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129265, accepting the deed of Charles D. Higgins and Marilyn F. Higgins, executed in favor of The City of San Diego, conveying to said City an easement and right of way for the construction, operation and maintenance of a public sewer, stormdrain and water pipeline, and appurtenances thereto, and for all public utility purposes, through, over, under, along and across a portion of Lot 5, Block 88, Linda Vista Unit No. 3, together with portions of Lots 5 and 6, 26 and 27, Block 88, Linda Vista Unit No. 3; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129266, accepting the deed of Herbert P. Rippe and Charles J. Houtteman, executed in favor of The City of San Diego, conveying to said City an easement for a right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across portions of Pueblo Lots 1286 and 1288 of the Pueblo Lands; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129267, accepting the deed of Ralph F. Claric, executed in favor of the City of San Diego, conveying to said City an easement and right of way for the construction, operation and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across portions of Lots 20 through 24, Block 1, G. H. Crippen's Addition, together with portions of Lots 5, 6 and 7, Block 4, The Dells Park, according to Maps thereof No's 147 and 1172; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129268, accepting the deed of the Hamilton Cattle Company, executed in favor of The City of San Diego, conveying to said City a portion of the Unnumbered Tract of land in First Addition to South La Jolla, according to Map thereof No. 891; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129269, accepting the deed of the Hamilton Cattle Company, executed in favor of The City of San Diego, conveying to said City a portion of the Unnumbered Tract of land in First Addition to South La Jolla, according to Map thereof No. 891; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129270, accepting the deed of the Hamilton Cattle Company, executed in favor of the City of San Diego, conveying to said City

an easement for a right of way for an access road and appurtenances thereto, through, over, under, along and across a portion of the unnumbered tracts of land in First Addition to South La Jolla, according to Map thereof No. 891; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129271, accepting the deed of H. H. Peterson and Emily Peterson, executed in favor of The City of San Diego, conveying to said City for street purposes, Lots 1 and 80 of Boulevard Gardens, together with that portion of Lot 52 of said Boulevard Gardens, according to Map thereof No. 1505; authorizing and directing the City Clerk to transmit the said deed, together with a certified copy of this resolution, to the Properties Department for recording, when all escrow instructions have been complied with; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129272, accepting the deed of Arthur M. Houston and Mildred G. Houston, executed in favor of The City of San Diego, conveying to said City for street purposes, Lot 1 of the Subdivision of the Southwesterly portion of Pueblo Lot 256, according to Map thereof No. 860; naming the lands conveyed therein as Parcel No. 1 MORENA BOULEVARD; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of San Diego County; was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 129273, accepting the deed of Mission Investment Corporation, and San Diego Associates, Inc., executed in favor of The City of San Diego, conveying to said City a portion of Lot 17 of Waterville Heights, together with a portion of Chollas Road adjoining said Lot 17 on the Northwest, according to Map thereof No. 748; authorizing and directing the City Clerk to file the said deed, together with a certified copy of this Resolution, for record in the office of the Recorder of said San Diego County; was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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

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

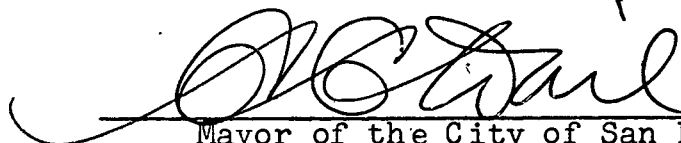
ORDINANCE NO. 6718, (New Series), appropriating the sum of \$2,300.00 out of the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the installation of permanent boulevard stop signs at 231 locations in the City, was on motion of Councilman Curran, seconded by Councilman Williams, adopted, by the following vote: Yeas-- Councilmen Williams, Schneider, Kerrigan and Curran. Nays--None. Absent--Councilmen Burgener, Evenson and Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, an Ordinance Amending Ordinance No. 6168 (New Series) of the Ordinances of the City of San Diego, entitled, "An Ordinance Establishing a City Employees' Retirement System for the Employees of The City of San Diego, and superseding in part Ordinance No. 10792, adopted November 29, 1926" Adopted June 22, 1954, by adding Seven new Sections thereto, to be numbered Sections 3.1, 10.0, 11.1, 49.1 51.1 and by adding a new article thereto to be numbered Article IV-1/2, containing Section 32.1; by Amending Sections 5, 6, 12, 13, 30, 31 and 32 thereof; and repealing Section 20 of said Ordinance; so as to provide coverage for Eligible Members

of The City Employees' Retirement System under the Old Age and Survivors' Insurance Program of the Social Security Act of The United States Government, was introduced, by the following vote: Yeas--Councilmen Williams, Schneider, Kerrigan and Curran. Nays--None. Absent--Councilmen Burgener and Evenson and Mayor Dail.

Miss Ellen Murray spoke in connection with the above ordinance. She stated that the Employees Retirement Board of Administration has not seen the ordinance draft. She wanted the matter continued until next Tuesday. She was assured that final action on the ordinance would be at least one week from to-day.

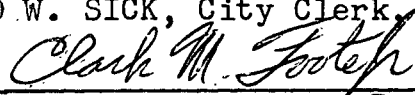
There being no further business to come before the Council at this time, The Mayor Pro Tempore declared the meeting adjourned at 2:16 o'clock P.M.


Mayor of the City of San Diego,
California.

ATTEST:

FRED W. SICK, City Clerk

By



Deputy.

Adjourned.

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Tuesday, October
25th, 1955.

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

Absent----None.

Clerk-----Fred W. Sick.

Reverend Walter M. Lossner, pastor of Our Redeemer Lutheran Church, was presented by the Mayor. Reverend Lossner give the invocation.

The Mayor presided at the meeting, which was convened at 10:04 o'clock A.M.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 103.

The Minutes of the Regular Council Meetings of Tuesday, October 18th, 1955, and of Thursday, October 20th, 1955, were approved on motion of Councilman Schneider, seconded by Councilman Williams, without reading. They were signed by the Mayor.

The Mayor requested, in consideration of the desires of Clinton D. McKinnon, that Item 137 on to-day's Calendar be acted upon at this time. This matter concerned the rezoning of a portion of Braemar and a Portion of Braemar Extension. Several hearings had been held in this connection.

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

ORDINANCE NO. 6719 (New Series), incorporating a portion of Lot A, Braemar and a portion of Lot C, Braemar Extension in The City of San Diego, California, into R-4 and C Zones as defined by Sections 101.0408 and 101.0411 of the San Diego Municipal Code, and Repealing Ordinance No. 119 (New Series) adopted January 3, 1933, insofar as the same conflicts therewith, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas-- Councilman Burgener, Williams, Schneider, Kerrigan, Curran, Evenson and Mayor Dail. Nays-- None. Absent--None.

Communication from the Purchasing Agent reporting on 1911 Act bids opened on Friday, October 21st, 1955, for paving and otherwise improving the Alley in Blocks 150 and 151, Pacific Beach - five bids - was presented.

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

Communication from the Purchasing Agent reporting on 1911 Act bids opened on Friday, October 21st, 1955, for paving and otherwise improving the Alley in Block 217, Pacific Beach - five bids - was presented.

Convened.

Hearings.
Ord. 6719 N.S.

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

Communication from the Purchasing Agent reporting on 1911 Act bids opened on Friday, October 21st, 1955, for paving and otherwise improving the Alley in Block 80, Point Loma Heights - five bids - was presented.

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

Communication from the Purchasing Agent reporting on 1911 Act bids opened on Friday, October 21st, 1955, for paving and otherwise improving the Alley in Block 2, F. T. Scripps Addition to La Jolla Park - five bids - was presented.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in Five Points Lighting District No. 1, the Clerk reported one bid, from San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in Mission Beach Lighting District No. 2, the Clerk reported one bid, from San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in Ocean Beach Lighting District No. 1, the Clerk reported one bid, from San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in University Avenue Lighting District No. 1, the Clerk reported one bid, from San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current in University Avenue Lighting District No. 3, the Clerk reported one bid, from San Diego Gas & Electric Company.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing relative to the Proposed Annexation to The City of San Diego of territory described as "Allied Garden Tract No. 2", all papers in connection with the proposed annexation were presented.

The Mayor inquired if any interested persons were present who desired to be heard.

No one appearing to be heard, and no objections to the proposed annexation having been received, on motion of Councilman Schneider, seconded by Councilman Williams, an Ordinance approving the Annexation to The City of San Diego of certain uninhabited territory in a portion of Lots 64 and 65, Rancho Mission of San Diego, in The County of San Diego, State of California, known and designated as "Allied Garden Tract No. 2", and which territory shall be added to the San Diego School District, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Even-son and Mayor Dail. Nays--None. Absent--None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 128486, for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, 51st Street, 52nd Street, Lemona Avenue, Ogden Street, Altadena Avenue and Public Rights of Way, 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.

RESOLUTION NO. 129274, determining that the improvement of paving portions of Sterling Court, Landis Street, Rex Avenue, 50th Street, 51st Street, 52nd Street, Lemona Avenue, Ogden Street, Altadena Avenue and Public Rights of Way, under Resolution of Preliminary Determination No. 128486, is feasible and that lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvement, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 128487, for paving and otherwise improving Treat Street and 28th 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.

RESOLUTION NO. 129275, determining that the improvement of paving portions of Treat Street and 28th Street, under Resolution of Preliminary Determination No. 128487, is feasible and that lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that the public convenience and necessity require the proposed improvement, and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 128748, for grading and sidewalk portions of Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Silk Place and 54th Street, the Clerk reported that no written protests had been received.

Hearings.

Res. 129274 - 129275.

The Mayor inquired if anyone was present to be heard.
No one appeared to be heard, and no written protests were presented.

RESOLUTION NO. 129276, determining that the improvement of grading and construction of sidewalks on Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Silk Place, 54th Street, under Resolution of Preliminary Determination No. 128748, is feasible and that lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that public convenience and necessity require the proposed improvement, and that the 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, the time set for hearing on Resolution of Preliminary Determination No. 128749, for the installation of street light luminaires with the necessary standards, foundations, connections and appurtenances, etc., in Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, A Street, B Street and C 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.

RESOLUTION NO. 129277, determining that the improvement of the streets under Resolution of Preliminary Determination No. 128749, by construction of a street lighting system on portions of Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, A Street, B Street and C Street, is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment; also finding and determining that public convenience and necessity require the proposed improvement; and that the Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2398, made to cover the cost and expenses of paving the Alley in Block 14, City Heights, et al., under Resolution of Intention No. 121400, the Clerk reported that no appeals had been filed.

The Mayor inquired if anyone was present to be heard.
No one appeared to be heard, and no written appeals were filed.

RESOLUTION NO. 129278, confirming and approving the Street Superintendent's Assessment No. 2398, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 14, City Heights, et al., under Resolution of Intention No. 121400; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law: directing said Street Superintendent to record in his office the warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2399, made to cover the cost and expenses of paving and otherwise improving of A Street, east of Edgemont Street, under Resolution of Intention No. 119096, the Clerk reported that no appeals had been filed.

The Mayor inquired if anyone was present to be heard.
No one appeared to be heard, and no written appeals were filed.

RESOLUTION NO. 129279, confirming and approving the Street Superintendent's Assessment No. 2399, made to cover the cost and expenses of paving and otherwise improving "A" Street, east of Edgemont Street, under Resolution of Intention No. 119096; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his

office the warrant, diagram and assessment; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2400, made to cover the cost and expenses of paving and otherwise improving Akron Street, between Hill Street and a canyon near Ullman Street, under Resolution of Intention No. 122087, the Clerk reported that one written appeal had been received from Dorothy M. Soares.

The Mayor inquired if anyone was present to be heard.

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

The City Engineer reported that the written appeal represented 3.4% of the area of the assessment district.

RESOLUTION NO. 129280, overruling and denying the appeal of Dorothy M. Soares, filed under Document No. 522672, from the Street Superintendent's Assessment No. 2400, made to cover the costs and expenses of the work of paving and otherwise improving Akron Street, under Resolution of Intention No. 122087; and overruling and denying all other appeals, written or verbal; Confirming and approving the Street Superintendent's Assessment No. 2400, made to cover the cost and expenses of paving and otherwise improving Akron Street, between Hill Street and a canyon near Ullman Street, under Resolution of Intention No. 122087; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his office the warrant, diagram and assessment; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2401, made to cover the cost and expenses of paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5 and 6, Block 28, Fairmount Addition to City Heights, under Resolution of Intention No. 120271, the Clerk reported that no appeals had been filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 129281, confirming and approving the Street Superintendent's Assessment No. 2401, made to cover the cost and expenses of paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5 and 6, Block 28, Fairmount Addition to City Heights, under Resolution of Intention No. 120271; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his office the warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2402, made to cover the paving and otherwise improving of Everts Street, between Grand Avenue and Hornblend Street, under Resolution of Intention No. 121531, the Clerk reported that three written appeals had been filed.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION NO. 129282, overruling and denying the appeal of Mrs. Mary N. Holloway, filed under Document No. 522454; the appeal of Mary E. Wertz, filed under Document No. 522957; the appeal of Mrs. James E. Rogers, filed under Document No. 522958; from the Street Superintendent's Assessment No. 2402, made to cover the costs and expenses of the work of paving and otherwise improving Everts Street, between Grand Avenue and Hornblend Street, under Resolution of Intention No. 121531; overruling and denying all other appeals, written or verbal; Confirming and approving the Street Superintendent's

Assessment No. 2402, made to cover the cost and expenses of paving and otherwise improving Everts Street, between Grand Avenue and Hornblend Street, under Resolution of Intention No. 121531; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing said Street Superintendent to record in his office the warrant, diagram and assessment; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in Pacific Beach Lighting District No. 2, the Clerk reported no protest.

The Mayor inquired if anyone was present who desired to be heard.

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

RESOLUTION NO. 129283, confirming and adopting as a whole the City Engineer's report and assessment for Pacific Beach Lighting District No. 2, filed in the office of the City Clerk on September 21, 1955, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

At this time three ladies in the audience inquired about the Braemar Rezoning Ordinance.

The matter was explained by Councilmen Burgener, and Kerrigan, and by Mayor Dail. Said ordinance was adopted earlier in this same meeting.

The ladies expressed themselves as satisfied with the explanation, and left the Council Chamber.

A Certificate of the City Clerk as to the sufficiency of the petition requesting the annexation of that certain territory known and referred to as SOUTH BAY AREA TRACT to the City of San Diego was presented, and on motion of Councilman Kerrigan, seconded by Councilman Williams, ordered filed. The petition for annexation accompanied the Certificate.

Mr. Sydney Robbins asked questions relative to the assumption of Bond levies outstanding if the election carried.

City Attorney Jean Du Paul explained the assumption of outstanding bonds by the City and by the annexed territory. (Water District Bonds, etc.) A Water Company Agreement to service the area was explained by the City Attorney. He said the Water Company would act as agent of the City temporarily.

Mr. Sydney Robbins inquired relative to the status of Employees in the territory to be annexed. This problem is to be worked out later, according to the Mayor.

Councilman Kerrigan said all such questions should be taken up at the public hearing to be held on November 10th, 1955.

RESOLUTION NO. 129284, being a Resolution of Intention to call a Special Election within the territory to be known and designated as "SOUTH BAY AREA TRACT," in the County of San Diego, State of California, for the purpose of submitting to the Electors residing therein the question whether the territory in said South Bay Area Tract shall be annexed to and incorporated within the City of San Diego, and that the property therein shall, after such annexation, be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of said City outstanding or authorized at the date of such annexation, and also that following annexation Street Maintenance, Police, Fire, Park and Recreation Services furnished in the annexed area by the City of San Diego will be at a reduced level for a period of time compatible with safety, present County Services and economics, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129285, requesting the County Board of Supervisors to authorize the Registrar of Voters to conduct an election in the

territory known as SOUTH BAY AREA TRACT; listing the services to be performed by the proper County Departments; and authorizing the deposit of \$1619.00 in the Registrar of Voters Trust Fund of the County of San Diego, being 10% in excess of the estimated cost of the services requested; was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing Ferric Sulphate was presented. Two bids were received.

RESOLUTION NO. 129286, accepting the bid of Stauffer Chemical Company to furnish The City of San Diego its requirements for Ferric Sulphate for a period of six months, November 1, 1955 through April 30, 1956, at a price of \$56.00 per ton plus state sales tax; awarding the contract; authorizing the City Manager to execute said contract for furnishing said Ferric Sulphate, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing various items of Fire Fighting Equipment was presented. Nine bids were received.

RESOLUTION NO. 129287, accepting the bid of Mission Pipe & Supply Co. to furnish The City of San Diego with 4 Air-Pak Breathing Apparatus at \$193.05 each, and 12 canvas Covers, at \$28.90 each; terms net, plus state sales tax; awarding the contract; authorizing the City Manager to execute said contract for furnishing said Breathing Apparatus and canvas Covers; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution No. 129288, accepting the bid of Albro Fire Equipment Co. to furnish The City of San Diego with one (1) Smoke Ejector at a price of \$84.50, terms net, plus state sales tax; awarding the contract; authorizing the City Manager to execute said contract for furnishing said Smoke Ejector; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129289, accepting the bid of Halpria Supply Company, to furnish The City of San Diego with twelve (12) Fire Pumps at a price of \$36.25 each; terms net, plus state sales tax; awarding the contract; authorizing the City Manager to execute said contract for furnishing said Fire Pumps; was on motion of Councilman Kerrigan, seconded by Councilman Schneider adopted.

RESOLUTION NO. 129290, accepting the bid of John F. Wardlaw Fire Equipment, to furnish The City of San Diego with six (6) Ram Bars at a price of \$51.50 each; terms net, plus state sales tax; awarding the contract; authorizing the City Manager to execute said contract for furnishing said Ram Bars; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129291, accepting the bid of California Fire Equipment, Inc. to furnish The City of San Diego with four (4) Elkhart Brass Mystery Nozzles at a price of \$97.24 each; terms 2% 10 days; plus state sales tax; awarding the contract; authorizing the City Manager to execute said contract for furnishing said Nozzles; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing 6" two-way Fire Hydrants was presented. Nine bids were received.

RESOLUTION NO. 129292 , rejecting all bids for furnishing The City of San Diego approximately 60 - 6" two-way Fire Hydrants received on September 22nd, 1955; directing the Purchasing Agent to negotiate with manufacturers and dealers for the City's requirements of 6" two-way Fire Hydrants for a period beginning November 1s, 1955 and ending June 30, 1956; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent relative to furnishing certain Cast Iron Pipe and Elbow for use on Navy contract by Sim J. Harris Company was presented.

RESOLUTION NO. 129293, authorizing the Purchasing Agent to accept purchase order of Sim J. Harris Co. and issue 60 lineal feet of 4" Class 150 Cement Lined Cast Iron Pipe and 1 - 4" 90 degree Cast Iron Elbow from Stores stock for use on Navy contract NOy-89120, with pipe and fittings to be replaced upon receipt in approximately 30 days, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission requesting an amendment to Resolution relative to the tentative map of Judkins Estate was presented.

RESOLUTION NO. 129294, amending Resolution No. 128141, adopted August 23, 1955, approving the revised tentative map of Judkins Estate, by the deletion of Item 2 therefrom which required that sewer laterals be installed to serve each lot, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending changing the name of a portion of Meade Avenue to Carling Way was presented.

RESOLUTION NO. 129295, adopting the recommendation of the City Planning Commission for changing the name of Meade Avenue, between Carling Drive and Tarragona Drive, to Carling Way; directing the City Attorney to prepare and present to the Council the necessary ordinance changing the name of said street; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from N. H. Hogart relative to traffic congestion at 5th Avenue and Harbor Drive; and at 8th Avenue and Harbor Drive, was presented, and on motion of Councilman Kerrigan, seconded by Councilman Curran, referred to the City Manager.

Communication from the San Diego Symphony Orchestra Association requesting a Council Resolution to exempt them from payment of City ticket tax was presented and on motion of Councilman Kerrigan, seconded by Councilman Curran, referred to the City Manager.

Communication from the State of California Alcoholic Rehabilitation Commission relative to their program for treatment and rehabilitation of alcoholics was presented, and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Manager.

RESOLUTION NO. 129296, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2412, made to cover the costs and expenses of the work of paving and otherwise improving the Alley lying Easterly of and contiguous to Lots 1 to 24, inclusive, Block 1, Tract 1382, Wilshire Place; 43rd Street and Public Right of Way,

under Resolution of Intention No. 117677, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129297, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2413, made to cover the costs and expenses of the work of paving and otherwise improving of Alcott Street, between Glove Street and Chatsworth Boulevard; under Resolution of Intention No. 122930, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129298, authorizing and directing the City Clerk to give notice of filing by the Street Superintendent of Assessment No. 2414, made to cover the costs and expenses of the work of installing sanitary sewer mains in La Jolla Rancho Road; under Resolution of Intention No. 123409, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129299, approving plans, drawings, typical cross-sections, profiles and specifications for paving the Alley in Block M, Tract No. 2 of Alta Vista Suburb, between Franklin Avenue and Imperial Avenue; approving Plat No. 2781, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; directing the City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129300, approving plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the Alley in Block 49, University Heights, between Mission Avenue and Madison Avenue; and the Alley in Block 49-1/2, University Heights, between Monroe Avenue and Mission Avenue; approving Plat No. 2778, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; directing the City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129301, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sidewalks, and the appurtenant grading of Alleghany Street, between the westerly boundary of the City of San Diego at Rachael Avenue and a line parallel to and distant 140 feet easterly from the easterly line of Sea Breeze Drive; approving Plat No. 2760, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; directing the City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK NO. 129302, for grading, paving and otherwise improving the Alley in Block 274, Pacific Beach, as described in Resolution of Intention No. 128394, was on motion of Councilman Curren, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK NO. 129303, for grading, paving and otherwise improving of Commercial Street; Alley in Block 317, San Diego Land and Town Company's Addition; Hensley Street and 28th Street, as described in Resolution of Intention No. 128395, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK NO. 129304, for grading, paving and

otherwise improving of 63rd Street, between El Cajon Boulevard and Choctaw Drive, as described in Resolution of Intention No. 128396, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 129305, for grading and paving a portion of the Alley in Block M, Tract No. 2 of Alta Vista Suburb, between Franklin Avenue and Imperial Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 129306, for grading and paving the Alley in Block 49, University Heights, between Mission Avenue and Madison Avenue; and the Alley in Block 49-1/2, University Heights, between Monroe Avenue and Mission Avenue; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 129307, for grading, sidewalk and curbing a portion of Alleghany Street, between Rachael Avenue and Sea Breeze Drive, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129308, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the grading and paving of the Alley in Block K, Montecello, between Monroe Avenue and El Cajon Boulevard, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129309, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the installation of sewer mains in portions of Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, Public Rights of Way in Lots 2, 9, 11, 12, 13, 14, 18, 19, 20 and 21, Block G, La Jolla Country Club Heights, Unit No. 2; Public Rights of Way in Pueblo Lot 1263; and the Lanes between Lots 3 and 4 and 6 and 7, in La Jolla Country Club Estates, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129310, ascertaining and declaring the prevailing rate of per diem wages to be paid in connection with the grading, paving and otherwise improving of portions of Moyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street; within the limits and as fully described in said Resolution; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129311, approving the diagram of the property affected or benefited by the work of paving and otherwise improving of 70th Street, between El Cajon Boulevard and Colony Road, as described in Resolution of Intention No. 122842; directing the City Clerk at the same time of this approval, to certify the fact and date thereof, and to immediately deliver the diagram so certified to the Superintendent of Streets; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129312, approving the diagram of the property affected or benefited by the work of paving and otherwise improving the Alley in Block 113, Pacific Beach, as described in Resolution of Intention No. 123286;

directing the City Clerk of the City of San Diego at the same time of this approval, to certify the fact and date thereof, and to immediately deliver the diagram so certified to the Superintendent of Streets; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129313, approving the diagram of the property affected or benefited by the work of paving and otherwise improving the Alley in Block 80, Pacific Beach, as described in Resolution of Intention No. 124570; directing the City Clerk of the City of San Diego at the same time of this approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129314, directing the City Engineer to furnish the City Council with a diagram of the property affected and benefited by the work and improvement of paving and otherwise improving 53rd Street, between El Cajon Boulevard and Trojan Avenue, as particularly described in Resolution of Intention No. 126082, and to be assessed to pay the expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129315, granting the petition for paving the Alley in Block 20, Swan's Addition, from Fairmount Avenue to the canyon; directing the City Engineer to furnish the Council with a description of the assessment district and a plat showing the exterior boundaries of the district or lands in said City to be assessed to pay the costs, damages and expenses of said work and improvement; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129316, granting permission to Wm. E. Glasson to install sanitary sewers to serve Lots 12 and 13, Osborn Hill, near Walnut Avenue and Falcon Street, by private contract, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129317, approving a Renewal of an existing sublease, entered into between Westgate-California Tuna Packing Company, Sublessor, and General Dynamics Corporation, Sublessee, covering that certain property previously leased to The Sun Harbor Packing Company, and subsequently assigned to Westgate-California Tuna Packing Company, a copy of which Agreement for Renewal of Sublease is on file in the Office of the City Clerk, bearing Document No. 522678; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 129318, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, authorizing and directing the San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of the following locations in Clairemont Unit #14 (Map filed May 27, 1954), in the City:

Naugatuck Avenue West of Hidalgo Avenue;
Luna Avenue at Naugatuck;
Luna Avenue at Gallatin Way;
Luna Avenue at Fargo Avenue;
Fargo Avenue at Powhatan Avenue;
Powhatan Avenue at Westerly terminus west of Fargo Avenue;
Fargo Avenue at El Penon Way; and
El Penon Way east of Fargo Avenue.

RESOLUTION NO. 129319, authorizing the City Manager to accept the work on behalf of The City of San Diego in Inspiration Point Subdivision, and to execute a Notice of Completion and have the same recorded, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129320, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; authorizing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The affected property was described as portions of Lots 16, 17 and 18 in Block 1 of Berkeley Heights, accordint to Map No. 1131 thereof.

RESOLUTION NO. 129321, approving Change Order No. 1, issued in connection with the contract of Johnson-Western Constructors Co. for the construction of the Moore Street and California Street Drain, said contract being contained in Document No. 520776; and approving the changes therein set forth, amounting to an increase in the contract price of approximately \$768.00; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129322, approving Change Order No. 1, issued in connection with the contract of Sequoia Landscape Company for the installation of a sprinkler system in Kellogg Park, said contract being contained in Document No. 519464; and approving the changes therein set forth, amounting to an increase in the contract price of approximately \$627.00; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129323, granting permission to Paul P. Collins, owner, 4124 Olympic Street, to install a 4" soil line under a grade of 1/4" to one foot drop, but not less than 1/8"; said installation to be for property at 6954 El Cajon Boulevard (Legal description: Lot 18, Block 8, La Mesa Colony Townsite), because of shallowness of sewer line in the alley; subject to certain conditions; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

At this time Mayor Dail left the meeting and Vice Mayor Burgener presided as Chairman for the remainder of the meeting.

RESOLUTION NO. 129324, granting permission to Mayfair Markets, Inc., 4383 Bandini Boulevard, Los Angeles, to install one 2" type "L" copper vent pipe with copper drainage fittings for floor drain in main sales area, and eliminating 2 vents from 2 indirect floor drains at the center of main sales area (first floor) in construction of a Mayfair Market located at 955 Catalina Boulevard, San Diego (Legal description: portion of Pueblo Lot 183 of the Pueblo Lands of San Diego); subject to certain conditions; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129325, authorizing the Pacific Telephone and Telegraph Company to erect a 20' x 40' tent, with 3 sides enclosed adjacent to the rear entrance of said Company's equipment building at 2825 Balboa Avenue, to be used on October 27th and 28th, 1955, as an assembly area for visitors who will be touring the premises on the above mentioned dates; and to install approximately 75 feet of canvas side wall to be attached to wire fencing along the west side of the building, to serve as a wind break; subject to certain conditions; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129326, granting a revocable permit to George Stephenson, 2121 Frankfort Street, to install and maintain concrete steps to Frankfort Street for access to home, (Legal description of property: Lots 7, 8, 9 and 10, Block 88, Morena Subdivision), subject to certain conditions, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129327, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; authorizing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The affected property was described as the Southwesterly 15.00 feet of Lot 25 of Boulevard Gardens according to map rhereof No. 1505.

RESOLUTION NO. 129328, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; authorizing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The affected property was described as a portion of Lots 26 and 27 in Block 1 of Berkeley Heights, accordint to Map thereof No. 1131.

RESOLUTION NO. 129329, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; authorizing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The affected property was described as a portion of Lot 21, in Block 4 of Berkeley Heights, according to Map thereof No. 1131.

RESOLUTION NO. 129330, directing the Property Supervisor to petition the County Board of Supervisors, requesting that all taxes, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on certain City-owned property be cancelled; authorizing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds; was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The affected property was described as a portion of Lots 20 and 21 in Block 1 of Berkeley Heights, according to Map thereof No. 1131.

RESOLUTION NO. 129331, approving the claim of Fred G. Eagler, on file under Document No. 521037, in the amount of \$26.00; authorizing the City Auditor to draw his warrant in the amount of \$26.00, in full payment of the afore-said claim; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129332, approving the claim of Floyd R. Warren, on file under Document No. 519130, in the amount of \$5.10; authorizing the City Auditor to draw his warrant in the amount of \$5.10, in full payment of the afore-said claim, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129333, authorizing the City Attorney to settle the \$60.00 claim of A. D. McFarlan, on file under Document No. 519034, for the sum of \$28.50; authorizing the City Auditor to draw a warrant in the amount of \$28.50, in full settlement of the aforesaid claim, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129334, denying the claim of H. L. Graham, on file under Document No. 521968, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129335, denying the claim of Emil J. Pfund, on file under Document No. 521899, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129336, authorizing the Mayor and City Clerk to execute, for and on behalf of The City of San Diego, a quitclaim deed quitclaiming to the County of San Diego a portion of the City's right of way for El Monte Pipeline, under the terms and conditions contained in the form of quitclaim deed filed in the office of the City Clerk as Document No. 523146; authorizing the City Clerk to deliver said quitclaim deed to the Property Supervisor; rescinding Resolution No. 128635, in connection with a revocable permit for the use of the aforementioned property; was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129337, accepting the Quitclaim Deed from Frank Manescalchi and Tommasa Manescalchi, husband and wife, and Charles R. Cono and Anita A. Cono, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures, located in public streets, rights of way, highways and public places, either within or without the subdivision named College Manor, being all of Lot 21 of Oakemere, according to Map No. 3056; authorizing and directing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION NO. 129338, accepting the Quitclaim Deed from John H. Lovett and Lucille Lovett, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenances constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Camino Vista, being a portion of Lot 37 of La Mesa Colony; authorizing and directing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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

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

ORDINANCE NO. 6720 (New Series), establishing the grade of the Alley in Block 14, Ocean Beach and Block 98, Point Loma Heights, in The City of San Diego, California, according to Maps No. 279 and 1106, between the southeasterly line of Froude Street and the northwesterly line of Guizot Street, was on motion of Councilman Schneider; seconded by Councilman Williams, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran and Evenson. Mays--None. Absent--Mayor Dail.

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

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

ORDINANCE NO. 6721 (New Series), establishing the grade of the Alley in Block 16, Ocean Beach, in The City of San Diego, California, according to Map No. 279, between the Northwesterly line of Froude Street and the southeasterly line of Ebers Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran and Evenson. Nays--None. Absent--Mayor Dail.

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

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

ORDINANCE NO. 6722 (New Series), establishing the grade of the Alley in Block 97, Point Loma Heights and Block 13, Ocean Beach, in The City of San Diego, California, according to Maps 1106 and 279, between the northwesterly line of Guizot Street and the southeasterly line of Froude Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran and Evenson. Nays---None. Absent---Mayor Dail.

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

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

ORDINANCE NO. 6723 (New Series), establishing the grade of Celia Vista Drive in The City of San Diego, California, between the easterly line of Cosgrove Heights and the westerly termination of said Celia Vista Drive in Cosgrove Heights, according to Map No. 2595, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran and Evenson. Nays--None. Absent--Mayor Dail.

On motion of Councilman Williams, seconded by Councilman Kerrigan, an Ordinance amending Section 67.32 of the San Diego Municipal Code regulating Water Meter Turn-on Charges, was introduced by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran and Evenson. Nays--None. Absent--Mayor Dail.

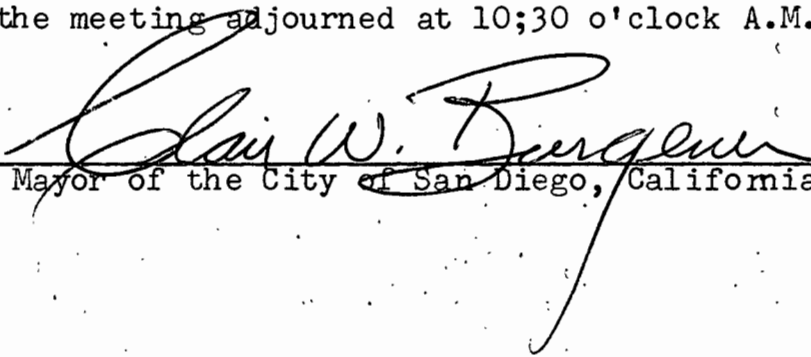
The following items were brought up by unanimous consent, at the request of the City Manager.

RESOLUTION NO. 129339, approving the Agreement between the City-County Band and Orchestra Commission and the Musicians Club of San Diego, a non-profit corporation, sponsoring a professional orchestra or band to furnish music for such functions as may be a part of such music program for the fiscal year 1955-1956; authorizing an agreement between the County of San Diego and

The City of San Diego, dated September 20th, 1955, a copy of which is filed as Document No. 521563; providing that this resolution shall be of no force or effect unless and until the Board of Supervisors of said County of San Diego adopts a resolution of similar force and effect; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION NO. 129340, requesting the City Attorney to prepare and present the necessary Ordinance to appropriate \$3000.00 for the City-County Camp Commission, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays--Councilman Curran. Absent--Mayor Dail.

There being no further business to come before the Council at this time, The Vice Mayor declared the meeting adjourned at 10:30 o'clock A.M.


Mayor of the City of San Diego, California.

ATTEST:

FRED W. SICK, City Clerk.

By 

Deputy.

REGULAR MEETING, CHAMBER OF
THE COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA
THURSDAY, OCTOBER 27, 1955

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

Item 1 on the agenda - hearing on Resolution of Preliminary Determination 128287, which had been continued - for paving and otherwise improving Shasta Street, was held over awaiting arrival of Councilman Burgener.

Item 2 on the agenda - hearing on appeal of Property Owners from decision of Board of Zoning Adjustment in granting Whitney Enterprises permission to construct duplex in Bay Shore Addition to New Roseville, was held over awaiting arrival of Councilman Burgener.

Councilman Burgener entered

The hour of 10:00 o'clock A.M. having arrived, time set for appeal of Robert N. and Dolly Benson from Board of Zoning Adjustment decision in denying their request to construct residence and attached garage with 5-foot setback on John Street, and observe 15-foot setback on El Mac Place - Lot 3 Tingley Estates, on northeasterly corner of El Mac Place and John Street, in Zone R-1, "Finding of Facts" signed by D. E. South, Zoning Administrator, was read to the Council.

Asked for a report, Mr. South answered that it was a unanimous decision of the Board to deny the request. When asked if property was seen by the Board, Mr. South replied that 2 members had looked at it.

Councilman Schneider stated that he had looked at it, and the area is all built up, except 1 lot.

A conference was held over a map which was spread on the Council table.

Councilman Schneider said that granting would not disturb the neighborhood.

Mr. South told the Council that a neighbor had applied for a setback variance, but had been denied. He said that "it had been put up without a permit". He said that 2 rear yard variances had been granted in the area.

Councilmen Schneider and Williams said that granting will not jeopardize the properties.

Mr. South spoke about the illegal structure, and of people waiting for this decision.

Harry C. Haelsig, Acting Planning Director, told the Council that John Street is a feeder street.

When the Mayor asked if anyone was present, interested in this case, there was no response.

Mr. Haelsig continued to explain in detail from the plat. He said that traffic safety is involved, regarding the setback. Answering Councilman Schneider, he stated that he had not looked at it.

Councilman Schneider, speaking of having looked at the area, said that the patio arrangement next is attractive, and is no detriment.

Councilman Williams moved to grant the appeal, and overrule the decision. Motion was seconded by Councilman Schneider.

Councilman Kerrigan said that Councilman Schneider was talking about the next property, and maybe it would be supposed that those owners would want the same.

Councilmen Williams and Schneider said that is not part of this.

Councilman Schneider said that the patio adds to the beauty.

Councilman Williams pointed out that there should be a penalty where construction had been done without permit.

Mayor Dail said that the Council would in the future have to grant requests,

Meeting convened
Hearings postponed
Hearing

the same as others.

The roll was called on the motion to grant the appeal and overrule the decision of the Board of Zoning Adjustment, resulting in: Yeas-Councilmen Burgener, Williams, Schneider, Mayor Dail. Nays-Councilmen Kerrigan, Curran, Evenson. The Mayor announced that the motion had lost, inasmuch as it takes 5 votes to override the action of the Board of Zoning Adjustment.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution 128287 of Preliminary Determination for paving and otherwise improving Shasta Street and Crown Point Drive - hearing having been continued from October 20, 1955, and held awaiting arrival of Councilman Burgener - Councilman Burgener said he had asked the City Engineer to make a survey. He said survey indicates a desire to abandon the project. He stated that property owners would be willing to put up with the delay.

RESOLUTION 129341, abandoning proceedings heretofore taken for improvement of Shasta Street and Crown Point Drive, Resolution of Preliminary Determination 128287; directing the City Engineer to redesign sidewalks to conform to existing sidewalks, and to provide for sidewalk to the curb on the east side, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Property Owners from decision of Board of Zoning Adjustment in granting permission to Whitney Enterprises to construct duplex on Lot 3, Block 2 Bay Shore Addition to New Roseville, on Talbot Street easterly of Scott Street, in Zone R-1, the hearing was held after having been continued temporarily awaiting arrival of Councilman Burgener.

Councilman Burgener pointed out that the Council had a hearing on this same property some months ago.

Councilman Kerrigan said that was regarding a change of zone.

The Zoning Administrator showed the Council a map, over which there was discussion.

Councilman Curran moved to deny the appeal. (There was discussion among members of the Council over effect of that motion), and Councilman Schneider said the motion should "be the other way".

Councilman Burgener asked if facts are different from the first hearing.

Councilman Schneider moved to grant the appeal, and overrule the decision.

Councilman Schneider spoke to the petitioner regarding his right to subdivide the property.

The roll was called, resulting in:

RESOLUTION 129342, sustaining the appeal of Property Owners from the decision of the Board of Zoning Adjustment's Resolution 9184, application 14237, in granting permission to Whitney Enterprises to construct duplex on Lot 3 Block 2 Bay Shore Addition to New Roseville, on Talbot Street easterly of Scott Street in Zone R-1, overruling and denying the decision, was on motion of Councilman Schneider, seconded by Councilman Burgener, was adopted. *Lots 4 and 5 also.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of John C. Fischer, Jr. and others from decision of Board of Zoning Adjustment in granting request of Ebbe A. and Emily M. Brelin, owner, and J.M.B. Development Co., lessee, to use portion of Pueblo Lot 183 for parking in connection with proposed shopping center, etc., Councilman Williams said that there is a question of filing a subdivision map - and that people should know.

City Attorney J. F. DuPaul said that it was all of a pueblo lot; it was divided by action of the government or the state. He said that they would not need to subdivide, to build.

Miss Juanita Steiger spoke to the City Attorney about use of the property, right across the street from her.

The City Attorney stated that because the property had been divided by a highway "it is a lot by itself". He said there would be no subdivision on RC Zone.

Miss Steiger asked if zoned in RC permit would be granted to build - without a map.

The City Attorney replied that he had explained that to the Steigers in his office. He said there would be granted the same use to the Steigers.

When Miss Steiger attempted to continue with statements and questions, Mayor Dail pointed out that the hearing had been closed.

Miss Steiger said she understood that they were to go by the ordinance.

Mayor Dail said that the Council is depending on the City Attorney.

Councilman Kerrigan said there is a place to attack the Council's action, if it is questioned.

Councilman Schneider said he has looked at the property, has talked with the Traffic Engineer, who states he will take care of the traffic. He pointed out that the RC property can be covered with buildings, without parking lot. As a result, the streets would be congested, he stated. He said that the building is there; the Council could not serve better by denial.

RESOLUTION 129343, overruling and denying appeal of John C. Fischer, Jr. from decision of Board of Zoning Adjustment's Resolution 9175, application 14060, in granting request of Ebbe A. and Emily M. Brelin, owner, and J.M.B. Development Co., lessee, to use portion of property within R-1 Zone in portion Pueblo Lot 183 bounded by Catalina Blvd., Talbot and Canon Streets, for parking in connection with proposed shopping center in R-1 Zone - to construct walkways to building and driveway to parking lot through R-1 portion; to permit entrances and windows of market and future stores to face on R-1 area; to permit eaves to project into R-1 area - sustaining action of the Board of Zoning Adjustment, 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 ordinance incorporating portion Block 28 La Jolla Park into RC Zone, and repealing Ordinance 13294 insofar as it conflicts, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Curran, ordinance incorporating Lots 37, 38, 39, 40 Block 28 La Jolla Park into RC Zone as defined by Section 101.0409 of San Diego Municipal Code, and repealing Ordinance 13294 insofar as it conflicts, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance incorporating portions of Blocks 96, 97, 99 and 100 Mission Beach into RC Zone, and repealing Ordinance 243 (New Series) insofar as it conflicts, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Evenson, ordinance incorporating portions of Blocks 96, 97, 99, 100 Mission Beach into RC Zone as defined by Section 101.0409 of San Diego Municipal Code, and repealing Ordinance 243 (New Series) insofar as it conflicts, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Petition of Property Owners requesting that access rights to Linda Vista Road be granted on east side, between Kramer and Tait Streets, was presented.

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

Communication from Purchasing Agent reporting on low bid of William H. Clint for Extension of Sanitary Sewer at Foot of 28th Street - \$4,420.00; 4 bids - was presented.

Hearings
Petition
Communication
129343
Ords introduced

RESOLUTION 129344, accepting bid of William H. Clint for Extension of Sanitary Sewer at Foot of 28th Street; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Consolidated Western Steel, Div. United States Steel Corporation for furnishing Corrugated Steel Culvert, etc. - \$2,074.20 plus State Sales Tax; 3 bids - was presented.

RESOLUTION 129345, accepting bid of Consolidated Western Steel, Div. United States Steel Corporation, for furnishing Corrugated Steel Culvert, together with couplings; 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 Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Harbor Tire & Supply Co. for recapping passenger and truck tires for 6 months beginning November 1, 1955 - 62% from Fisk Retreading List dated February 8, 1955; 9 bids - was presented. It recommends including option on part of The City of San Diego to renew contract at identical prices for additional 6 months at expiration of contract should City desire to do so.

RESOLUTION 129346, accepting bid of Harbor Tire & Supply Co. for recapping tires for 6 months beginning November 1, 1955, including option to renew for additional 6 months; 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 Burgener, adopted.

Report of Purchasing Agent on low bid of San Diego Fence Co., Inc., for construction of Wood Fence for TVOR Station at Lindbergh Field - \$4,292.50; 7 bids - was presented.

RESOLUTION 129347, accepting bid of San Diego Fence Co., Inc., for construction of Wood Fence for TVOR Station at Lindbergh Field; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego contract, pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Report of Purchasing Agent on low bid of Standard Iron Supply for furnishing 1 All Bell Reducer and 2 All Spigot Reducers - \$1,484.23 net, including State Sales Tax; 3 bids - was presented.

RESOLUTION 129348, accepting bid of Standard Iron Supply for furnishing Reducers; 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 Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Taylor-Sloan, Inc., for construction of Sanitary Sewer in Kearny Mesa Lot, Lot 78 Rancho Mission of San Diego - \$5,862.00; 6 bids - was presented.

RESOLUTION 129349, accepting bid of Taylor-Sloan, Inc., for construction of Sanitary Sewer in Kearny Mesa Road; 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 Smith Booth Usher Company for furnishing 1 Vibratory Asphalt Compactor - \$2,073.00 plus State Sales Tax; 2 bids, was presented.

RESOLUTION 129350, accepting bid of Smith Booth Usher Company for furnishing 1 Vibratory Asphalt Compactor; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 129351, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for The Improvement of Ingraham Street between Diamond Street and Felspar Street; Document 523145; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 129352, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for The Construction of Storm Drain in Reed Avenue, from Noyes Street to Olney Street (Thomas Avenue Drain Extension); Document 523143; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129353, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for The Construction of Storm Drain in University Avenue, and in Public Rights of Way in Block 23 Fairmount Addition, and Block 2 Resubdivision of Blocks 1 - 12 of Fairmount Addition; Document 523144; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending purchase from National Steel and Shipbuilding Corporation, sole agent to Enterprise Engineers in this area, of requirement for 25 items of parts for Sewage Treatment Plant engines - total of \$3,189.70, terms net, plus State Sales Tax, was presented.

RESOLUTION 129354, authorizing and directing Purchasing Agent to purchase from National Steel & Shipbuilding Corp. parts for Enterprise Engines, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 129355, authorizing and directing Purchasing Agent to advertise for sale and sell furniture and mixed metals, no longer desirable for use or retention by the City - all expenses in connection with the sale shall be deducted from proceeds - was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map, revised, of Grace Manor, an 11-unit subdivision of portion of Pueblo Lot 1215, was presented.

RESOLUTION 129356, suspending Section 102.17-c of Municipal Code in connection with Tentative Map of Grace Manor, an 11-unit subdivision, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Grace Manor, subdivision of portion of Pueblo Lot 1215, located southerly of Beagle Street adjacent to Vista Park Unit 1, subject to 12 conditions, was presented.

(This item has been before the Council several times previously, each time contested by the church which proposes to build - on account of property divided by a street).

RESOLUTION 129357, approving Tentative Map of Grace Manor, subject to conditions of the Resolution, 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 for 2-lot resubdivision of Lots 17 and 18 Block E La Jolla Park, was presented.

RESOLUTION 129358, suspending Section 102.17-c of San Diego Municipal Code in connection with Tentative Map for resubdivision of Lots 17 & 18 Block E La Jolla Park, 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 La Jolla Park 2-lot resubdivision of Lots 17 and 18 Block E, located in La Jolla on hillside between Soledad Avenue and Kearsarge Road - subject to 5 conditions, was presented.

RESOLUTION 129359, approving Tentative Map for La Jolla Park resubdivision of Lots 17 & 18 Block E, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

In connection with the next 2 items, the City Manager made an explanation to the City Council:

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with Tentative Map of San Diego Industrial Center Unit 1, a 6-lot subdivision of portion Lot 78 Rancho Mission, was presented.

RESOLUTION 129360, suspending Sections 102.07-5, 102.11-2, 102.11-1, 102.17-c of the Municipal Code in connection with Tentative Map of San Diego Industrial Center Unit 1, 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 San Diego Industrial Center Unit 1, a 6-lot subdivision of portion Lot 78 Rancho Mission, located on Kearny Mesa on westerly side of Kearny Mesa Road which is the frontage road adjacent to Cabrillo Freeway, subject to 9 conditions, was presented.

RESOLUTION 129361, approving Tentative Map of San Diego Industrial Center Unit 1, subdivision of Lot 78 Rancho Mission, subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by P. Q. Burton - via City Manager - attaching offer of United States of America to dedicate portion Lots 5, 6, 7 Block 37 Linda Vista Unit 8 for public street purposes, to be named North Judson Street and Richland Street, was presented. It states that all City departments have approved, and Planning Commission recommended by vote of 5-0 that offer be accepted, dedicated, and named.

RESOLUTION 129362, accepting offer of the United States of America to dedicate land in Linda Vista Unit 8 for public street, as recommended by City Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from City Auditor and Comptroller, dated October 25, 1955, reporting that Acting City Treasurer has accounted for and turned over to the City Treasurer all moneys and securities for which he was responsible as of October 1, 1955 - based upon audit and investigation made by Haskins and Sells, was presented. On motion of Councilman Schneider, seconded by Councilman Burgener, it was filed.

Communication from San Diego Unified School District, Education Center, Park Boulevard at El Cajon, dated October 24, 1955, signed by William J. Lyons, Secretary to the Board, was presented. It tells of plans for construction of William Clark Crawford Senior High School (formerly known as Eastern San Diego Senior High School), east of 55th Street and Orange Avenue, and requests the City Council to order improvement by assessment or by City contract of various streets:

1. The south one-half of Trojan from Vale Way to west line of Bellevue Heights Unit No. 4;
2. The west one-half of Sharron Place Extended (20' wide roadway, 5' wide sidewalk) from Vale Way to 55th Street;
3. The west one-half of 55th Street from Orange Avenue to the south line of Lot 19 Lemon Villa;
4. The west one-half of 56th Street (20' wide roadway) from Meade to the north line of Lot 10 of Lemon Villa;
5. Orange Avenue (street width of 40' plus sidewalks) between 54th Street and Sharron Place Extended.

It attaches a map, which shows in red, the areas involved.

E. W. Blom, Assistant City Manager, explained to the Council the area from a map which he exhibited. He said that the Schools have spent a year or more to secure the site, and that "this" had been selected. He said that property, which he pointed out on the map to the Council, is being acquired. A conference and discussions were held over the map, which were not heard.

Councilman Kerrigan stated that it is well designed, and that it would be an improvement.

Mr. Blom said that the Council is being asked to initiate an improvement proceeding under the 1911 Act.

Councilman Kerrigan said that this is the same as in another area, where "the School Board has done nothing", but there is mud.

Mr. Blom said that 1911 Act proceedings should be initiated.

RESOLUTION 129363, referring to the City Manager the communication from San Diego Unified School District - Document 523186 - for preparation of Resolution and Plans under a 1911 Improvement Act proceeding, covering improvement of the streets listed therein, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from William F. Reed, Attorney-in-Fact for Muirlands Crest, Inc., 630 San Diego Trust & Savings Building, San Diego 1, dated October 24, 1955, requesting the City to take steps to acquire land to extend Nautilus Street and La Jolla Scenic Drive, was presented.

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

RESOLUTION 129364, granting petition, Document 522941, for paving and otherwise improving Torrence Street; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 25 October 1955, submitting for approval form of lease to be entered into with Shell Oil Company, was presented. It covers pipeline right-of-way at foot of Crosby Street at annual rental of \$65.00; for 5 years with no options to renew, and replaces 5-year lease expiring 30 November 1955. It says new lease was entered into rather than extend existing lease by amendment in order to incorporate 2-1/2 year rental review provision and other provisions reflecting recently established policy of Harbor Commission.

RESOLUTION 129365, ratifying, confirming and approving lease, copy on file in Office of City Clerk as Document 523189, between The City of San Diego, acting by and through Harbor Commission, as Lessor, and Shell Oil Company, a Delaware corporation, Lessee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 25 October 1955, submitting for approval form of Agreement for Amendment, Amendment 4, to General Services Administration lease covering space in Second Deck of Broadway Pier, required due to increase in area at outboard end of Broadway Pier, and including space at inboard end, which has been occupied by the Navy under terms of lease which was part of Navy overall expense which was approved by Act of Congress on July 2, 1948, was presented.

RESOLUTION 129366, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment 4, copy on file in office of City Clerk as Document 523132, between The Harbor Commission of The City of San Diego and the United States of America, General Services Administration, Public Buildings Service, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, by John Bate, dated 25 October 1955, submitting for approval form of Supplemental Agreement with Atchison, Topeka and Santa Fe Railway Company, amending former agreement which was approved by the Council on 13 May 1954, by revising description of trackage installed on 10th Avenue Pier - no other changes to be made to original agreement - was presented.

RESOLUTION 129367, ratifying, confirming and approving Supplemental Agreement, copy on file in Office of City Clerk as Document 523129, between The Atchison, Topeka and Santa Fe Railway Company and The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item had been before the Council on October 20, and continued to this date:

RESOLUTION 129368, authorizing and empowering City Manager to execute, for and on behalf of The City, an amendment to lease agreement filed in office of City Clerk as Document 493598 with Earl B. Hunter and Carl M. Rutherford, partners, of portions Pueblo Lots 1208 and 1797, under terms and conditions filed in office of City Clerk as Document 523262 in connection with operation of Mission Bay public golf course, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item had been before the Council on October 20, and continued to this date:

RESOLUTION 129369, authorizing and empowering City Manager to execute, for and on behalf of The City, an amendment to lease agreement filed in office of City Clerk as Document 501702 with Mitchell N. Angus, Peggy Ann Angus, Tom H. Haynes, Betty B. Haynes, Frank J. O'Doul, Jean O'Doul and Lawrence L. Knezerich, of portions of Lots 15, 16, 17, 23, 24 Lemon Villa, under terms and conditions filed in office of City Clerk as Document 523263, in connection with operation of Colina del Sol public golf course, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129370, authorizing and directing San Diego Gas & Electric Company to install 3 6000 lumen overhead street lights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129371, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with Balboa Tennis Club for portion of Balboa Park, for 5 years at \$35.00 per month, under terms and conditions set forth in Document 523264 filed in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129372, authorizing and empowering City Manager to execute, for and on behalf of The City, lease agreement with The Templeton Foundation, leasing to The City of San Diego portion of Pueblo Lot 1264 covering 16,000 square feet, for Civil Defense Headquarters on Soledad Mountain, for 9 months ending 30th day of June, 1956, at monthly rental of \$600.00, under terms and conditions set forth in lease filed in office of City Clerk as Document 523265, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129373, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 12 Block 97 Point Loma Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129374, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of East 130.00 feet Lot 3 C. M. Doty's Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129375, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of east 130.00 feet of Lot 3 C. M. Doty's Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129376, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 28 Lemon Villa, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129377, 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 1 Oak Park Annex, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129378, authorizing City Attorney to accept \$100.00 on behalf of The City of San Diego, in full settlement of claim of the City against Ham Bros. Construction, Inc., for damages to water main at 69th and Mandalay, as invoiced May 27, 1955, No. W 06897 in amount of \$158.19; authorizing City Auditor and Comptroller to execute release, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 129379, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, a corporation, beneficiary, and Security Title Insurance Company, a corporation, trustee, September 27, 1955, subordinating all right, title and interest in and to easement for right of way for public street and incidents in portion Block 4 Larchmont; authorizing and directing City Clerk to file deed, together with certified copy of resolution, 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 129380, accepting subordination agreement, executed by The First National Bank of West Bend, West Bend, Wisconsin and H. E. Schacht, as trustee and co-trustee respectively, September 8, 1955, subordinating all right, title and interest in and to easement for right of way for public street and incidents in portion of South Half of Pueblo Lot 1202; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 129381, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, August 10, 1955, subordinating all right, title and interest in and to easement for right of way for public sewer and appurtenances in portion Lot 10 Block 14 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 129382, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title and Trust Company, a corporation, trustee, October 13, 1955, subordinating all right, title and interest in and to easement for public sewer and appurtenances in portion Lot 33 Block 13 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 129383, accepting subordination agreement, executed by Clyde F. Cramer and Viola P. Cramer, beneficiaries, and Union Title Insurance and Trust Company, trustee, October 13, 1955, subordinating all right, title and interest in and to easement for public sewer and appurtenances in portion Lot 38 Block 7 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 129384, accepting deed of Neal R. Smith and Elizabeth V. Smith, October 10, 1955, conveying easement for right of way for public sewer and appurtenances in easterly 5.0 feet Lot 37 Block 7 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129385, accepting deed of Ola W. Brotherton and Lela M. Brotherton, August 18, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 38 Block 7 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129386, accepting deed of Union Title Insurance and Trust Company, a corporation, August 10, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 32 Block 13 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129387, accepting deed of Leslie E. North and Juanetta V. North, also known as Juanitta V. North, September 27, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 33 Block 13 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129388, accepting deed of Walter W. Harper, Jr., and Rose C. Harper, August 5, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 10 Block 14 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129389, accepting deed of Union Title Insurance and Trust Company, a corporation, August 10, 1955, conveying easement for right of way for public sewer in portion Lot 11 Block 14 Floral Terrace; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129390, accepting deed of Julia W. Shendell, October 19, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 18 La Jolla Hills; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129391, accepting deed of Julia W. Shendell, October 19, 1955, conveying easement for right of way for public sewer in portion Lot 20 La Jolla Hills; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129392, accepting deed of David C. Peebles and Violet Peebles, October 12, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 37 La Jolla Hills; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129393, accepting deed of Morris Bakken Jr., and Ruth E. Bakken, October 18, 1955, conveying easement for right of way for public sewer and appurtenances in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129394, accepting deed of William A. Milligan and Emira G. Milligan, undivided 1/2 interest; and Lowell Thu, undivided 1/2 interest, August 3, 1955, conveying easement for public sewer in portion Lot 30 and portion Lot 31 Block 99 Subdivision of Acre Lots 24, 25, 26, 27, 28, 29, 54, 55, 56 at Pacific Beach; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129395, accepting deed of Howard B. Housman and Marjorie Z. Housman, undivided one-half interest; and J. T. Lipe and Georgeanna W. Lipe, undivided one-half interest, July 29, 1955, conveying permanent easement and right of way for water main or water mains, etc., in portion Pueblo Lot 1235; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129396, accepting deed of First Lutheran Church of National City, a corporation, October 13, 1955, conveying easement for right of way for public street and incidents in portions Lots 4 to 18 inclusive Block 45 Paradise Hills Unit 3; naming parcels Morningside Street, Deauville Street, and Reo Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129397, accepting deed of John F. Couvrette and Margaret W. Couvrette, September 23, 1955, conveying easement for right of way for public street and incidents thereto in portion Block 4 Larchmont; naming land Brooklyn Avenue; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129398, accepting deed of Mary Fee Moore, September 29, 1955, conveying easement for right of way for public street and incidents in portion Lot 67 Rancho

Mission of San Diego; naming land Navajo Road; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129399, accepting deed of San Diego Hospital Association, a Corporation, May 20, 1955, conveying easement for right of way for public street and incidents thereto in portion of South Half of South Half of Pueblo Lot 1202; naming land Frost Street; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129400, accepting quitclaim deed of Malcolm B. Coutts and Dorothy E. Coutts and Ralph L. Coleman and Louise Coleman, September 10, 1955, quitclaiming any and all abutter's rights of access in and to State Highway XI-SD-77-SD, also designated U.S. 395; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129401, accepting quitclaim deed of San Diego Hospital Association, a Corporation, August 23, 1955, quitclaiming any and all abutter's rights of access in and to State Highway XI-SD-77-SD, also designated U.S. 395; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129402, accepting quitclaim deed of San Diego Hospital Association, a corporation, August 18, 1955, conveying easement for right of way for public sewer and appurtenances; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129403, accepting deed of San Diego Hospital Association, May 20, 1955, conveying portion Lot 1202 of Pueblo Lands, together with easement for excavation and embankment slopes; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129404, accepting deed of Mary Lou Jones Parker and Carmella Jones Bannister, September 19, 1955, conveying portion Lot 31 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129405, accepting deed of Hotel Kingsway Operating Company, a partnership, by Albert Steinbaum, Harry Steinbaum, Jerome Steinbaum, Freida Steinbaum and Morris Steinbaum, by Albert Steinbaum, their attorney-in-fact, October 12, 1955, conveying easement for right of way for construction, operation and maintenance of storm drain, or drains and appurtenances, in portion Lot 21 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 Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129406, accepting quitclaim deed of Robert D. Shure, quitclaiming Lots 6 and 7 Block B Weeks' Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129407, accepting deed of Walter M. McKellar, October 17, 1955, conveying for street purposes portion Lot 18 Block 18 Swan's Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 129408, accepting deed of Wilbur W. Easton as Tax Collector of County of San Diego, October 18, 1955, conveying Lots 1 & 2 Block 14 Electric Line Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

In connection with the next Ordinance, Mayor Dail stated that employees had asked for a review.

The City Manager said that has been done.

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

ORDINANCE 6724 (New Series), amending Ordinance 6168 (New Series), entitled "An Ordinance Establishing a City Employees' Retirement System for Employees of The City of San Diego, and superseding in part Ordinance 10792 adopted November 29, 1926, adopted June 22, 1954, by adding 7 new sections thereto, to be numbered Sections 3.1, 10.1, 18.1, 49.1, 51.1, and by adding a new article thereto to be numbered Article IV-1/2, containing Section 32.1; by amending Sections 5, 6, 12, 13, 30, 31 and 32 thereof; and by repealing Section 20 of said ordinance; so as to provide coverage for eligible members of the City Employees' Retirement System under the Old Age and Survivors' Insurance Program of the Social Security Act of the United States Government, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Dail. Nays-None. Absent-None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending Section 91.09.2 of The San Diego Municipal Code Establishing Fire Zone No. 2, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Dail. Nays-None. Absent-None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance amending Sections 91.03 and 92.0106 of The San Diego Municipal Code establishing Board of Appeals and Advisors, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Dail. Nays-None. Absent-None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance dedicating portion of Collier Park for a public street and naming it Valeta Street and naming certain unnamed public alley in the City Valeta Street, was introduced by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Dail. Nays-None. Absent-None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance setting aside and dedication portion of Pueblo Lot 264, as and for public street, and naming the same Dorcas Street, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Dail. Nays-None. Absent-None.

The next item was presented by the City Manager, under unanimous consent: It was a communication from San Diego Junior Chamber of Commerce, 947 Columbia at Broadway, San Diego 1, dated October 26, 1955, signed by Laurie Flood, president. It says that civic and business leaders were contacted by Albert Duer, Executive Secretary of National Association of Intercollegiate Athletics, who offered to San Diego the opportunity of staging National Association of Intercollegiate Athletics Track and Field, Golf, and Tennis Championships in June, 1956.

The communication requests The City of San Diego to grant to the San Diego Junior Chamber of Commerce \$9,000.00 as a budget for promotion and execution of NAIA Track and Field, Golf, and Tennis Championships. It outlines the manner in which funds would be spent and reversion of proceeds into a revolving fund. The communication states that it would be understood that The City of San Diego would guarantee availability of the Balboa Park Stadium and facilities. In addition to amplifying views, the communication asks for an expression from the City Council as to the probability of The City of San Diego continuing to financially support the project in future years, if the initial staging shows signs of merit and worth. The communication hopes for favorable acceptance and endorsement of the proposal.

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

The next item was presented by the Mayor, under unanimous consent:

"Resolution No. 129409

Whereas, Colonel Ed Fletcher arrived as a youth in The City of San Diego in September, 1888 and has just passed from this life leaving to his family and fellow citizens fond memories of a useful and beneficial life; and

Whereas, Colonel Ed Fletcher early decided to make land and water his life work; and

Whereas, Colonel Ed Fletcher will long be remembered for his close association with the developments and achievements of San Diego County during the last sixty years and particularly for keeping the citizens of his home county water conscious through the years; and

Whereas, Colonel Ed Fletcher played a leading role in the development of water resources of San Diego County; and

Whereas, Colonel Ed Fletcher faithfully and vigorously represented San Diego County as State Senator for twelve fruitful years beginning January 7, 1935; Now Therefore

Be It Resolved by the Council of The City of San Diego as follows:

That this Council, on behalf of its members and of the citizens of The City of San Diego, hereby expresses gratitude for the life and services of the late fellow citizen, Colonel Ed Fletcher, and knows that the memories of a fond husband and father will enrich their days through the years of the surviving widow and children.

Be It Further Resolved that a certified copy hereof, under seal of the City, be forwarded to the surviving widow".

Presented by Chas. C. Dail

Approved as to form by J. F. DuPaul, City Attorney

By Hoyt E. Ray, Deputy City Attorney

Ords. introduced
Comm. under U.C.
Res. re Col. Fletcher
under U.C.

10/27/55

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(The Resolution is to be sent to Mrs. Fletcher by the Mayor's office).

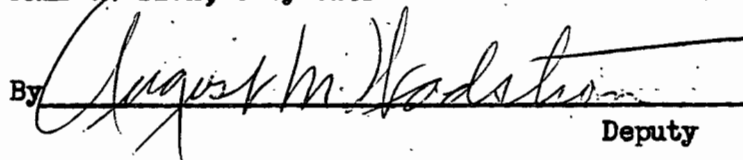
The agenda called to the Council's attention the ground-breaking ceremonies for the North-East Branch Y.M.C.A., to be held at 2 O'Clock P.M., Wednesday, November 2, 1955 - Wabash Blvd. at Landis Street in De La Cruz Park.

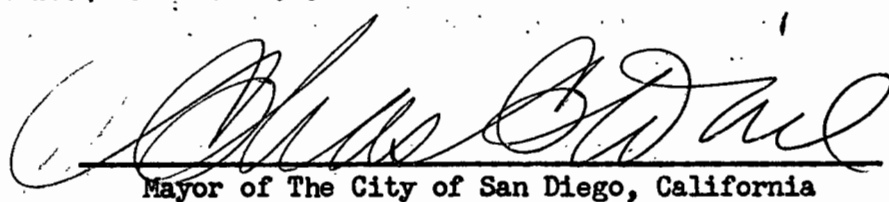
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:48 o'clock A.M. He announced that the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

Announcement of ground-breaking ceremonies
North-east YMCA
Adjournment

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, November 1, 1955

Present—Councilmen Burgener, Schneider, Curran, Evenson, Williams
Absent—Councilman Kerrigan (from the City on Feather River business, for the City);
Mayor Dail (attending Japan-American Pacific Coast Mayors and Conference of Commerce Presidents Conference in Japan)
Clerk—Fred W. Sick

In the absence of the Mayor, Vice Mayor Clair W. Burgener called the meeting to order at 10:05 o'clock A.M.

The Vice Mayor presented Rabbi Monroe Levens, of Congregation Tifereth Israel. Rabbi Levens gave the invocation.

Ordinances and Resolutions for this meeting are recorded on Microfill Roll 103.

Minutes of the Regular Council Meetings of Tuesday, October 25, 1955, and of Thursday, October 27, 1955, were presented to the Council.

On motion of Councilman Curran, seconded by Councilman Evenson, they were approved without reading, after which they were signed by the Vice Mayor.

The Purchasing Agent reported in writing on bids opened October 28, 1955, for paving and otherwise improving Saranac Street, under a 1911 Act proceeding.

On motion of Councilman Schneider, seconded by Councilman Evenson, 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 Purchasing Agent reported in writing on bids opened October 28, 1955, for paving and otherwise improving Thomas Avenue, under a 1911 Act proceeding.

On motion of Councilman Schneider, seconded by Councilman Evenson, 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 Purchasing Agent reported in writing on bids opened October 28, 1955, for paving and otherwise improving Valle Avenue, under a 1911 Act proceeding.

On motion of Councilman Schneider, seconded by Councilman Evenson, 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.

Meeting convened
Invocation
Minutes approved
Report on Bids

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current in La Jolla Shores Lighting District No. 1, for 11 months and 17 days from and including September 15, 1955, the Clerk reported 1 bid from San Diego Gas & Electric Company.

On motion made and seconded, the bid was publicly opened and declared.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current in Midway Drive Lighting District No. 1, for 1 year from and including October 1, 1955, the Clerk reported 1 bid from San Diego Gas & Electric Company.

On motion made and seconded, the bid was publicly opened and declared.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current in Pacific Beach Lighting District No. 1, for 1 year from and including September 1, 1955, the Clerk reported 1 bid from San Diego Gas & Electric Company.

On motion made and seconded, the bid was publicly opened and declared.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention 128746 for paving and otherwise improving Alley Block 281 Pacific Beach, the Clerk reported no protests.

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

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

On motion of Councilman Schneider, seconded by Councilman Curran, 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 128747 for paving and otherwise improving Groveland Drive, San Jacinto Drive and Castana Street, the Clerk reported written protests from Mrs. Lillian W. Weldon, Mrs. Golden, Dolphin T. Westmoreland. The protests were presented.

Asked for a report, Willard Olson of the City Engineer's office, stated that it is a 3.0% protest.

Mr. Westmoreland, 5680 Trinidad Way, told the Council that he owns property at Castana. He said that the south side of the lot has a ditch, and that he can't use that. He stated that if the assessment goes into effect, it would cost \$1,500. He said he would favor paying for 68 feet, but not for the other part. He said that he owns a duplex on Groveland, and objects on that.

Councilman Schneider spoke to Mr. Westmoreland from a sketch he had. There was discussion between them, including the rights of way and setbacks.

Willard Olson, of the City Engineer's office, said that it is large district - answering the Vice Mayor. He said the City pays cost of drain, but does not cross private property. He told of a man who expects to buy a portion of the Westmoreland property.

The Vice Mayor pointed out that the Council is guided by the wishes of the property owners.

Mr. Westmoreland said that if all the lot were usable, he would consider it a different picture.

Councilman Schneider stated that the City Engineer has said that he gave some small consideration to the Westmoreland circumstance.

Mr. Westmoreland asked if there is any way to change the type (of paving).

The Vice Mayor told Mr. Westmoreland that the Council has to rely on the Engineer, and that the Engineer has determined that these are the minimum specifications.

Councilman Schneider said to Mr. Westmoreland that the City Engineer analyses the soil, and checks the condition.

Mr. Westmoreland said that it is oiled now, that few cars go into the rentals and the homes. He stated that his boy has 1/3 interest in the property.

Councilman Schneider stated that a majority of the neighbors have petitioned for this improvement, and that it will continue unless there is a protest of more than 50%.

Mr. Westmoreland said "the price is too high".

Councilman Schneider said that the Council could continue the hearing if necessary - if Mr. Westmoreland could convince others to protest.

The Vice Mayor pointed out that the project would be put out to bid.

Councilman Williams spoke to Mr. Olson about the drain and bridge.

Mr. Olson said that it would be assessed to the whole area.

F. C. Pridgen said that he agrees that the charges would be excessive. He said he favors the job, and the improvement, in general. He spoke of no way of getting around the vacant corner lots. He said there would be a different drain. He pointed out that the City can't throw out a portion, without throwing out all.

RESOLUTION 128410, overruling and denying protests of F. C. Pridgen, Lillian M. Weldon, Mrs. Golden, Dolphin T. Westmoreland, against improvement of Groveland Drive, San Jacinto Drive and Castana Street, Resolution of Intention 128747, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

On motion of Councilman Curran, 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 128944 of Preliminary Determination for paving and otherwise improving Alley Block 334 Choate's Addition and right of way, the Clerk reported no protests.

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

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

RESOLUTION 129411, continuing hearing on improvement of Alley Block 334 Choate's Addition, 31st Street, 32nd Street, and Public Right of Way, Resolution of Preliminary Determination 128944, until 10:00 o'clock A.M., November 8, 1955, 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 128945 of Preliminary Determination for paving and otherwise improving Newton Avenue, the Clerk reported no protests.

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

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

RESOLUTION 129412, continuing hearing on improvement of Newton Avenue, Resolution of Preliminary Determination 128945, until 10:00 o'clock A.M., November 8, 1955, 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 128946 of Preliminary Determination for sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street and Public Right of Way in Lots 14 and 15 Encanto Park Addition to Encanto Heights, the Clerk reported no protests.

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

Clark D. Walker told the Council that he is in favor of the installation, but is interested in the assessment. He spoke about there being a 15-foot bank on his property. He said it might cave in, and asked whose responsibility that would be.

The City Engineer replied that the contractor is responsible during the construction.

Mr. Walker said that there is a bank, and it will wash during the rains.

The City Engineer showed to Mr. Walker a map, at which an identified woman looked, also. There was a discussion between them.

The City Attorney, asked for an opinion on the responsibility, said that it depends if there is negligence.

The City Engineer said that it is an ungraded street, with steep banks.

The unidentified woman spoke of there being "property above", and that "water comes down".

Councilman Curran said he assumed there would be no moisture form, and would be sloughing off.

The City Engineer showed a map to Councilmen Schneider and Williams.

There was discussion between Councilman Schneider and Mr. Walker.

Councilman Schneider asked when work would start.

The City Engineer's reply was "in the Spring".

Mr. Walker said that would help.

The City Engineer said that it would probably not start until after the rains, because contractors don't want to do the work in that weather.

RESOLUTION 129413, overruling and denying protest of Clark D. Walker against proposed installation of sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, et al., Resolution of Preliminary Determination 128946, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129414, continuing hearing on proposed improvement of Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, et al., until 10:00 o'clock A.M., November 8, 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 in El Cajon Boulevard Lighting District 1, the Clerk reported no protests.

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

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

RESOLUTION 129415, confirming and adopting as a whole "Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1", filed in office of City Clerk September 28, 1955, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current in Logan Avenue Lighting District 1, the Clerk reported no protests.

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

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

RESOLUTION 129416, confirming and adopting as a whole "Engineer's Report and Assessment for Logan Avenue Lighting District No. 1", filed in office of City Clerk September 27, 1955, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

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

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

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

RESOLUTION 129417, confirming and adopting as a whole "Engineer's Report and Assessment for Montemar Lighting District No. 1", filed in office of City Clerk September 29, 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 2403 made to cover cost and expenses of paving and otherwise improving Banks Street, Resolution of Intention 120579, the Clerk reported no appeals.

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

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

RESOLUTION 129418, confirming and approving Street Superintendent's Assess-

ment 2403 to cover cost and expenses of paving and otherwise improving Banks Street, Resolution 120579; 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 Curran, 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 2404 made to cover costs and expenses of removal of existing ornamental light standards and installation of new ornamental light standards in Broadway between Eighth Avenue and Fourteenth Street, Resolution of Intention 121648, the clerk reported written appeal from Domenica Guichello and Giovanni Marchetti.

The appeal was read to the Council.

Willard Olson, of the City Engineer's office, reported an assessment of \$834.16 on property where appeal was made.

The City Engineer said that assessment is equitable.

RESOLUTION 129419, overruling and denying appeal of Domenica Guichello and Giovanni Marchetti from Street Superintendent's Assessment 2404 made to cover costs and expenses in connection with ornamental light standards in Broadway between Eighth Avenue and Fourteenth Street, Resolution of Intention 121648; overruling and denying all other appeals; confirming and approving the Assessment, authorizing and directing Street Superintendent to attach his 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 Curran, seconded by Councilman Schneider, adopted.

There were no verbal appeals.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2405 made to cover cost and expenses of paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2; West Point Loma Boulevard, Famosa Boulevard, the clerk reported no appeals.

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

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

RESOLUTION 129420, confirming and approving Street Superintendent's Assessment 2405 made to cover cost and expenses of paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard, Famosa Boulevard; authorizing and directing Street Superintendent to attach his 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 Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2406 made to cover costs and expenses of paving and otherwise improving Carleton Street, Plum Street and Dickens Street, Resolution of Intention 121184, the Clerk reported appeal from Louis G. Gomes.

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

Mr. Gomes said that it is not justified in the amount. He said his home faces northeast; the assessment is \$261.32.

The City Engineer showed a map.

Mr. Gomes told of having paid for opening; it is not a regular street. If said that if the corner builds, it will be necessary to leave "a 25-foot opening".

The City Engineer told the Council that this is an area assessment protest. He showed a plat, and said "there was a street at one time".

There was a conference over the map, which included the Council, City Engineer and Mr. Gomes.

Willard Olson, of the City Engineer's Office, said that the street was closed in 1934, and that it should not have been.

Councilman Schneider spoke of Mr. Gomes getting assessment for 1/2 block - both ways. He said that the appellant is getting no access to the 2 streets for which he is assessed.

Willard Olson, of the City Engineer's office, pointed out assessments on various parcels.

Councilman Schneider repeated that Mr. Gomes' property does not even have access.

Vice Mayor Burgener pointed out there is general benefit, which he said is difficult to defend.

Mr. Olson said there is no assessment on Carleton, answering Councilman Curran.

Mr. Gomes pointed out the house of a neighbor, who he said is not obligated to pay.

Councilman Curran asked about re-opening the closed street.

The City Engineer said that the minimum width would be 50 feet.

City Attorney J. F. DuPaul said that it would be necessary to secure deeds, and have the City accept them. He said that the City could not engage in a 1911 proceeding to pave private easement.

Councilman Schneider pointed out that since the street had been closed, it makes the property under discussion within 1/2 block. He said that it is a long-time policy on the assessments for 1/2 block - not just this job.

The Vice Mayor spoke to Mr. Gomes about the bond plan, and about his being not obligated to leave the property under bond for 10 years.

Councilman Williams said that the owner is limited on what he can do.

The Vice Mayor said he feels the property is benefited to the amount of the assessment.

RESOLUTION 129421, overruling and denying appeal of Louis G. Gomes from Street Superintendent's Assessment 2406 made to cover costs and expenses of paving and otherwise improving Carleton Street, Plum Street and Dickens Street, Resolution of Intention 121184; 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 Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

A majority of the members of the Council executed undertakings, with San Diego Gas & Electric Company, for furnishing electric current in the following districts:

- San Diego Lighting District No. 2;
- San Diego Lighting District No. 3;
- San Diego Lighting District No. 4;
- Loma Portal Lighting District No. 1.

Report of Purchasing Agent, approved by City Manager, on low bid of Drake Steel Supply Company for furnishing 53 items of angle, strip, flet, channel, and plate steel - \$1,703.34 including sales tax; 4 bids - was presented.

RESOLUTION 129422, accepting bid of Drake Steel Supply Co. for furnishing 53 items of Steel; 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 low bid of Ets-Hokin & Galvan for installation of Traffic Signal, Master Controller and Interconnect Systems on 9th Avenue from G Street to Ash Street - \$37,337.00; 3 bids - was presented.

RESOLUTION 129423, accepting bid of Ets-Hokin & Galvan for installation of Traffic Signal, Master Controller and Interconnect Systems on 9th Avenue from G Street to 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 specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Report of Purchasing Agent on bids received October 18, 1955, from 3 bidders for furnishing approximately 3 months' supply of 4" Vitrified Clay Sewer Pipe and fittings, was presented. It recommends that bids be rejected and new bids be called for on revised specification submitted to the Purchasing Department.

RESOLUTION 129424, rejecting all bids received October 18, 1955, for furnishing approximately 3 months' supply of 4" Vitrified Clay Sewer Pipe and Fittings, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Judkins Estate (Revised), which is in essential compliance with tentative map approved by Resolution 128141 August 23, 1955, was presented.

Answering a question put by Councilman Curran, City Attorney J. F. DuPaul said that land would be dedicated as a park on the map.

Harry Haelsig answered questions, also.

Mr. DuPaul stated that when the Council accepts the map, it becomes a City park - to maintain.

Mr. Haelsig answered that there is a series of parks in the neighborhood (in La Jolla), and that it has been the policy of the City Council to acquire beach front property.

Councilman Curran asked if there is any way of accepting the property for purposes - instead of dedicating it for a park.

City Attorney J. F. DuPaul said that there is no law pertaining to "parks for the future". He said that it is an offer which may not be revoked, referring to such projects for "future streets" (but not for parks).

RESOLUTION 129425, adopting Map of Judkins Estate Subdivision, portion of Block 2 Amalfi; accepting on behalf of the public portion marked "Park" and unnamed easements shown for public purposes; declaring them to be "Park" and unnamed easements for public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with Tentative Map of Garrison Heights, a 2-lot resubdivision of Lot 158 Fleetridge Unit 2, was presented.

RESOLUTION 129426, suspending Section 102.17-c of the Municipal Code in connection with Tentative Map of Garrison Heights, 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 Garrison Heights, a 2-lot resubdivision of Lot 158 Fleetridge Unit 2, located at southeasterly corner of Garrison Street and Chatsworth Boulevard in Point Loma, within R-1 Zone - subject to conditions of the Resolution (7 of them), was presented.

RESOLUTION 129427, approving Tentative Map of Garrison Heights, 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 revised Tentative Map of Marmil Park, an 83-lot subdivision of portion Lot 12 Rancho Mission, was presented.

RESOLUTION 129428, suspending Sections 102.09-1&2, 102.11-2, 102.12-6, 102.17-c of the Municipal Code in connection with revised tentative map of Marmil Park, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of revised tentative map of Marmil Park, located north of Lisbon Street at its intersection with Jamacha Road - previously approved on August 18, 1955 by Resolution 128084 - subject to 14 conditions, was presented.

RESOLUTION 129429, approving Tentative Map of Marmil Park, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map of Sunset Cliffs, a 2-lot subdivision of Lot 22 Block 22, in Sunset Cliffs area, was presented.

RESOLUTION 129430, suspending Section 102.17-c of the Municipal Code in connection with 2-lot subdivision of Lot 22 Block 22 Sunset Cliffs, 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 2-lot subdivision of Lot 22 Block 22 Sunset Cliffs, located between Novara Street and Devonshire Drive, subject to 4 conditions, was presented.

RESOLUTION 129431, approving Tentative Map of Sunset Cliffs, 2-lot subdivision of Lot 22 Block 22, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map of Torrey Heights, a 5-lot resubdivision of Lots 8 through 11 Block 69 Villa Tract of La Jolla Park, was presented.

RESOLUTION 129432, suspending Sections 102.07-2, 102.11-1, 102.17-c of the Municipal Code, in connection with tentative map of Torrey Heights, was on motion of Evenson, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Torrey Heights, 5-lot resubdivision Lots 8 through 11 Block 69 Villa Tract of La Jolla Park, located between Amalfi Road and Whitfield Place, subject to 13 conditions, was presented.

RESOLUTION 129433, approving tentative map of Torrey Heights, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map of Twain Heights, a resubdivision of Lots 1 and 2 Block 55 and Lot 2 Block 54 Grantville, was presented.

RESOLUTION 129434, suspending Sections 102.09-1&2, 102.11-2, 102.17-c of the Municipal Code in connection with tentative map of Twain Heights, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Twain Heights, resubdivision of Lots 1 and 2 Block 55 and Lot 2 Block 54 Grantville, located southerly of Vandever Avenue, bounded by Chase Street on the west and bisected by Twain Avenue which is the connecting street from Grantville to Allied Gardens on the east - on a hillside - subject to 14 conditions, was presented.

RESOLUTION 129435, approving tentative map of Twain Heights, subject to conditions of the resolution, 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 Westridge Unit 4, a 42-lot subdivision of portion Pueblo Lot 1241, was presented.

RESOLUTION 129436, suspending Section 102.17-c of the Municipal Code in connection with tentative map of Westridge Unit 4, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Westridge Unit 4, 42-lot subdivision of portion Pueblo Lot 1241, located northerly of Clairemont Manor Unit 4, westerly of Cole Street and easterly of Westridge Unit 1, subject to 15 conditions, was presented.

RESOLUTION 129437, approving tentative map of Westridge Unit 4, subject to conditions of the resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, reporting on petition to close westerly one-half of Albert Street from south line of Robinson Avenue to north line of alley in same lot - Document 503525 - was presented. In addition to a detailed report, the communication says that the Public Works Department and the City Engineer's office object to the proposed closing because of existing storm drain and existing sanitary sewer in the area. It refers to objection to property owner to the east. The communication recommends denial.

RESOLUTION 129438, denying petition requesting closing of westerly one-half of Albert Street from south line of Robinson Avenue to north line of alley in same lot, as recommended by Street Superintendent, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from State of California, Governor's Traffic Safety Committee, P.O. Box 898, 2490 First Avenue, Sacramento, dated October 17, 1955 - signed by Dudley F. Stevens, was presented. It submits report on questionnaire re assignment of traffic engineering responsibility which had been distributed throughout the State.

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

Communication from Hillcrest Business Association, dated October 26, 1955, signed by Mason Durrill, secretary, was presented. It requests steel supports for the "Hillcrest" sign to replace present supports, and refers to a previous appropriation for the purpose which was not used due to materials shortages and the length of the war.

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

Communication from Ronald V. Jones, D.D.S., 4595 College Avenue, San Diego 15, California, dated October 26, 1955, calling attention to clipping from Evening Tribune re possibility of incorporating road race site with proposed golf course at Torrey Pines, was presented. It begs the Council, in view of mounting interest in the possibility, to reconsider decision which eliminates the Torrey Pines Road Race course.

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

Communication from Flora B. Sharman, 9058 Hawley, La Mesa, Calif., dated

October 27, 1955, was presented. It asks if any consideration was been given to a toll bridge, in connection with possibility of a tunnel connecting San Diego and Coronado.

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

Communication from State Soil Conservation Commission, Room 203 State Office Building #1, Sacramento 14, California, dated October 20, 1955, signed by Sven G. Anderson, secretary, was presented. It submits copy of application for assistance in planning and carrying out works of improvement under the watershed - Protection and Flood Prevention Act - (Public Law 566 - 83rd Congress) for the Morena Reservoir Watershed.

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

RESOLUTION OF AWARD 129439, accepting bid of A. R. Kingaard, and awarding contract, 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 Evenson, adopted.

The City Engineer reported in writing that low bid is 9.0% below the estimate.

RESOLUTION OF AWARD 129440, accepting bid of A. R. Kingaard, and awarding contract, for paving and otherwise improving Alley Block 217 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The City Engineer reported in writing that low bid is 8.4% below the estimate.

RESOLUTION OF AWARD 129441, accepting bid of John B. Henry, Inc., a corporation, and awarding contract for paving and otherwise improving Alley Block 80 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The City Engineer reported in writing that low bid is 14.5% below the estimate.

RESOLUTION OF AWARD 129442, accepting bid of A. R. Kingaard, and awarding contract, 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 Evenson, adopted.

The City Engineer reported in writing that low bid is 4.3% below the estimate.

RESOLUTION OF AWARD 129443, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current in Five Points Lighting District No. 1, for 11 months and 27 days from and including August 5, 1955, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 129444, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current in Mission Beach Lighting District No. 2, for 11 months and 15 days from and including August 17, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 129445, accepting bid of San Diego Gas & Electric Company, and awarding contract, 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 Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 129446, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current in University Avenue Lighting District No. 1, for 11 months and 25 days from and including August 7, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 129447, accepting bid of San Diego Gas & Electric Company and awarding contract, 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 Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129448, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys Blocks 29 and 30 Ocean Beach, Document 522763; approving Plat 2762 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 Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129449, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Amherst Street, 68th Street; Public Rights of Way in Lots C, H and I La Mesa Colony, and in Lots 3 and 4 Colony Estates; approving Plat 2787 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129450, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Birch Street, Document 522761; approving Plat 2783 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 129451, for furnishing electric current in Pacific Beach Lighting District for 1 year from and including January 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129452, for paving and otherwise improving Alley Block K Montecello, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129453, for installation of sewers in Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, Public Rights of Way in Lots 2, 9, 11, 12, 13, 14, 18, 19, 20 and 21 Block G La Jolla Country Club Heights Unit 2;

Public Rights of Way in Pueblo Lot 1263; and Lanes between Lots 3 and 4 and 6 and 7 in La Jolla Country Club Estates, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129454, for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129455, for furnishing electric current in Rolando Lighting District Number 1, for 1 year from and including April 1, 1956, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129456, for furnishing electric current in Rolando Lighting District Number 2, for 1 year from and including April 1, 1956, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129457, for paving and otherwise improving Alleys Blocks 29 and 30 Ocean Beach, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129458, for installation of sewers in Amherst Street, 68th Street; Public Rights of Way in Lots C, H and I La Mesa Colony, and in Lots 3 and 4 Colony Estates, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129459, for paving and otherwise improving Birch Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 129460, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in Crown Point Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129461, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in Eighth Avenue Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129462, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in Garnet Street Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129463, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in La Jolla Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129464, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current in Presidio Hills Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129465, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Seventh Avenue Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 129466, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Sunset Cliffs Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 129467, ascertaining and declaring wage scale for grading and sidewalk portions of Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Silk Place, and 54th Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 129468, ascertaining and declaring wage scale for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, 51st Street, 52nd Street, Lemona Avenue, Ogden Street, Altadena Avenue and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 129469, ascertaining and declaring wage scale for installation of ornamental street lighting system in Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, A Street, B Street and C Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 129470, ascertaining and declaring wage scale for paving and otherwise improving Treat Street and 28th Street, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129471, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Franklin Avenue, and portion of 28th Street, Resolution of Intention 121775, 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129472, approving 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; 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129473, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Boundary Street, Resolution of Intention 126987 and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129474, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Brooklyn Avenue, Iona Drive and Kenwood Street, Resolution of Intention 126985 and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129475, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Delta Street, Resolution of Intention 126628 and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129476, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installation of sewer mains and appurtenances in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, Resolution of Intention 126854, and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129477, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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, and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129478, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on grading and sidewalk in Vale Way, Bernadine Place, Sharron Place, Trojan Avenue, Orange Avenue and 54th Street, Resolution of Intention 127127, and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129479, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Warrington Street, Resolution of Intention 126853, and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129480, authorizing City Engineer to order energizing of ornamental street light Standard 8395, at intersection of Paseo Del Ocaso and Vallecitos, and to include furnishing of electric current in La Jolla Shores Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129481, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of Storm Drains and Appurtenances, across portions of Villa Lot 40 Normal Heights; that public interest, convenience and necessity demand the acquisition of an easement and right of way through, over, under, upon, along and across said property, to be used by The City for construction of storm drains and appurtenances within the area; and declaring the intention of The City of San Diego to acquire said easement and right of way under Eminent Domain Proceedings; and directing the City Attorney to commence action in Superior Court of the State of California, in and for The County of San Diego, for purpose of condemning said property and acquiring said easement and right of way, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129482, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Eleventh Avenue between F Street and G Street; establishing parking meter zone; directing City Manager to cause parking meter spaces to be designated and parking meters to be installed; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129483, prohibiting parking of automobiles at all times:

The westerly side of Frontier Street from Enterprise Street to a point 480 feet north of Enterprise Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129484, authorizing Property Supervisor to conduct auction sale for purpose of selling Lots 1 and 2 Block 41 Middletown, owned by The City of San Diego, which property is surplus and no longer required by the City, and which has been appraised at \$23,800.00; establishing minimum price of \$23,800.00; stating that The City will pay a real estate broker's commission for the sale only in event high bid price is sufficiently greater than the above net amount to cover such broker's commission, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129485, declaring Morris S. Van Meter, subdivider of La Jolla Valley Vista Unit No. 1 Subdivision, to be in default of his contract with The City of San Diego for completion of public improvements in La Jolla Valley Vista Unit No. 1 Subdivision (City Clerk's Document No. 504579); instructing and directing City Manager for and on behalf of The City of San Diego, to notify The Phoenix Insurance Company that the subdivider is now in default of his contract, and demand that The Phoenix Insurance Company immediately perform its obligation under its bond, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The Resolution states that the Council is advised by the City Manager that improvements were 51% completed as of July 1, 1955, and that since that date no work has been done, and that Morris S. Van Meter, the subdivider, is bankrupt; that his equipment has been seized by his creditors and sold; that he cannot be located and that it is impossible for said improvements to be completed by December 15, 1955.

RESOLUTION 129486, making findings and establishing charges for construction of water mains serving Home Avenue Area, and setting out in detail what they shall be, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129487, authorizing and empowering City Manager to execute,

for and on behalf of the City, an amendment to lease with De Anza Harbor Inc.; lease and amendments filed in office of City Clerk as Documents 433606, 458065 and 495332, for operation of tourist and trailer park area in Mission Bay Recreation Area; last amendment being for purpose of exempting certain sub-operations of tenant from rent computation under terms and conditions set forth in the last amendment filed in office of City Clerk as Document 523655, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129488, authorizing and empowering City Manager, for and on behalf of the City, to execute a second amendment to agreement heretofore entered into between The City of San Diego and Roland S. Hoyt, Consultant, which agreement and amendment are filed in office of City Clerk as Documents 473441 and 505820, to provide for 36 additional days of consulting service during any one City fiscal year; under terms and conditions filed in office of City Clerk as Document 523656, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129489, 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 13 Boulevard Gardens, 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 129490, 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 5 and 10 New Riverside, 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 129491, 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 11 New Riverside, 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 129492, directing Property Supervisor to file petition with Board of Supervisor of County of San Diego, State of California, requesting that all taxes against portions of Lot 1 of Subdivision of Southwesterly portion of Pueblo Lot 256, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property 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 129493, 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 4 of Subdivision of East Half of Pueblo Lot 1215 and of portion of Pueblo Lot 1202, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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.

(The Resolution provides for granting of excavation and embankment slope rights over lands owned by the grantor, lying Easterly of Westerly line of parcel of land described in the resolution - as a consideration).

RESOLUTION 129494, authorizing City Manager to grant permission to Del Mar Utilities, successor to Del Mar Water, Light & Power Company, to make an eight-inch water pipe connection with the Lockwood Mesa-Torrey Pines water main belonging to the City, for purpose of using water from the City main for fire protection, provided that all costs and expenses of connection be borne by the Del Mar Utilities, and that work be done under supervision and direction of Water Department of the City; adding the authorization to that contained in Resolution 96184, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129495, granting to Harmony Homes, George E. Martin, 6610 El Cajon Boulevard, San Diego, permission to install a 1-1/2" Type L Copper pipe on exposed kitchen sink vents (because of structural difficulties) on each of the new residences listed - all in Campanile Terrace Subdivision; 28 in number - subject to conditions of the resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129496, granting revocable permit to Emil Remiatte, 4937 Saratoga, San Diego 7, to install and maintain private water line for benefit of owner's property: Lot D Block 401 Horton's Addition, under and across Ibis Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129497, granting revocable permit to Leslie L. Rich, 6557 Eider Street, San Diego, to install and maintain a 4" cast iron sewer line on southerly side of Eider Street, approximately 235 feet east to Klauber Street: Lot 50, a portion of Rosemont Resub. Encanto Heights, subject to conditions of the resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129498, authorizing Don Vynne, Supervisor of Aquatics, to attend annual meeting of California Association of Harbor Masters and Port Captains, to be held November 4 and 5, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129499, authorizing F. Otto Waters, Corrosion Engineer, to attend the National Association of Corrosion Engineers' Conference, to be held in San Francisco, California, November 15 to 18, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129500, accepting quitclaim deed, accepting quitclaim deed,

October 20, 1955, executed by Columbia Construction Company, a California Corporation, 5506 University Avenue, San Diego, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use located in public streets, rights of way, highways and public places, either within or without subdivision named Clairemont Villas Unit No. 2, being subdivision of portion Pueblo Lot 1243; 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 Schneider, adopted.

RESOLUTION 129501, accepting Quitclaim Deed, October 20, 1955, executed by Conrad Development Co., a California corporation, 5506 University Avenue, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Clairemont Villas Unit No. 3, being subdivision of all portion of Pueblo Lot 1243; 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 Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Williams, 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 6725 (New Series), approving annexation to The City of San Diego of uninhabited territory in portion of Lots 64 and 65 Rancho Mission of San Diego, in the County of San Diego, State of California, known and designated as "Allied Garden Tract No. 2," and which territory shall be added to the San Diego School District, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilmen Kerrigan, Mayor Dail.

On motion of Councilman Evenson, seconded by Councilman Williams, 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 6726 (New Series), amending Section 67.32 of The San Diego Municipal Code Regulating Water Meter Turn-On Charges, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, 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 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 6727 (New Series), approximating \$41,100.00 from Capital Outlay Fund, for purpose of providing funds for installation of Traffic Signals and interconnection system on 9th Avenue, from G Street to Ash Street, and a Master Controller for the Downtown Traffic Light System, was adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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

On motion of Councilman Evenson, seconded by Councilman Williams, read-

ing 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 6728 (New Series), appropriating \$3,000.00 from Unappropriated Balance Fund of The City of San Diego, and transferring same to Capital Outlay Fund of The San Diego City-County Camp Commission, to provide additional funds for Capital Outlay work, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, 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 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 6729 (New Series), appropriating \$1,260.00 from Unappropriated Balance Fund of The City of San Diego, for providing funds to cover cost of Landscape Consultant Services for preparation of landscape plans for Harbor Drive, proposed Golf Course at Chollas Reservoir, and other landscape consulting services, as required, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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 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 6730 (New Series), appropriating \$700.00 out of Unappropriated Balance Fund, for providing additional funds to pay Street Light Assessments and other utility charges against City-owned property, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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

On motion of Councilman Evenson, seconded by Councilman Williams, 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 6731 (New Series), establishing grade of Alley in Block 12 Point Loma Heights, between southwesterly line of Oliphant Street and northeasterly line of Macaulay Street, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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 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 6732 (New Series), establishing grade of Horizon Way between

the northwesterly line of La Jolla Shores Drive and the southerly termination of Lolasi Way, was on motion of Councilman Curran, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

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 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 6733 (New Series), establishing grade of 69th Street, between the easterly prolongation of the southerly line of Dennstedt Point and a line parallel to and distant 223.79 feet southerly from said easterly prolongation, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

On motion of Councilman Schneider, seconded by Councilman Evenson, Ordinance creating positions of Principal Engineering Aide and Corrosion Engineer in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Evenson. Nays-Councilman Curran. Absent-Councilmen Kerrigan, Mayor Dail.

Councilman Williams spoke about there being an item (No. 4) on last Thursday's agenda, which was an appeal on a zone variance by Robert N. Benson and Dolly Benson on John Street and El Mac Place - Lot 3 Tingley Estates. He said that Mrs. Benson was inexperienced, and unfamiliar with the proceedings.

City Attorney J. F. DuPaul told the Council that it would be necessary to secure unanimous consent to present the item. (There was a letter signed by Robert N. Benson and Dolly Benson asking for consideration at this time). He stated that if there is objection, the item cannot be heard; if there is no objection, the Council can direct the Planning Department to send out notices of a hearing (to be held on appeal, by the Council).

Councilman Williams moved to bring up the item under Unanimous Consent. Councilman Curran seconded it.

The City Attorney said that in this case a mistake was made. As a result, he said action can be reconsidered at a subsequent meeting.

Councilman Curran pointed out that 2 members of the Council are absent.

Vice Mayor Burgener said "somebody is absent all the time".

Councilman Williams said that it would be only for the purpose of determining if the Council is to permit the appellants to present evidence.

The City Attorney said that the Council would be acting on the ground of a mistake having been made.

Councilman Curran declared that it would be establishing a precedent to re-hear the appeal.

By request, the Clerk read to the Council the letter, addressed to The Acting Mayor. It says, among other things, that they were not given an opportunity at the Council meeting to present a prepared drawing further showing the necessity of the request. (No one responded, when the hearing was called).

Councilman Schneider said that they are just asking for permission to present their case, in that the Council voted before Mrs. Benson came to the stand.

Councilman Williams said that the plat shows a 10-foot setback - and that there are 12 feet between the property line and the street. He stated that it would not be a special privilege, and that it would not be out of line.

The City Attorney said "she had 4 votes" (motion lost because 5 were needed).

Councilman Schneider said "she was not heard".

6733

Ord introduced

Discussion on requested rehearing of

Robert N. Benson and Dolly Benson appeal

Councilman Curran said that "she should have been heard, but if this is to be re-opened, the Council has to reconsider".

The City Attorney said that is true, except where there has been a mistake. He said that notice can be given, and another hearing held. He said that the question is on a mistake, but it is a case where the Council has to be careful. He advised that the Council "can start again".

Councilman Williams stated that he felt to blame, to a degree. He said that the Council is "obligated to give a fair hearing".

Vice Mayor Burgener agreed that the appellants should be heard.

Councilman Schneider said that she is a citizen.....

Councilman Curran said he disagrees. He asked if someone was here to speak. He warned that it is a precedent.

Councilman Schneider commented that it has happened before.

Councilman Williams declared that it should be permitted.

Councilman Curran told of the City Attorney having spoken regarding procedure on the Linda Vista Shopping Center.

Councilman Schneider said that they are not asking for reconsideration. He said that this would give citizens a chance to speak, or spend another \$25.00 for a new application.

Councilman Curran said that if the Council does it in this instance, it has to do it in others. He said that the Council should not go on pressure.

The question was called for on the motion to bring up the item under unanimous consent. The roll call showed: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Councilman Kerrigan, Mayor Dail.

The City Attorney said the Planning Commission should be instructed to give notice, and have a time for a hearing.

Councilman Williams moved to instruct the Planning Department to send notification of hearing - 2 weeks from today. Motion was seconded by Councilman Schneider.

Councilman Schneider stated that Council Curran can still vote (at the hearing) as he feels.

RESOLUTION 129502, directing the Planning Department to send out notifications of a hearing to be conducted by the Council on November 15, 1955, on the appeal of Robert N. Benson and Dolly Benson (which lost at the Council hearing October 27, 1955) on appeal from decision of the Board of Zoning Adjustment in denying request to construct residence and attached garage with 5-foot setback on John Street where 10 foot-setback is required, and observe 15-foot setback on El Mac Place - Lot 3 Tingley Estates, at north-easterly corner of El Mac Place and John Street, in Zone R-1 - was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

(The Zoning Administrator was advised by telephone 11/1/55 - by A.M.W. of this action)

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 11:25 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Headstrom
Deputy

Clair W. Burgener
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 3, 1955

Present—Councilmen Williams, Schneider, Kerrigan, Curran, Evenson
Absent—Councilman Burgener (in Long Beach on a committee having to do with the
Tuna Industry); Mayor Dail (in Japan attending the Japan-American Pacific Coast
Mayors conference, and Conference of Commerce Presidents in Japan)
Clerk—Fred W. Sick

In the absence of the Mayor and the Vice Mayor, Councilman Chester E. Schneider presided. He called the meeting to order at 10:02 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on matter of requested rezoning of all Lot 542 Clairemont Manor #3 (Map 3013), southerly of Clairemont Mesa Boulevard, from R-2 to RC-1A Zone, the Clerk reported no protests. The Chairman inquired if anyone was present to be heard. No one appeared to be heard, and no written protests were filed.

City Attorney J. F. DuPaul said that "if the Planning people agree, the Attorney's office presents an ordinance". He said the Council, in this instance - since there was 4 to 1 vote to deny the request - should decide if it wants an ordinance prepared.

The Chairman said this might be carried over to Tuesday, on account of there being no protest and the fact that the Council representative of the district is not present.

The report from the Planning Commission, dated October 13, 1955, signed by P. Q. Burton, was read to the Council.

RESOLUTION 129503, filing the matter of request to rezone Lot 542 Clairemont Manor Unit 3, from R-2 to RC-1A, 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 appeal of Lee E. Mattei from decision of the Zoning Committee denying application to permit construction of residence with 14' rear yard where 25' are required - Lots 13, 14, 15 Block 1 Roseville - letter from appellants stating that lots in question are being purchased by the parties who were opposing the request, and appeal is withdrawn.

RESOLUTION 129504, filing appeal of Lee E. Mattei and Ruth S. Mattei, from decision of Board of Zoning Adjustment's Resolution 9176, application 14433, in denying request to construct residence with 14-foot rear yard, on Lots 13, 14, 15 Block 1 Roseville Heights, and alley closed adjacent to Zone R-1, 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 on Dr. John T. Westwood, owner, and H. H. Peterson Construction Co., lessee, to operate contractor's office and storage yard on southerly 105 feet Lot 5 E. W. Morse's Subdivision, west side of 6th Street Extension, approximately 700 south of Friars Road, Zone R-1A, a letter from Fred S. Bunker requesting that lessee, H. H. Peterson Construction Company, be changed to Overton Equipment Rental Company, was read.

Louis Karp, attorney, representing Dr. Westwood, requested a continuance of the hearing, inasmuch it takes 5 votes to overrule the Board of Zoning Adjustment. Councilman Curran spoke to Mr. Karp.

Mr. Karp referred to the new lessee, who has another storage yard. He

said that Planning is not as opposed, as previously, on account of the new lessee and a withdrawal of objection.

Will Hippen, president of Mission Valley Improvement Association, told the Council that a meeting held last night, the variance was opposed. He asked for denial of a storage yard in the Valley - which is the entrance to the Valley, according to Mr. Hippen.

Councilman Kerrigan said that the question is regarding a fence (fence would be for purpose of establishing a storage yard).

Councilman Kerrigan moved to continue the hearing to November 17. Motion was seconded by Councilman Evenson.

Mr. Karp filed a letter from Mission Valley Property Owner's Development Association, by J. Holladay, president. It says that directors of the Association request the opportunity to approve the request for variance on property to be leased to H. W. Overton. In addition to stating reasons for the opinion, it says that the property is hardly suited for a residence, and it is felt that storage yard proposed can be made very attractive.

The roll was called on the motion - and the hearing was continued to Thursday, November 17, 1955.

Report of Purchasing Agent, approved by City Manager, on low bid of Sim J. Harris Company for improvement of Santa Clara Point - \$1,273.52; 2 bids - was presented. Report states that estimated cost was \$1,200.00.

RESOLUTION 129505, accepting bid of Sim J. Harris Company for Improvement of Santa Clara Point; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of Purchasing Agent, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Rogers Construction Company for Construction of Sunset Point Sanitary Sewers, Pump Station and Appurtenances - \$73,673.00; 4 bids - was presented. Report states that estimated cost was \$68,400.00.

RESOLUTION 129506, accepting bid of Rogers Construction Company for construction of Sunset Point Sanitary Sewers, Pump Station, and Appurtenances, for sum of \$73,673.00; 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 Kerrigan, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Westerlund & Lange for furnishing City's requirements of Storage Batteries for period November 15, 1955, through June 30, 1956, at estimated cost of \$2,495.95, terms 2% - 10th prox.; 4 bids, was presented.

RESOLUTION 129507, accepting bid of Westerlund & Lange for furnishing requirements of Storage Batteries; 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 F. Morton Pitt Co. of San Gabriel, California, for furnishing 44 Police Type Motorcycle Helmets - \$1,628.00 plus State Sales Tax; 2 bids, was presented. It recommends the award to the higher bidder, because it affords better protection to the motorcycle officers and is a superior product. The report said that City of Los Angeles Police Department has standardized on the same helmet.

RESOLUTION 129508, accepting bid of F. Morton Pitt Co. for furnishing 44 Police Type Motorcycle Helmets; awarding contract, authorizing and instructing City

Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on bid of Crane Co. for furnishing 4 Mueller Tapping Machines for tapping water mains and inserting corporation stops under pressure (additional equipment needed to supplement insufficient tools) - \$1,259.45 net, including Sales Tax, was presented. It reports 3 identical bids, and award recommendation was determined by lot.

RESOLUTION 129509, accepting bid of Crane Co. for furnishing 4 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 on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent on bids for Storm Drain, Newport Avenue, Cable Street and Sunset Cliffs Boulevard, was presented. The report, approved by the City Manager, states that low bid of Chas. J. Dorfman is \$82,409.30 - 17.7% above the estimate. It recommends rejection of all bids, and that the job be advertised after the rainy season in the spring of 1956.

RESOLUTION 129510, rejecting all bids received October 14, 1955, for construction of Storm Drain in Newport Avenue, Cable Street and Sunset Cliffs Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on work done by M. H. Golden Construction Company, for emergency work in connection with stoppage of one of the main supply lines to the Point Loma area, was presented. It says that due to conditions, it was necessary to prosecute the work on an around-the-clock basis beginning at about 7:30 A.M., Saturday, October 29, and ending at approximately 11:00 P.M., Sunday, October 30. It says invoice is \$2,488.96, based on cost to the company plus 15% for overhead and profit.

RESOLUTION 129511, accepting emergency repairs to main water supply line in Point Loma area, done by M. H. Golden Construction Company, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Resolution, submitted by Purchasing Agent, authorizing and directing him to advertise for sealed proposals or bids for furnishing 1 Motor Grader, Councilman Williams asked for information.

The City Manager said it would be for the Public Works Department, and is a purchase of replacement.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, it was continued 1 week - for further information.

(City Manager's office was advised by telephone 11/3/55 that Council requests more information).

Communication from the Planning Department, by Harry C. Haelsig, transmitting ordinance amending Sections of the Municipal Code, was presented.

It says that if adopted, proposed ordinance will make minor adjustments to yard requirements.

RESOLUTION 129512, referring to Council Conference proposed ordinance amending San Diego Municipal Code by amending Section 101.0601 and adding 101.0601.1, pertaining to Side and Rear Yard Requirements, and Regulating Percentage of Lot Coverage,

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

Communication from Office of State Board of Equalization, State of California, Sacramento 14, signed by Ronald B. Welch, Chief, Division of Research & Statistics, was presented. It encloses report which contains information that may be helpful in determining fiscal effect of any action taken under the Bradley-Burns Uniform Sales and Use Tax Law.

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

Communication from Civil Service Commission, signed by Wm. P. Elser, president, was presented. It recommends amendments to the 1955-56 Salary Ordinance: Accounting Division Supervisor, Rate 30; \$559 - \$647. Auditing Division Supervisor, Rate 30; \$559 - \$647.

It says it is necessary to create the classes in order to recruit competent personnel well in advance of impending retirement of the present Assistant City Auditor and Comptroller on July 1, 1956. It reports that creation of the classes was requested by the appointing authority, and the proposed class specifications and rates of pay have met with his approval.

Councilman Kerrigan moved to refer the communication to Conference. Motion was seconded by Councilman Williams.

The motion was changed, and on motion of Councilman Williams, seconded by Councilman Kerrigan, it was referred to the City Attorney for preparation and presentation of the proper ordinance - by

RESOLUTION 129513, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson. Nays-Councilman Curran. Absent-Councilmen Burgener, Mayor Dail.

Communication from Memphis City Beautiful Commission, dated October 26, 1955, signed by Mrs. William B. Fowler, chairman, was presented. It speaks favorably of the attendance of Mrs. Raymond Smith at the workshop on October 10 and 11, and of the representatives from Norway, Sweden, Denmark, Belgium, and France. It expresses a hope that the writer may be privileged San Diego, where she has not been since 1932.

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

Communication from La Jolla Town Council, signed by H. Bailey Gallison, Executive Manager, enclosing 6 petitions for opening La Jolla Hermosa Avenue and Beaumont Avenue north from Via del Norte to connections with Electric Avenue and Dowling Drive and extend Fay Avenue south, thus making it possible to travel north and south on the east side of La Jolla Boulevard without getting on to La Jolla Boulevard, was presented.

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

Communication from La Jolla Town Council, signed by H. Bailey Gallison, Executive Manager, enclosing 6 petitions for closing the old abandoned railway right of way in La Jolla from Camino de la Costa to the south line of Via del Norte, was presented.

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

Communication from La Jolla Town Council, signed by H. Bailey Gallison,

Executive Manager, enclosing 6 petitions to remove Electric Avenue and the old abandoned railway right of way from the Master Street Plan of the City of San Diego, was presented.

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

Communication from National Association for the Advancement of Colored People, San Diego Branch, dated 31 October 1955, signed by Mrs. Ruth A. Green, Pres., relative to arrest of El Roy Coleman on 22 October, 1955, naming the officers involved and of the treatment alleged to have been given the victim, was presented. It requests that all officers be required to take a course in Race Relations and Law Enforcement during their police training.

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

Copy of letter from League of Oregon Cities, addressed to the City Manager, dated October 25, 1955, signed by D. L. Flynn, president, thanking him for his attendance at the convention in Portland, was presented. It speaks favorably of the impression created by Mr. Campbell, and of his wonderful job in "selling" San Diego and California to the rest of the nation.

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

Communication from Eugene Tweed, 2610 El Cajon Blvd., dated October 29, 1955, referring to the good intersection at Mission Valley Freeway and Texas Street, but the narrow single lane coming up and going down, was presented. It asks if there are any plans to improve the road in the near future.

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

Communication from Traffic and Roads Committee, Clairemont Town Council, dated October 31, 1955, signed by Charles Kidd, Chairman, asking for a hearing today, was presented.

On motion of Councilman Williams, seconded by Councilman Kerrigan, it was continued to Tuesday, November 8, 1955.

In connection with the next resolution, a question was raised. The City Manager said that a request had been received for this action; an investigation was made, and the recommendation found to be warranted.

RESOLUTION 129514, establishing time limit of 36 for parking between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of 14th Street, between E Street and F Street; authorizing installation of necessary signs and markings; rescinding any resolution or part of resolution in conflict, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 129515, prohibiting parking of automobiles at all times: North side of San Gabriel Place between Mission Boulevard and Bayside Lane; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129516, authorizing the City Manager to employ V. R. Dennis Construction Co. to make a 29-1/2 cubic yard excavation, and construct 1900 square feet of 5-inch treated base, in connection with work on 70th Street, between El Cajon Boulevard and Colony Road; cost of work not to exceed \$314.85, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129517, authorizing and directing City Manager to enter into agreement which will modify basic contract dated August 22, 1955, obligations of which were assumed by the City by its lease and option contract dated October 25, 1925, in connection with Del Mar Water, Light & Power Company serving Del Mar race track during the racing season from June to September, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129518, authorizing and empowering City Manager, for and on behalf of The City of San Diego, to execute agreement between the City and State of California by and through its duly elected and qualified Director of Education on behalf of San Diego State College, providing for furnishing by the City of electric energy for ~~and on behalf of San Diego State College, providing for furnishing~~ ornamental street lights along north and east side of 55th Street and Remington Road, beginning immediately east of Hardy Avenue on 55th Street, for payment to the City of \$2.00 per fixture per month or \$144.00 per year - the annual cost of lighting fixtures at the existing electrical rates, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129519, directing City 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 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129520, directing City Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Southwesterly 15.00 feet Lot 32 Boulevard Gardens, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129521, directing City Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 53 Boulevard Gardens, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129522, directing City Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 81 Boulevard Gardens, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129523, directing City Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Southeast Quarter of Section 34 Township 16 South, Range 2 West 2 San Bernardino Meridian, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129524, 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 all its right, title and interest in and to Lots 24-35 inclusive, Block 28 Fairmount Addition to City Heights; authorizing Property Supervisor to deliver executed deed when he has received \$1,750.00 therefor, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Resolution says that the City acquired interest by tax deed from the County Tax Collector, for constructing a public improvement; that Isabel Bedford is owner of interest of property by virtue of foreclosure of improvement bond, and that The City no longer requires the property, and City Manager had recommended conveying City's interest, for said consideration.

RESOLUTION 129525, authorizing and directing Mayor and City Clerk to execute for and on behalf of the City a quitclaim deed quitclaiming to Shell Oil Company, a corporation, portion of easement for sewer purposes granted to the City of San Diego in portion Lot 1538 Clairemont Unit 8 - contained in an erroneous description acquired by The City; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor with instructions to carry out processes of exchange of deeds (for a correctly described conveyance), was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129526, authorizing and directing Mayor and City Clerk to reconvey easement previously acquired in an erroneous description, in portion Lot 1538 Clairemont Unit 8, by quitclaim deed to Union Title Insurance and Trust Company; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor with instructions to carry out processes of exchange of deeds, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129527, accepting easement for right of way for public sewer and appurtenances in strip of land 6.00 feet wide in portions of Lots 10, 11, 12 Block 2 M. Santee's Subdivision; directing City Clerk to file certified copy of resolution in office of County Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129528, accepting easement for right of way for public sewer and appurtenances in portion Lot 15 Block 17 M. Santee's Subdivision; directing City Clerk to file certified copy of resolution in office of County Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129529, accepting easements for rights of way for public sewer and storm drain in strip of land 26.00 feet wide in portions of Lots 13, 14, 15, 16 Block 17 M. Santee's Subdivision; directing City Clerk to file certified copy of resolution in office of County Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129530, accepting easement for right of way for storm drain and appurtenances in strip of land 10.00 feet wide in portions of Lots 10, 11, 22, 23, 24 Block 2 M. Santee's Subdivision; directing City Clerk to file certified copy of resolution in office of County Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129531, accepting subordination agreement, executed by Home Federal Savings and Loan Association, a Corporation, beneficiary, and Land Title Insurance Company, a corporation, trustee, May 19, 1955, subordinating all their right, title and interest in and to easement for right of way for storm drain or drains and appurtenances in portion Lot 15 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129532, accepting subordination agreement, executed by Republic National Bank of Dallas, a National Banking Association, beneficiary, and E. E. Wallace, Jr., trustee, October 25, 1955, subordinating right, title and interest in and to easement in and to easement for right of way for public street and incidents thereto in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129533, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, October 27, 1955, subordinating right, title and interest in and to easement for right of way for storm drain, or drains and appurtenances in 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 Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129534, accepting subordination agreement, executed by Union Title Insurance and Trust Company, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, October 27, 1955, subordinating all right, title and interest in and to easement for public sewer and appurtenances in portions Lot 67 Rancho Mission; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

11/3/55

RESOLUTION 129535, accepting grant deed of Arthur Siegel, October 3, 1955, conveying Lots 1, 2, 3, 4, 5 Block 2 Bayside; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129536, accepting grant deed of Frank Siegel, September 28, 1955, conveying Lots 1, 2, 3, 4, 5 Block 2 Bayside; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129537, accepting grant deed of Robert Siegel, October 19, 1955, conveying Lots 1, 2, 3, 4, 5 Block 2 Bayside; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, California, together with certified copy of resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129538, accepting deed of Florence Chambers, September 27, 1955, conveying Southwesterly 15.00 feet Lots 26, 27 and 28 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129539, accepting deed of James C. Johnson, Sr., and Mary A. Johnson, September 27, 1955, conveying Lot 56 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129540, accepting deed of Wilbur W. Easton as Tax Collector of County of San Diego, October 7, 1955, conveying Lot 3 Block 73 Campo Del Dios Unit 3, together with Lot 17 Block 87 Campo Del Dios Unit 4; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129541, accepting deed of The Vinley Corporation, a California Corporation, October 19, 1955, conveying Lots A and B Del Cerro Unit 1; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129542, accepting deed of Joseph R. Edwards and Margaret C. Edwards, October 18, 1955, conveying portion Lot 28 Lemon Villa; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129543, accepting deed of Patricia H. Proctor, October 20, 1955, conveying portion Lot 2 Block 17 M. Santee's Subdivision; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Kerrigan, adopted.

RESOLUTION 129544, accepting deed of Lucy Pearl Snowden, September 23, 1955, conveying Lots 7 and 8 Block "A" Weeks Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129545, accepting deed of Virgil S. Kipp and Louise L. Kipp, October 20, 1955, conveying easement for right of way for public alley in portion Lot 1 Block 98 Point Loma Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129546, accepting deed of Kenneth Denton and Ruth Denton, October 20, 1955, conveying for street purposes portion Lot 83 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129547, accepting deed of Mission Investment Corporation, a corporation, and San Diego Associates, Inc., a corporation, October 6, 1955, conveying for street purposes, Bellevue Center Unit 2; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129548, accepting deed of Luis Ramirez and Rita Ramirez, October 25, 1955, conveying for street purposes Lots 21 to 27 inclusive Block 2 Weeks Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129549, accepting deed of The United States of America, acting by and through the Housing and Home Financing Agency, Public Housing Administration, October 20, 1955, conveying easement for right of way for public street and incidents thereto, portion Lot 3 Block 12 Chesterton Extension; naming easement Levant Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129550, accepting deed of Allied Farms, Inc., a corporation, October 18, 1955, conveying easement for right of way for public street and incidents, in portion Lot 67 Rancho Mission of San Diego; naming easement Navajo Road; authorizing

and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129551, accepting deed of Agnes H. Branch, August 18, 1955, conveying easement for right of way for public sewer and appurtenances in strip of land 10.0 feet wide in Reservoir Drive Closed, adjacent to Lot 26 La Mesa Colony; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129552, accepting deed of Fred E. Graf and Dorothy Q. Graf, October 24, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 33, and Lot "C" La Mesa Colony, and Cajon Avenue Closed; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129553, accepting deed of Public Service Oil Company, Limited, October 24, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 33 and Lot "C" La Mesa Colony; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129554, accepting deed of Union Title Insurance and Trust Company, a corporation, October 4, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 1538 Clairemont Unit 8; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129555, accepting deed of The Vinley Corporation, a California corporation, October 19, 1955, conveying easement for right of way for public sewer and appurtenances in portions 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 Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129556, accepting deed of Ruth P. Wallum, August 11, 1955, conveying easement for right of way for construction, etc., of public sewer and appurtenances in portion Lot 27 Metropolitan Center; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129557, accepting deed of Ruth P. Wallum, August 11, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 33 La Mesa Colony; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129558, accepting deed of Robert D. Gardner and Dovie M. Gardner, May 13, 1955, conveying easement for right of way for storm drain, or drains, in portion Lot 15 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129559, accepting deed of Security Title Insurance Company, a corporation, October 25, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portion Lot 13 Block 499 H. H. Dougherty's Subdivision; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129560, accepting deed of The Vinley Corporation, a California Corporation, October 19, 1955, conveying easement for right of way for storm drain, or drains and appurtenances thereto, in 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 Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, reading of next ordinance in full prior to day of 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 6734 (New Series), incorporating Lots 37, 38, 39, 40 Block 28 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 Kerrigan, seconded by Councilman Evenson, 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 Curran, reading of next ordinance in full prior to day of 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 6735 (New Series), incorporating portions of Blocks 96, 97, 99 and 100 Mission Beach, into RC Zone as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance 243 (New Series), insofar as it conflicts, 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.

In response to a question, the City Manager made a verbal report on the next ordinance.

On motion of Councilman Kerrigan, seconded by Councilman Williams, reading of next ordinance in full prior to day of 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 6736 (New Series), amending Section 91.09.2 of San Diego Municipal Code establishing Fire Zone No. 2, 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.

On motion of Councilman Williams, seconded by Councilman Curran, reading of next ordinance in full prior to day of 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 6737 (New Series) amending Sections 91.03 and 92.0106 of San Diego Municipal Code establishing Board of Appeals and Advisors, was on motion of Councilman Williams, 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 Curran, reading of next ordinance in full prior to day of 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 6738 (New Series) dedicating portion Collier Park for public street and naming it Valeta Street, and naming certain unnamed public alley in the City Valeta Street, 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 Evenson, seconded by Councilman Kerrigan, reading of next ordinance in full prior to day of 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 6739 (New Series) setting aside and dedicating portion of Pueblo Lot 264 as and for public street, and naming the land Dorcas Street, 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.

The agenda listed an ordinance appropriating \$32,971.22 out of Capital Outlay Fund, transferring same to Water Department Fund, for reimbursement to Water Department for expenditures made in connection with improvement of Country Club Reservoir 12-inch feeder main.

The City Manager suggested that the ordinance be referred back to him.

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

In connection with the next ordinance, City Attorney J. F. DuPaul told the Council that the State law had been amended, and the City did not a regulatory ordinance.

On motion of Councilman Curran, seconded by Councilman Kerrigan, Ordinance repealing Section 52.65 of Chapter V Article 2 of The San Diego Municipal Code, Relating to Use of Narcotics, was ~~on motion of Councilman Curran, seconded by Councilman~~ introduced, 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, the Chairman declared the meeting adjourned, at 10:26 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstone

Deputy

Clair W. Burgener
Mayor of The City of San Diego, California

6737 N.S. - 6739 N.S.

Ord ref back to City Mgr

Ord introduced

Meeting adjourned

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, November 8,
1955

Present—Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson
Absent—Mayor Dail (In Japan, attending the Japan-American Pacific Coast Mayors conference,
and Conference of Commerce Presidents in Japan)
Clerk—Fred W. Sick

Vice Mayor Clair W. Burgener called the meeting to order at 10:04 o'clock
A.M.,

Dr. John J. Barbour, pastor of the Plymouth Congregational Church, was
presented by the Vice Mayor. Dr. Barbour gave the invocation.

Ordinances and Resolutions are recorded on Microfilm Roll 103

On motion of Councilman Kerrigan, seconded by Councilman Evenson, the
Minutes of the Regular Council Meetings of Tuesday, November 1, 1955, and of Thursday,
November 8, 1955, were approved without reading. They were signed by the Vice Mayor.

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

RESOLUTION 129561, authorizing and empowering City Manager and City Clerk,
for and on behalf of The City of San Diego, to execute agreement with State of California,
Department of Public Works, Division of Highways, providing for modification to full
traffic actuated progressive signal systems to coordinate with the City's new one-way street
system and highway lighting at intersections of A, B, C, Broadway, E, F and G Streets, with
State Highway Route XI-SD-77-SD (10th Avenue) southbound, and further providing for mainten-
ance functions that are to be performed by the State, and specifying proportionate share
of costs that are to be borne by the City and the State, was on motion of Councilman
Schneider, seconded by Councilman Kerrigan, adopted.

The Purchasing Agent reported in writing 3 bids opened November 4, 1955,
for improvement of Northwesterly and Southeasterly Alley Ft. Stockton Heights, was pre-
sented.

On motion of Councilman Kerrigan, seconded by Councilman Curran, finding
was made that bids had been opened as reported. By the same motion, they were referred to
the City Manager for further report, and for recommendation.

The Purchasing Agent reported in writing 4 bids opened November 4, 1955,
for improvement of Landis Street, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Curran, finding
was made that bids had been opened as reported. By the same motion, they were referred to
the City Manager for further report, and for recommendation.

Meeting convened
Minutes approved
129561 under U.C.
Purchasing reports

The Purchasing Agent reported in writing 3 bids opened November 4, 1955; for improvement of Wunderlin Avenue, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Curran, finding was made that bids had been opened as reported. By the same motion, they were referred to the City Manager for further report, and for recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in Adams Avenue Lighting District No. 1, for 11 months and 18 days from and including October 13, 1955, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was opened and declared. Bid was from San Diego Gas & Electric Company, accompanied by certified check in sum of \$88.49 written by San Diego Trust and Savings Bank, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in Pacific Highway Lighting District No. 1, for 11 months and 26 days from and including November 5, 1955, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was opened and declared. Bid was from San Diego Gas & Electric Company, accompanied by certified check in sum of \$370.28 written by San Diego Trust and Savings Bank, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in Roseville Lighting District No. 1, for 11 months and 17 days from and including October 15, 1955, the Clerk reported 1 bid.

On motion of Councilman Curran, seconded by Councilman Schneider, it was opened and declared. Bid was from San Diego Gas & Electric Company, accompanied by certified check in sum of \$63.63 written by San Diego Trust and Savings Bank, was on motion of Councilman Curran, seconded by Councilman Schneider, referred to City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution 128944 of Preliminary Determination for paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street, Public Right of Way (continued because there were not 6 members of the Council present November 1, 1955, to adopt the "Resolution of Feasibility"), the Clerk reported no protests.

RESOLUTION 129562, determining that paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street, and Public Right of Way under Resolution 128944 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution 128945 of Preliminary Determination for paving and otherwise improving Newton Avenue (continued because there were not 6 members of the Council present November 1, 1955, to adopt the "Resolution of Feasibility"), the Clerk reported no protests.

RESOLUTION 129563, determining that paving and otherwise improving Newton Avenue, Resolution 128945 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 continued hearing on Resolution 128946 of Preliminary Determination for sewers in Woodman Street, Imperial Avenue, et al., and in rights of way Encanto Park Addition to Encanto Heights (continued because there were not 6 members of the Council present November 1, 1955, to adopt the "Resolution of Feasibility") - the protest heard at the date of first hearing had been overruled.

RESOLUTION 129564, determining that installation of sewers Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street, and Public Right of Way in Lots 14 and 15 Encanto Park Addition to Encanto Heights, Resolution 128946 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, 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.

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company for Resurfacing Streets in various locations - \$5.36 per ton, totaling \$71,196.88 - 5 bids, was presented.

RESOLUTION 129565, accepting bid of Griffith Company for Resurfacing Streets in various locations, consisting of approximately 13,283 tons of asphaltic plant mix; 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, approved by City Manager, on low bid of Wulfert Company for furnishing 332 Civil Defense Signs, 166 posts - \$2,449.00 plus State Sales Tax - 6 bids, was presented.

RESOLUTION 129566, accepting bid of Wulfert Company, Inc. for furnishing Civil Defense Signs; 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, approved by City Manager, on low bid of Western Metal Supply Company for furnishing Soil Pipe and Fittings (for stock) - \$4,079.20 plus State Sales Tax - 4 bids, was presented.

RESOLUTION 129567, accepting bid of Western Metal Supply Company for furnishing Soil Pipe and Fittings (listed in the Resolution) - \$4,079.20 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 Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Standard Iron Works for furnishing 100 6" 2-way Fire Hydrants- \$125.00 each, less 2% and 7% discount, plus State Sales Tax, was presented. It says that all 9 bids were identical, on those received August 25, 1955; on September 22 bids were received from 10 bidders. They were rejected; the Council authorized Purchasing Agent to negotiate for furnishing 100 hydrants for period ending June 30, 1956. It states that hydrants now being furnished by Standard Iron Works are satisfactory, and it recommends award to Standard in accordance with proposal as offered by letters dated October 31 and November 1, 1955.

RESOLUTION 129568, accepting bid of Standard Iron Works for furnishing 100 6" 2-Way Fire Hydrants for period November 1, 1955 and ending June 30, 1956 - \$125.00 each, less 2% and 7% discount, 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 Williams, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, reporting on sole bid of Lemon Grove Sheet Metal Works for furnishing and installing Strip Heaters in ventilation ducts of Central Library for \$1,977.00, was presented.

RESOLUTION 129569, accepting bid of Lemon Grove Sheet Metal Works for furnishing and installing Strip Heaters in ventilation ducts of Central 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.

Communication from Harry C. Haelsig, Planning Director, recommending suspension of portion Municipal Code, in connection with Tentative Map of Allied Gardens Unit 8, an 81-lot subdivision of portion Lot 64 Rancho Mission, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129570, suspending Sections 102.09-1 and 102.17-c of the Municipal Code, in connection with Tentative Map of Allied Gardens Unit 8, an 81-lot subdivision of portion Lot 64 Rancho Mission, 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 8 - adjacent to Unit 7, now within the County, upon which annexation proceedings have been started under name of Allied Gardens Tract No. 2 - subject to 14 conditions, was presented.

RESOLUTION 129571, approving Tentative Map of Allied Gardens, subdivision of portion Lot 64 Rancho Mission, 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, forwarding communication from engineer for subdivider of Cabrillo Mesa Subdivision which was approved by Resolution 122599, requesting reduction from 56 width to 50 feet and paving width reduction from 36 to 30 feet, was presented. It recommends amendment to Item 5 of the resolution - to read as stated in detail in the communication.

RESOLUTION 129572, amending Resolution 122599 adopted February 10, 1955, approving subdivision of Cabrillo Mesa, a portion of Lots 37 and 40 Rancho Mission, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting that after having posted notices, the Planning Commission held a hearing to change name of East Tecolote Road to Artillery Drive, was presented. It states that the Commission voted 4-0 to recommend the name change.

RESOLUTION 129573, granting petition for changing name of East Tecolote Road to Artillery Drive, as recommended by the City Planning Commission; requesting City Attorney to prepare and present the necessary Ordinance to change name, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from State of California, Department of Public Works, Division

of Highways, District XI, 4075 Taylor Street, San Diego 12, California, dated November 3, 1955 - J. Dekema, District Engineer, by R. B. Luckenbach, Assistant District Engineer, was presented. It refers to XI-S.D.-77-SD, and states that the California Highway Commission on October 19, 1955, adopted as a State Highway Route 77 - portion of 10th Avenue between Ash and Market Streets. It encloses certified copy of the resolution of the Commission.

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

Communication from Gray, Cary, Ames & Frye, Bank of America Building, San Diego 1, California, dated October 31, 1955, signed by James W. Archer, was presented. It refers to construction of sewer in Country Club Drive, Mimilus Way, Mint Canyon Path, Lobelia Path and public rights of way, was presented. It says that it is clear that no disagreement now exists among property owners present at the October 18, 1955 hearing, or represented - but that certain specific reports are requested.

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

Communication from Frank Sessions, 4871 Saratoga Dr., San Diego 7, relative to decision from the Council and Planning Commission as to whether Blue Pacific Nursery Co., 4850 Newport Ave., San Diego 7, should not be stopped dealing in top soil "in a big way", was presented.

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

Communication from Blue Pacific Nursery, 4850 Newport Ave., Ocean Beach, San Diego 7, dated November 3, 1955, by R. F. Wilson, was presented. It states that controversy has arisen regarding how much top soil, sold and used, can be stock piled at a retail nursery in "C" Zone, and says that question has also come up regarding use of City property to install fences.

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

Communication from Traffic and Roads Committee, Clairemont Town Council, dated October 31, 1955, asking for hearing on Thursday, November 3, was presented again.

It was listed on that date, and continued until today. On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was continued again - to November 10, 1955.

RESOLUTION 129574, directing Notice of Filing of Assessment and of time and place of hearing thereof; for paving and otherwise improving Alley Block 44 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, Resolution of Intention 118978, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 129575, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract, for paving and otherwise improving Saranac Street and 67th Street, Resolution of Intention 128156, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

City Engineer reported in writing that low bid is 8.5% below estimate.

RESOLUTION OF AWARD 129576, accepting bid of Griffith Company, a corporation, and awarding contract, for paving and otherwise improving Thomas Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The City Engineer reported in writing that low bid is 9.4% below estimate.

RESOLUTION OF AWARD 129577, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract for paving and otherwise improving Valley Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

RESOLUTION OF AWARD 129578, for furnishing electric current in La Jolla Shores Lighting District No. 1, for 11 months and 17 days from and including September 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 129579, for furnishing electric current in Midway Drive Lighting District No. 1, for 1 year from and including October 1, 1955, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 129580, for furnishing electric current in Pacific Beach Lighting District No. 1, for 1 year from and including August 19, 1955, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129581, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 6 Chester Park Addition; approving Plat 2795 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 approving plans and specifications and plat of assessment district for paving and otherwise improving Delta Street, was listed on the agenda.

It was referred to the City Engineer - inasmuch as another resolution on this same matter - listed later on the agenda, is being so referred at the request of the City Engineer.

RESOLUTION 129582, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Inspiration Drive; approving Plat 2774 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 ORDERING WORK 129583, for paving and otherwise improving Alley Block 281 Pacific Beach, Resolution of Intention 128746, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 129584, for paving and otherwise improving Groveland

Drive, San Jacinto Drive and Castana Street, Resolution of Intention 128747, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 129585, for furnishing electric current in El Cajon Boulevard Lighting District 1, for 1 year from and including December 1, 1955, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 129586, for furnishing electric current in Logan Avenue Lighting District 1, for 11 months and 16 days from and including November 16, 1955, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 129587, for furnishing electric current in Montemar Lighting District 1, for 11 months and 15 days from and including December 16, 1955, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION DIRECTING NOTICE INVITING SEALED PROPOSALS No. 129588, for furnishing electric current in Pacific Beach Lighting District 2, for 1 year from and including January 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129589, for grading and sidewalking Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Silk Place, and 54th Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 129590, for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, 51st Street, 52nd Street, Lemona Avenue, Ogden Street, Altadena Avenue and Public Rights of Way, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 129591, for removal of existing street light standards, etc., and installation of ornamental street lighting system in Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, A Street, B Street and C Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 129592, for paving and otherwise improving Treat Street and 28th Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129593, for paving and otherwise improving Alley Block 6 Chester Park Addition, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION for paving and otherwise improving

Delta Street, was listed on the agenda. The City Engineer requested that it be referred back to him.

On motion of Councilman Curran, seconded by Councilman Williams, it was referred to the City Engineer.

RESOLUTION OF PRELIMINARY DETERMINATION 129594, for sewers in Inspiration Drive, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129595, fixing time and place for hearing protest of Walter O. Roenicke and Doris W. Roenicke and George B. Finch for November 15, 1955, at 10:00 o'clock A.M., in the Council Chamber of the Civic Center, against closing Evergreen Street between northeasterly line of Newell Street and southwesterly line of Poe Street, Resolution of Intention 128785; authorizing and directing notice of hearing, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Councilman Schneider and the City Clerk had a discussion over the date of hearing.

RESOLUTION 129596, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise Alley Block 10 Normal Heights, and Arthur Avenue, Resolution of Intention 125824, 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 129597, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving East and West Alley Block 4 West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 inclusive Block 4 West Teralta, Resolution of Intention 121774, and to be assessed to pay expenses; 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 129598, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Boston Avenue, between 26th Street and 28th Street, Resolution of Intention 123301, 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 129599, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Dwight Street, between Boundary and Nile Streets, Resolution of Intention 120268, 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 129600, approving diagram of property affected or benefited by work of improvement to be done on installation of sewers in Inez Street and Gage Drive, Resolution of Intention 123287, 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 129600, approving diagram of property affected or benefited by work of improvement to be done on installation of sewer in Inez Street and Gage Drive, Resolution of Intention 123287; 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 129601, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Wawona Drive, Resolution of Intention 122704, and to be assessed to pay expenses thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from the City Engineer, approved by City Manager, recommending that proceedings started under Resolution 116794 for improving Alley Block 13 La Jolla Park, be abandoned, was presented.

The City Engineer told the Council that plans are to be changed.

RESOLUTION 129602, abandoning proceedings for improvement of Alley Block 13 La Jolla Park; rescinding Resolution 116794, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, recommending amendment to Resolution 126489 for paving Alley Block 13 Ocean Beach, et al., to include portion of Guizot Street at termination of Alley Block 97 Point Loma Heights, was presented.

RESOLUTION 129603, adopting recommendation of City Engineer, Document 523271; authorizing City Engineer to amend proceedings for improvement of Alleys Blocks 13, 14, 16 Ocean Beach, and Blocks 97 and 98 Point Loma Heights, in accordance with recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, recommending amendment to Resolution 127533 for paving Redwood Street, et al., to include guard fences, erosion control planting, steps and walls, was presented.

RESOLUTION 129604, authorizing City Engineer to amend proceedings for improvement of portions of Myrtle Avenue, 46th Street, Thorn Street, et al., in accordance with recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, recommending amendment to proceedings on Resolution 127535 for grading and sidewalk on Nelson Street, et al., to include improvement adjoining Lots 956 and 1086 Redwood Village Unit 8, etc.

RESOLUTION 129605, adopting recommendation of City Engineer, Document 523274; authorizing City Engineer to amend proceedings for improvement of portions of Nelson, Kerch, Boren, Gayle, Hughes, Rock Streets, in accordance with recommendation, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from City Engineer, approved by City Manager, recommending

that proceedings for sidealks on Nipoma Street be amended to include portion of Amaryllis Drive, was presented.

RESOLUTION 129606, authorizing City Engineer to amend proceedings for improvement of Nipoma Street, in accordance with recommendation, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from City Engineer, approved by City Manager, recommending that district be formed for improvement, as required, on Santa Fe Street northerly of Balboa Avenue, was presented.

RESOLUTION 129607, 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 Santa Fe Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition - Document 521146 - signed by owners of 89.9% of property frontage on lower portion Alleys in Catalina Terrace, was presented.

RESOLUTION 129608, granting petition for paving and otherwise improving Alleys in Catalina Terrace; 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.

Communication from City Engineer, approved by City Manager, recommending granting petition - Document 521672 - signed by owners of 61.3% of property frontage on Alleys Blocks 208 through 221 Mission Beach, was presented.

RESOLUTION 129609, granting petition for paving and otherwise improving Alleys Blocks 208 through 221 Mission Beach; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition - Document 521147 - signed by 60.4% of property frontage on Alley Block 59 Ocean Beach, was presented.

RESOLUTION 129610, granting petition for paving and otherwise improving Alley Block 59 Ocean Beach; 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 Evenson, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition - Document 521898 - signed by owners of 51.3% of property frontage on Girard Avenue between Kline and Genter Streets, was presented.

RESOLUTION 129611, granting petition for ornamental street lighting system on Girard Avenue; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending

granting petition - Document 521148 - for sidewalks on Hardy Avenue, from Campanile Drive to 55th Street; signed by owners of 60% of property frontage, was presented.

RESOLUTION 129612, granting petition, for installation of sidewalks on Hardy Avenue; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of improvement, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication City Engineer, approved by City Manager, recommending granting petition - Document 521149 - for improvement of Kendall Street between Hornblend Street and Reed Avenue; signed by 62.5% of property frontage, was presented.

RESOLUTION 129613, granting petition for paving and otherwise improving Kendall 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 Evenson, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending that Council order district formed to be known as College View Estates Lighting District No. 1 - petition signed by owners on property on Remington Road, requesting district to operate ornamental lighting system - was presented.

RESOLUTION 129614, granting petition - Document 523058 - for furnishing electric current on Remington Road; directing City Engineer to furnish report on College View Estates Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition - Document 523057 - for sewers in 28th Street to serve portions of Blocks 37, 46, 47 Seaman and Choates Subdivision, to include outfall sewer in Balboa Park; signed by 63.3% of the area to be served (to include grading portion of 28th Street), was presented.

RESOLUTION 129615, granting petition for sewers in 28th 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 Williams, seconded by Councilman Curran, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition for paving and otherwise improving Valle Avenue, between 31st and 32nd Streets - Document 520194 - signed by owners of 70.8% of property frontage, recommending addition of improvements if required, was presented.

RESOLUTION 129616, granting petition for paving and otherwise improving Valle Avenue; directing City Engineer to furnish Council with description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129617, granting petition, Document 522934, for permission to install sanitary sewers to serve Lots 1 through 10 Block 4 The Dells Park, by private contract - under Document 523055 - was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129618, granting Western Metal Supply Co. permission to construct driveways on portions of 6th and 7th Avenues by private contract - Document 523267 - was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 129619, establishing parking limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

North side of Broadway, between 19th and 20th Streets; establishing parking meter zone; directing City Manager to cause parking meters to be installed and parking meter spaces to be designated; directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129620, establishing parking limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Logan Avenue between Dewey Street and Evans Street; establishing parking meter zone; directing City Manager to cause parking meters to be installed and parking meter spaces to be designated; directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129621, establishing parking limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Torrey Pines Road between Girard Avenue and Herschel Avenue; authorizing installation of necessary signs and markings to be made, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129622, approving request of California Electric Works, October 19, 1955, Change Order 2, for extension of 30 days to and including November 21, 1955, filed with City Clerk as Document 523935, in which to complete contract for installation of traffic signals and safety lighting on A Street, India Street to 12th Avenue, Document 513409; extending time of completion to November 21, 1955; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129623, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 11 Block 5 Florence Heights 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; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129624, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion North Half of South Half Pueblo Lot 1202, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129625, 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 1202, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129626, granting revocable permit to Robert L. Armstrong, 3153 "J" Street, San Diego, to install and maintain fence in "J" Street: Lots 19 through 24 Block 110 Central Park, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129627, granting revocable permit to Charles H. Benton, 2136 Kettner Boulevard, San Diego, to install and maintain steps from street to owner's property: Lots 3 and 4 Block 161 Roseville, over, under and across sidewall and bank in Sterne Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129628, granting revocable permit to W. A. Hubbard, 861 Muirlands Drive, San Diego, to install and maintain retaining wall to divert water into City drainage ditch, over, under and across Muirlands Drive: Lot 12 La Jolla Lomas Sub., was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129629, granting revocable permit to Glenn R. Wilcken, 3652 45th Street, San Diego, to install and maintain water line in Bunkerhill Street for use and benefit of Lots 1 and 2 Block 2 American Park, over, under and across Paul Jones Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129630, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light:
Morena Boulevard at Lister Street,
was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129631, approving and ratifying expenses incurred by O. W. Campbell, City Manager, and Harry C. Haelsig, City Planning Director, in making a trip to Sacramento, November 6 and 7, 1955, to confer with State Highway officials on various local problems, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129632, authorizing City Manager to employ Daley Corporation to grade, pave, and otherwise improve portions of Brooklyn Avenue, Merlin Drive, Iona Drive and Merlin, in connection with improvement of Brooklyn Avenue and Iona Drive, cost not to exceed \$260.55, payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129633, authorizing City Manager to employ M. H. Golden Con-

struction Company to do all of work (specified in detail in Resolution) in connection with improvement of Kurtz Street, Rosecrans Street, et al; cost not to exceed \$999.96, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129634, approving claim of Mrs. J. A. Florentin, Document 522455 in amount of \$10.00; authorizing City Auditor & Comptroller to draw warrant in favor of J. A. Florentin, 2807 28th St., San Diego 4, in full payment of claim, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129635, approving claim of Darwin S. Kenyon, Document 522734, in amount of \$77.00; authorizing City Auditor and Comptroller to draw warrant in favor of Darwin S. Kenyon, 3579 Fairmount Ave., San Diego 5, in full payment of claim, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129636, approving claim of Mac K. Thornton, Document 522020, in amount of \$12.50; authorizing City Auditor & Comptroller to draw warrant in favor of Mac K. Thornton, 2506 Snowdrop St., San Diego 5, in full payment of claim, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129637, approving claim of Westminster Presbyterian Church, Document 521906, in amount of \$222.54; authorizing City Auditor & Comptroller to draw warrant in favor of Westminster Presbyterian Church, 602 Scripps Bldg., San Diego, in full payment of claim, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129638, denying claim of Anthony Raso, Document 522976, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129639, denying claim of David Robertson, Document 515797, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129640, denying claim of John L. Ward, Document 521382, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

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

ORDINANCE 6740 (New Series), creating positions of Principal Engineering Aide and Corrosion Engineer in Classified Service of The City of San Diego, and establishing schedule of compensation therefor, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

On motion of Councilman Kerrigan, seconded by Councilman Curran, 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 written or printed copy.

ORDINANCE 6741 (New Series), appropriating \$50,000.00 from Capital Outlay Fund, for additional funds to pay improvement assessments against property owned by the Federal Government, the State of California, the County of San Diego, the City of San Diego, or the San Diego Unified School District, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 6742 (New Series), appropriating \$1,564.71 out of Capital Outlay Fund for additional funds to pay City's share of costs of construction on Wabash Boulevard, Section "B"; funds originally appropriated by Ordinance 5601 (New Series); was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

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

ORDINANCE 6743 (New Series), establishing grade of Poe Street, between northwesterly line of Roseville and line parallel to and distant 185.30 feet easterly from said northwesterly line, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

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

It was a communication from Eastgate Merchants Association, 6141 University Ave., San Diego 15, 1955 - being a copy of letter addressed to the City Right of Way Dept. It requests the City to initiate action necessary to procure parcel of land for prolongation of Rock Street, between College Ave. and Rolando Blvd. south of and parallel to University Ave. It says "Councilman George Kerrigan has advised us that it is his opinion that the City of San Diego would bear the expense of the street or right of way provided property owners donate the land to the City. It encloses a plat of the section of the City which would be involved. It is signed 9 property owners.

Councilman Kerrigan moved to refer the communication to the City Manager. Councilman Williams seconded the motion.

Councilman Kerrigan stated that he did not "agree with the statement".

The roll was called, and the communication referred in accordance with the motion.

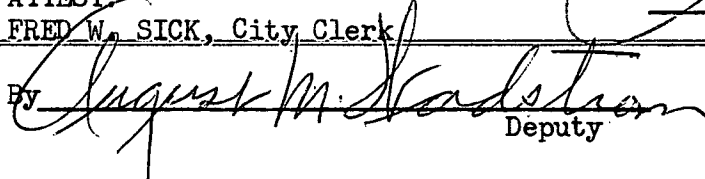
There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at 10:15 A.M. It was announced that the Council would go into a short conference.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By


Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 10,
1955.

Present—Councilmen Burgener, Williams, Schneider, Curran, Evenson
Absent—Mayor Dail (in Japan attending the Japanese-American Pacific Coast Mayors conference,
and Conference of Commerce Presidents in Japan)

Clerk—Fred W. Sick

Vice Mayor Clair W. Burgener called the meeting to order at 10:03 o'clock A.M.

Ordinances and Resolutions for this meeting are recorded on Microfilm
Roll 103.

Councilman Kerrigan, who was present before the roll was called, was excused
to represent the City at the Plumbers' Convention, and welcome the delegates to the City.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing "at
a regular meeting of the Council, when any owner of property within territory proposed to
be annexed (as South Bay Area Tract) and having any objections to the proposed annexation,
may appear before the Council and show cause why territory should not be so annexed"

The Vice Mayor requested Shelley J. Higgins, Assistant City Attorney to
explain the purpose of this hearing.

Judge Higgins stated that it was for the purpose of giving property owners
the right to protest. He said that protests, to be considered, are those in writing filed
heretofore, or at this hearing.

The Vice Mayor asked Arnold Klaus, Assistant Manager of San Diego Chamber
of Commerce, to make a statement.

Mr. Klaus said that the Chamber of Commerce has had a committee on the
problem. He read the names of the committee, and stated that he would file copy of the
report and letter from the Manager of the Chamber of Commerce. He read the letter, and
filed the documents as stated.

Ed Hall, president of San Diego Taxpayers' Association read a letter
to the Council. He filed it.

The Vice Mayor stated that at the end of this hearing, it will be closed,
and the protests analyzed. He said that if there is less than a majority protest, the
election will be called.

Raymond G. Fair, Imperial Beach, presented Col. Macaulay.

Colonel T. C. Macaulay said letter is in line with filed protests in
Imperial Beach area. He said that incorporation was started several years and continued
last year. He stated that the County was asked, by petition, to incorporate in Imperial
Beach. Col. Macaulay said that it lacked several hundred names, and there was a supplement-
ary petition. He said that it was the ruling that the supplementary names were not accepted.
He said that there would be no difficulty that there are 51% in the area not in favor of
the annexation. He spoke of having had help in working out own destiny, which he said is
essential for future welfare. He read a protest, and said that it is practically the
unanimous sentiment of 15,000 people who do not favor annexation. He read a request to
exclude property from annexation. Col. Macaulay stated that many business people in San
Diego oppose the annexation. He stated that there has been a campaign of misrepresent-
ation. He told about charges against individuals (in his group) who are interested in
the Henry George movement, and that many had been called communists. He told of his and
others' part in past military activities by protestants against the annexation. He said
it is a damnable lie! He declared they are loyal citizens. Colonel Macaulay filed the
letter.

The Vice Mayor thanked Colonel McCaulay, and said he thought there were

no communists in the room. He asked Judge Higgins if the boundaries of the annexation could be changed.

The Judge's reply was "yes, sir".

C. W. Perry, 1268 Palm Ave., Palm City, was heard next. He spoke of having done some investigating of annexation over incorporation over 3 or 4 years. He said he got good advice from Harley Knox (former Mayor of San Diego). He stated that the former Mayor came out about 3 years ago. He stated that Mr. Knox was, and may be a property owner in the Valley proposed to be annexed. He said he wanted no part of annexation, and that Mr. Knox had said, also, that they have better police protection than the City. He said Mr. Knox had said that nothing could be done about substandard housing, on account of street car housing in San Diego. He said he was surprised to see Mr. Knox's name among the list in the letter from the Chamber of Commerce. Mr. Perry related conversation of Mr. Knox regarding past activities. He told the Council that there has been advice that the "corridor (annexation) is not legal". He stated that people of the area can iron out their own problems, if left alone. He said they could get along in the way they want to go. He asked for a careful study - the American way of rule.

Councilman Schneider spoke to Mr. Perry about statements attributed to Mr. Knox on the street car houses. He said it was a misstatement regarding police, and that San Diego has one of the best police departments in the country.

Mr. Perry said he was not making the police statement; he was quoting Mr. Knox.

The Vice Mayor asked for no applause and no booing.

Mrs. Edna Hanson, Palm Avenue, Palm City, protested. She said that it should be as one area - not separate. She said if there were "it would be a division of spoils between San Diego and Coronado".

Sidney Robbins, president of Imperial Beach Sanitary District, spoke in that capacity, and as an individual. He said he has studied the annexation.

Councilman Kerrigan entered

Mr. Robbins said "the plans were not hatched in Imperial Beach" - it was in the City of San Diego. He said the boys in the back room were not happy; the Chamber of Commerce and the newspapers are working hand in hand with the City regarding the sewer. He contended the City could run its sewer out to sea, and save millions of dollars. He asked why try to sell \$16,000,000 job when a \$50,000,000 can be sold. He stated that Imperial Beach and Palm City are already obligated to pay sanitary district bonds. Mr. Robbins said they would have to pay for City bonds, too. He said he believed the exterior boundaries should not be changed. He said he would welcome an election, and that the annexation can be defeated. He asked that they be not left out, but that they be permitted to "settle for once and all".

Vice Mayor Burgener said the situation presents a dilemma.

A man, who was understood to give his name as Commander Knox, of Imperial Beach, asked the Council to disregard the last speaker. He stated that "most want to be omitted".

The Vice Mayor said that those in favor of the annexation have given such evidence, by petition. He asked if there were questions by the Council.

Paul Engstrand, attorney for proponents, said he had been asked to assist. He said he had a petition of people in Tijuana, with over 2,000 acres in favor of annexation. He filed it.

Councilman Curran said Mr. Robbins made statement regarding previous hearing. He said there would not be "compounded obligation".

Judge Higgins said that property owners would still have to pay off the bonds.

Councilman Schneider moved to adjourn the hearing 1 week - to conclude. Motion was seconded by Councilman Curran.

Mrs. O. J. Reynolds, 347 Evergreen, Imperial Beach, asked if they can be annexed if they don't vote.

Mrs. M. S. Bryant, of Imperial Beach, spoke about the water rate.

Judge Higgins said that rates to be paid are fixed by the Council.

Mrs. Bryant said there would be 2 separate water districts. She stated that in the paper it had stated that they would "not get water".

Judge Higgins told the Council that certain areas are now under service by California Telephone & Water Co. He said there would be a continuation in a new area, City installed. He said that all would be 1 rate of the City. He said company rate would be paid until the City installs.

Mrs. Bryant and Judge Higgins had a discussion about the rate.

Councilman Williams said, in view of the statement of the lady regarding City annexing....."you people annex if you want to".

The roll was called on the motion to "adjourn the hearing 1 week, to conclude"

The Vice Mayor thanked the people interested in the conduct of the hearing.

(Mr. Fletcher, Assistant to the City Manager, took the protests, etc., at the conclusion of the meeting, for evaluation).

At 10:46 A.M. the Vice Mayor declared a 5-minute recess.

At 10:55 A.M., upon reconvening, the roll call showed the following:

Present—Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson.

Absent—Mayor Dail (for reason shown at beginning of meeting)

Clerk—Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Harold K. Parsons and Earlene F. Parsons permit (appeal by Mrs. Clinton McKinnon) from decision of Board of Adjustment in denying permission for erection of a free-standing church sign, approximately 20 ft. by 10 ft., with apex approximately 24 ft. high above ground, on the northeast corner of Ingraham Street and Riviera Drive, Lot 428 Block 21 Crown Point in Zone R-1, the finding of facts signed by the Zoning Administrator on Application 14513 was read.

A letter from City Beautiful, signed by Alin Crittenden (Mrs. Philip), secretary, endorsing the plan of Mrs. Clinton McKinnon and the Pacific Beach church committee, was read.

Wm. Hamilton, attorney, of Pacific Beach, in behalf of the churches in Pacific Beach, spoke to the Council. He exhibited a wooden model of the proposal, which he set up on the press table, and showed an artist's drawing. He said that the idea had been commenced when the people of Pacific Beach had been told of there being one of the greatest delinquency by adults and juveniles in that area. He spoke of the church women trying to do something, by urging attendance in church. He stated that there are other programs being conducted by the ladies, also. He said that the church sign (which is topped with a cross, has a "stained glass window", and a church directory) is being sponsored by all the church and civic associations in Pacific Beach. He stated that letters had been filed with the Planning Department. He told the Council that since the Planning hearing, the size of the sign has been reduced - now 16 ft. x 10 ft., with the apex up to 20 feet. He said that no one considers it an advertising sign. He pointed out that the use of the lot has been donated. He stated that the property will be landscaped and kept up; it is not an ordinary commercial sign. He told of plan for a "stained glass window" to be incorporated. He repeated that it is non-commercial. He said that property owners in the area have signed to endorse the project. He said that at the Planning meeting, interested persons had not been fully apprised. He said that notice had been sent to the owner of the property, while workers did not know of the appeal. Mr. Hamilton said that the sign sits back 25 to 30 feet, is no obstruction or traffic hazard. He said that "if signs are a traffic hazard, the City is full of traffic hazards". He spoke of there being lots of people of Pacific Beach being present. He spoke of donating time and services. Mr. Hamilton maintained that the Planning Commission should be overruled. Again, he said that it is not an ordinary billboard type of sign.

Councilman Schneider spoke to Mr. Hamilton about the landscaping, and asked if he was willing to stipulate that it be maintained.

Mr. Hamilton's reply was "yes".

Councilman Schneider asked if a search had been made of the area, and this found to be the best site.

Mr. Hamilton said that it is the gateway to Pacific Beach, and there is very little vacant property.

Councilman Schneider pointed out that when a variance is granted, it becomes easier for others (to get the same). He said that a more objectionable sign could then go in across the street.

Mr. Hamilton said that it is community matter; not a private one. He said that in the Pacific Beach area the "spirit is great".

The Vice Mayor asked if the protestants are still of their opinion. He identified them, from a map submitted by the Planning Department.

Lee Herz, 3328 Crown Point Drive, spoke to the Council. He said that proponents are claiming to be civic minded people of Pacific Beach. He stated that Crown Point is full of nice home owners. He said he has \$35,000 in his home, and that the proposed sign would add no beauty. He asked who is sponsoring the sign. Mr. Herz said that there was conversation about someone (San Diego Gas & Electric Co., perhaps) to sponsor it. He said "today it would be a sign for God; maybe later an advertisement for 4 Roses".

The Vice Mayor asked if the sign may be changed.

Aaron Reese, Deputy City Attorney, said that it would be necessary to adhere to the stipulations.

Councilman Kerrigan read from the finding of the Board of Zoning Adjustment regarding the denial. He asked about the legal right to deny.

Mr. Reese said it could be granted.

D. E. South, Zoning Administrator, read the permitted uses - from the San Diego Municipal Code.

Councilman Schneider spoke to Mr. South about there being "signs and signs".

Mr. South spoke of going up and down the street to find another location.

Councilman Schneider said there are signs on Pershing Drive, calling attention to the Lions' and Kiwanis' clubs of the City.

Mr. South pointed out that they are in the park (Balboa Park); not on private property.

Mr. Herz declared that it would be a traffic hazard; there is no "light" there. He said one is taking his life in his hands going northward to Crown Point. He said the sign would bear wording, and would increase the hazard.

Comdr. Willett (who did not give his first name or initials), told the Council that he has 4 children in parochial school - indicating how he feels about the religious angle. He said that if this is opened up to 1 item for variance, the City will be besieged for variances. Comdr. Willett said that if 1 sign is started in Pacific Beach, he can't see why the sign is not put in Pacific Beach where the trouble is, instead of in Crown Point. He said that it would be a traffic hazard, because when one goes down the Causeway, he can't see the tops of cars. He stated that it would be dangerous to open up the area for variances. He said that it is an R-1 Zone, and he doesn't like signs.

Councilman Schneider told Comdr. Willett that if the Traffic Engineer investigates the site and finds it to be dangerous, the City can post signs.

Comdr. Willett said that it is a 25-mile zone; but sign can't be seen.

Councilman Schneider asked if the sign should be posted "sooner".

Mr. Hamilton told the Council that the area is posted. He said that there are a number of churches in Crown Point; the whole area is represented.

Councilman Kerrigan stated that he wants set forth the terms of the ordinance, if granted. He asked if this complies for a legal right to grant.

Mr. Reese told the Council that it is a question of fact; it is up to the Council to review, and it has the power to grant. He said the issue is "should the variance be allowed?" He looked at an unidentified paper in connection with the hearing.

Councilman Kerrigan said the applicant should answer the questions: "Questions and answers there".

Mr. Reese read the questions and answers in connection with request for variance. He said it is a question of fact which the ordinance requires: (1) question of fact by Board of Council; (2) question of fact; (3).....

Councilman Kerrigan asked if it is in the public interest (apparently the 3rd finding).

Mr. Reese said that (4) the Planning is to determine.

Councilman Schneider said that for a reason, there should be stipulation of maintenance of the grounds. He spoke to Mr. Hamilton regarding time on a variance. He said the City has granted for commercial purposes.

Councilman Schneider moved to grant the appeal and overrule the decision of the Board of Zoning Committee.

Councilman Curran said the Council should ask the attorney for the proponents if it is satisfactory to vote (today), or if the item should be continued.

Councilman Kerrigan said that if the owner of the property is not ready to build in a year, he can file a letter for renewal (of the variance)

Councilman Williams stated that this would be no more hazardous than unusual architecture. He said churches are fundamental, and there would be maintenance. He seconded the motion to grant the appeal and overrule decision of the Board of Zoning Adjustment.

Councilman Schneider stated that he was modifying the motion to include maintenance, the granting for 1 year with consideration by the Council if it is to be for more than 1 year.

Councilman Williams agreed to the change.

Mr. Hamilton told the Council that he would agree to a vote today.

Councilman Curran said that the setback should be included.

Mr. Hamilton said that the location has been selected, and they would go back as far as possible.

Councilman Kerrigan asked if there is a plot plan.

Mr. Hamilton said he would have no objection to that.

The Vice-Mayor stated that it would be necessary to file a plat in order to secure a permit.

RESOLUTION 129641, granting appeal of Mrs. Clinton McKinnon, 1145 Pacific Beach Drive, from decision of the Board of Zoning Adjustment in denying permission to Harold K. and Earlene F. Parsons to erect a free-standing church sign, approximately 20 ft. by 10 ft., with the apex approximately 24 ft. high above the ground, on the northwest corner of Ingraham and Rivera Drive, Lot 428 Block 21 Crown Point, Zone R-1; overruling and denying the decision made by Resolution 9239 of the Board; specifying that there be agreement to maintain the premises, that the granting be for 1 year with consideration by the Council if it is for more than 1 year, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

At 11:38 A.M. a 2-minute recess was declared by the Vice Mayor.

Upon reconvening, the attendance was as shown in the previous roll calls.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Frank Wm. Shannon from the decision of the Board of Zoning Adjustment in granting to Luther H. Barber permission to utilize an existing building for a small-animal hospital, Lots 16 and 17 Block 9 La Jolla Park, at 7541 Eads Avenue, in Zone M-1, the Finding of Fact was read to the Council by the Clerk.

Vice Mayor Burgener said that there is a list of uses in M-1 zone, and that it is the City's responsibility to determine if the proposed use is more obnoxious.

Sherwood Roberts, attorney, stated that he represented Mr. Shannon and the appellants. He pointed out that there is little manufacturing in La Jolla. He said that Fay Avenue backs up to the property on Eads. He said that Fay is almost all commercial. He identified use of property on Eads. Why it is zoned M-1 Mr. Roberts said he does not know. He stated that the development is R-2 and R-4. He said that on Eads Street west there are colored citizens, and most of the people in the area objected to the variance. He said it is felt that a small animal hospital is more objectionable than the zoning permits. He spoke of the howling at night, and of the Planning Investigator having said it did "not improve the character of the neighborhood". He said the property owners feel it would depreciate their property. Mr. Roberts said that the colored people feel that it would depreciate the value of their homes. He stated that the whole building is not sound proofed. He said there is always the problem of dogs getting away, the coming and going. He spoke of variance which had been granted on Fay, for which Mr. Shannon signed. He stated that the present small animal hospital makes a good deal of noise, and that this should not be made a small animal center. Mr. Roberts said that La Jolla is not good for manufacturing. He said he was thinking theoretically. He said that it is largely residential, and high type commercial. He stated that the property could be sold and used for another purpose. He said it is difficult to tear out the thick walls. He said that it would not deprive the owner of use of the land (if not granted the variance by the Council). He stated that there is nothing personal in the view. He said that with a little patience there could be a better offer obtained. He contended that the proposal is not in harmony with the City zoning. He said no runs would be allowed, and that premises would not be ideal for dogs. He said that they could go to 5-Points, or elsewhere. He said it would not be good for animals or for the residents.

The Vice Mayor spoke to Harry C. Haelsig, City Planning Director, regarding M-1 Zone.

Mr. Haelsig said that it was rezoned in 1932 on account of the existing uses.

The Vice Mayor asked when the existing small animal hospital went in.

Mr. South replied that it was in 1949.

Robert Durham, attorney, representing Mr. Barber, said that the original variance for a veterinary hospital was in 1949; in 1953 there was an extension; it was enlarged. He said that the new proposal is over 100 feet from Mr. Shannon. He said virtually no sound would come out. He reviewed the types of uses permitted, and said that most of the objecting owners live at some distance. He said there has been support. He referred to the appeal, and said values are based on M-1; not residence use.

Councilman Schneider asked Mr. Durham if the building covers the area.

Mr. Durham said that it covers most of the property. He stated that the proposed use would be for emergency; there are facilities elsewhere.

Councilman Kerrigan moved to close the hearing. Motion was seconded by Councilman Curran.

Before the roll was called, Milton Sessions said he was out of the City. He spoke of his property as 7544 Fay, and of having done business to the rear of the property since 1952. Mr. Sessions told the Council that he is subjected to serious annoyance from the existing veterinary hospital. He said that one of the conditions of the addition was that it be sound-proofed. He said there has been very little improvement. He said the property does not have the valuation of \$600. per foot for M-1 use. He said property has been developed by commercial uses; a goodly portion is not used for M-1. He spoke of there being no pressure to re-zone. He repeated, it has been developed for commercial use.

Councilman Schneider spoke to Mr. Sessions regarding the price.

Mr. Sessions said he has disposed of 100 feet that adjoin the hospital, and had difficulty in disposing of it. He said that granting would be a distinct property use.

Mr. Roberts said that \$600 per foot is on Fay; high-priced C adjoins.

Mr. Shannon, 7519 Eads, told the Council that he signed for the first doctor. (Mr. Shannon is the appellant opposing the variance). He said that at the time he signed, it was stated there would be no boarding. He said the operator reneged on the proposition, and then started boarding. He told the Council that he is the closest to the proposed hospital. He said that he did not want the dogs to bark back and forth (between the 2 hospitals). Mr. Shannon contended there could be different uses. He said that if the operator does not come up to the agreement, the dogs with keen hearing would bark. He spoke of being not able to buy certain property. He said he wants a residential area, and that 25 or 30 people have signed in opposition to the proposal.

The Vice Mayor spoke to Mr. Roberts and asked if there were protests to the Board regarding nuisance.

Mr. Roberts replied that when there are complaints, the doctor comes and quiets the dogs. He said he does the best he can.

Charles A. Clark II told the Council that he owns a 50 x 140 lot on Fay Street, and that his tenants have trouble. He said it would work well, but is not logical. He said that zoning not always gives the proper story. He spoke of being entitled to consideration.

The Vice Mayor declared the hearing closed.

Councilman Evenson moved to grant the appeal, and overrule the board of Zoning Adjustment.

Vice Mayor Burgener asked Councilman Evenson if he was in favor.

The reply was "no".

Councilman Curran pointed out that there were only 6 members of the Council present.

The Vice Mayor said 6 are here; the Mayor is to return next week. He said continuance can be requested.

Mr. Roberts requested a continuance.

Mr. Durham said that would be a hardship, and expressed opposition to the continuance.

An informal poll was taken - not recorded - by statements made by members of the Council.

Councilman Schneider moved to deny the appeal, and grant the variance "according to the finding".

Statements on views were made by various councilmen.

Councilman Williams seconded the motion.

The Vice Mayor declared that there would be no purpose in continuing the hearing 1 week.

Councilman Evenson asked who polices the decibels.

Mr. Reese said that Planning has the power to enforce.

Councilman Evenson said that this hearing reminded him of "the chicken case".

The roll was called was called, resulting in

RESOLUTION 129642, overruling and denying the appeal of Frank Wm. Shannon, 7519 Eads Avenue, La Jolla, from the decision of Board of Zoning Adjustment in granting Luther H. Barber permission to utilize an existing building for a small-animal hospital, Lots 16 and 17 Block 9 La Jolla Park, 7541 Eads Ave., in Zone M-1; sustaining the action of the Board in its Resolution No. 9212 adopted October 14, 1955, upon the same conditions made a part of the Resolution, namely:

1. That the air ducts or ventilators be so designed with baffles that sound intensity at the exterior of the vents and/or all exterior openings in the building not to exceed 20 decibels;

2. That there be no exterior windows in the insulated portion of the building, and that the uninsulated portion to be used for storage and office purposes;

3. That no animals be permitted in yards or runs on subject property or adjacent property;

4. That all animals be confined to the insulated area of the building, as shown on plans on file in the Planning Office;

was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran; Nays-Councilman Evenson; Absent-Mayor Dail.

Petition of Lois M. Trevellyan for abandonment of unnamed dedicated 6-foot easement established at rear of Lots 1 to 8 inclusive LaDou Addition - property to be improved as 1 parcel - was presented.

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

The next item, which had been continued to this meeting from November 3, 1955, was brought up.

It was a report of the Purchasing Agent recommending bids for furnishing 1 Motor Grader.

On motion of Councilman Williams, seconded by Councilman Kerrigan, it was continued to November 17, 1955.

RESOLUTION 129643; approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Installation of Safety Lighting System at Intersection of Grand Avenue and Balboa Avenue, and Grand Avenue and Morrell Street, Document 524055; 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 approval of Final Map of Muirlands Panorama, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 129644, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute contract with John D. and Faith Lysterly, Charles W. and Jane D. Tischoff, Thomas W. Keelin and Julia H. Keelin, William L. and Jane L. Canning, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Panorama 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 129645, adopting Map of Muirlands Panorama Subdivision, being portion of Southwesterly Quarter of Pueblo Lot 1774; accepting on behalf of the public

Deer Hill Court, Germaine Lane, Cottontail Lane, La Jolla Mesa Drive, portion of La Jolla Scenic Drive and unnamed easements shown thereon, together with any and all abutters rights of access in and to La Jolla Mesa Drive, portion of Deer Hill Court and Cottontail Lane adjacent and contiguous to Lots 20, 21 23 as shown for public purposes; declaring them to be public street and unnamed easements together with access rights, portion of public street, unnamed easements and access rights and dedicated to public use; 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, California, 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 Academy Manor, an 11-lot subdivision of portion Acre Lots 50 and 51 Pacific Beach, was presented.

RESOLUTION 129646, suspending Sections 102.05 and 102.17-c of the Municipal Code in connection with Tentative Map of Academy Manor, 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 Academy Manor, an 11-lot subdivision of portion Acre Lots 50 and 51 Pacific Beach, located in interior of block bounded by Chalcedony, Diamond, Lamont and Noys Streets, subject to 13 conditions, was presented.

RESOLUTION 129647, approving Tentative Map of Academy Manor, 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 approval of Final Record of Survey Map on Lots 12 through 15 Block 111 City Heights, was presented.

RESOLUTION 129648, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code - Lots 12, 13, 14, 15 Block 111 City Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack VanCleave, recommending suspension of portion Municipal Code in connection with Tentative Map of Delta Court, a 4-lot subdivision of portion Lot 70 Ex-Mission Lands, was presented.

RESOLUTION 129649, suspending Sections 102.11-2 and 102.17-c of Municipal Code in connection with Tentative Map of Delta Court, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of Delta Court, located on southerly side of Delta Street, adjacent to boundary of National City and subdivision of Scott Terrace, property zoned R-4, subject to 5 conditions, was presented.

RESOLUTION 129650, approving Tentative Map of Delta Court, 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 Duke Goodwin Subdivision, a 2-lot subdivision of portion Lot 3 Subdivision of east half of Pueblo Lot 1215, was presented.

RESOLUTION 129651, suspending Sections 102.07-5, 102.11-1, 102.17-c of the Municipal Code in connection with Tentative Map of Duke Goodwin Subdivision, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of Duke Goodwin Subdivision, a 2-lot subdivision of portion Lot 3 of subdivision of east half of Pueblo Lot 1215, on easterly side of Linda Vista Road, adjacent to Cabrillo Freeway, northerly of Linda Vista proper, subject to 7 conditions, was presented.

RESOLUTION 129652, approving Tentative Map of Duke Goodwin Subdivision, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Tentative Map of Euclid Mesa, a 105-lot subdivision of portion Lot 15 Rancho Mission, was presented.

RESOLUTION 129653, suspending Sections 102.07-5, 102.11-1, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Euclid Mesa, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of Euclid Mesa, a 105-lot subdivision of portion Rancho Mission Lot 15, located northerly of Elm Street, westerly of 50th Street, southerly of Euclid Avenue, subject to 14 conditions, was presented.

RESOLUTION 129654, approving Tentative Map of Euclid Mesa, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, recommending suspension of portion of the Municipal Code in connection with Tentative Map of Las Alturas No. 2, a 2-lot resubdivision of Lot D Block 5, was presented.

RESOLUTION 129655, suspending portion of Municipal Code in connection with Tentative Map of Las Alturas No. 2 - Section 102.17-c - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of Las Alturas Unit No. 2, a 2-lot resubdivision of Lot D Block 5, located on southerly side of Santa Margarita Street between 53rd and 54th Streets, in R-4 zone, subject to 4 conditions, was presented.

RESOLUTION 129656, approving Tentative Map of Las Alturas Unit 2, 2-lot resubdivision of Lot D Block 5, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Tentative Map of Lemon Villa, a 2-lot subdivision of portion Lot 9 Lemon Villa, was presented.

RESOLUTION 129657, suspending Sections 102.02.1, 102.17-c of the Municipal Code in connection with Tentative Map of Lemon Villa, 2-lot subdivision of portion Lot 9, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending

approval of tentative Map of Lemon Villa, a 2-lot subdivision of portion Lot 9, located on west side of 56th Street between Meade and Trojan Avenues, easterly of Horace Mann Junior High School and westerly of Ocean View Gardens, subject to 5 conditions, was presented.

RESOLUTION 129658, approving Tentative Map of Lemon Villa, 2-lot subdivision of portion Lot 9, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, reporting on tentative map for 2-lot subdivision of portion Pueblo Lot 105, located on Point Loma, immediately north of the military reservation, was presented. In the detailed report, it recommends denial.

RESOLUTION 129659, continuing to November 22, 1955, the recommendation on the subdivision, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending that request from Birmingham Development Company for modification of Agreement, Document 517601 - plans Document 511360 - in connection with Tentative Map of Fairmount Plaza, be amended. It says resolution required concrete retaining wall to be installed parallel with and 75 feet northerly of Home Avenue. Recommendation says that due to grading problems, subdivider has requested that he be allowed to install the wall 5 feet closer to the street, and that City Attorney be authorized to make necessary changes in Agreement, was presented.

RESOLUTION 129660, adopting recommendation of City Planning Commission to grant request of Birmingham Development Company to modify agreement in connection with Tentative Map of Fairmount Plaza, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

There was listed on the agenda the communication from Traffic and Roads Committee, Clairemont Town Council, by Charles Kidd, requesting hearing re traffic situation on 3400 Block of Shawnee Road, was presented. (It had been before the Council previously, on request for hearing, but was continued to this date inasmuch as previous appearance had not been made).

Vice Mayor Burgener stated that the committee was present. He pointed out that the Council was already late for engagement which had been made, earlier. He asked how many could appear on Tuesday.

The question was not answered.

Councilman Kerrigan asked if the question had been discussed with the City Manager.

The Vice Mayor said that it is felt that those interested have exhausted all remedies.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was continued 1 week - to November 17, 1955.

Communication from A. Edmonston, State Engineer, State of California Department, Department of Public Works, dated October 31, 1955, thanking the Council for Resolution 128819, was presented.

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

Communication from Raul A. Laughlin, Appraiser, County Assessor's Office, relative to changes which have been made in appraisals from 1954 to 1955, and offering criticism in that regard, as well as the number of employees in the office. He referred to the employees as a "Mexican Army".

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

Communication from San Diego Industrial Development Council, Inc., 928 Broadway, dated October 21, 1955, signed by Charles W. Blumenschein, chairman of the Industrial Committee, was presented. It commends the Mayor and City Council for work accomplished, and concludes "the future of San Diego is at stake in this matter and we must not falter one minute and carry on the great work to bring industry of all types possible into San Diego". On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was filed.

Communication from San Diego Veterans War Memorial Building, Inc., Balboa Park, P.O. Box 2889, San Diego 12, Calif., dated November 3, 1955, was presented. It thanks the Council for assistance so that they might continue in the independent operation of the building. The communication was signed by R. B. James, Chairman, Board of Directors. On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was filed.

Copy of communication from Steward H. Smith, M.D., 2105 Fifth Avenue, San Diego 1, California, dated November 8, 1955, was presented. The original, addressed to the Traffic Engineer, requests that the area be installed with head-in parking after curbs are set back - on Hawthorne Avenue, between Fifth Avenue and Sixth Avenue. On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Manager.

RESOLUTION 129661, prohibiting parking of automobiles at all times: Both sides of Ash Street between India Street and Pacific Highway; authorizing any officer of the Police Department to remove or cause to be removed any vehicle parked in violation of the provision; authorizing and directing necessary signs and markings, including Tow Away Zone, to be made, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129662, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted: East side of 6th Avenue between Pennsylvania Avenue and Robinson 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 129663, authorizing City Manager to employ M. H. Golden Construction Company to make necessary repairs to marine emergency line known as Harbor Drive pipeline underneath Marine slough at overhead bridge near Naval Training Station, at cost not to exceed \$5,000.00; authorizing and directing Purchasing Agent to purchase in open market, without advertising for bids, approximately 800 feet of necessary pipe and fittings, approximately 800 feet of necessary pipe and fittings that may be used by the City in by-passing the marine line with a new line to be hung onto overhead bridge constructed by the Navy over the slough or the Harbor Drive Bridge belonging to the City, and that thereafter the public work of constructing the new by-pass line be borne by city forces, at an estimated cost of some \$25,000.00, including cost of pipe, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129664, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement with San Diego & Arizona Eastern Railway Company, for installation of flashing light signals for protection of Fifth Avenue and

28th Street grade crossings, and further providing for maintenance functions that are to be performed by the Railway Company, and specifying proportionate share of costs that are to be borne by the City and the Railway Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129665, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 13 and 14 Block "B" Weeks 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129666, granting permission to Disabled American Veterans, Chapters 2 and 70, to conduct their annual Forget-Me-Not Sale on the streets in the Downtown area of San Diego, North Park area, Hillcrest Area, East San Diego, Linda Vista, and the Beach areas, November 11 and 12, 1955, from 7:00 A.M. to 6:00 P.M., for raising funds to aid needy veterans and their families, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 129667, granting revocable permit to Royce E. Adams, 6824 Fulton Street, San Diego 11, to install and maintain a retaining wall for use and benefit of owner's property over, under and across Fulton Street, near Comstock Street: Lot 51 Block 19 (6824 Fulton Street), Linda Vista Unit 7, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129668, granting revocable permit to R. H. Collins, 4601 West Talmadge Drive, San Diego, to install and maintain flood lights for use and benefit of owner's property over, under and across El Cajon Boulevard and Cherokee Avenue: Lots 1, 2, 3, 4 Block 33 Resub. Blocks H & T Teralta, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129669, granting revocable permit to David G. Fleet, 2150 Chatsworth Boulevard, San Diego 7, to install and maintain a 6-inch V.C. sewer line over, under and across Gage Drive between Dupont Street and southerly end of Gage Drive: Southerly 1/2 of southerly one-half of Pueblo Lot 148, excepting westerly 330 feet, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129670, granting revocable permit to Delwin L. Floodberg, 456 Casselman, Chula Vista, California, to install and maintain copper water meter and 1" and 3/4" water lines for use and benefit of owner's property under and across Cervantes Street (5410 Cervantes and 5414 Certantes): portion Lot 92 Las Alturas, Villa Vista, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129671, granting revocable permit to Edmund Patroske, 2731 Magnolia, San Diego 9, to install and maintain water line and sewer line from Balboa Avenue to Lot 19 Homeland Villas: Portion Lot 19 Homeland Villas Unit 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129672, granting revocable permit to Esther Sommer, 432 "F" Street,

11/10/55

San Diego, California, to install and maintain stairway and rail to basement of building located at 432 F Street: Lot G Block 62 Horton's Addition, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129673, approving claim of Farmers Insurance Exchange, Document 523208, in amount of \$188.30; authorizing City Auditor & Comptroller to draw warrant in favor of Farmers Insurance Exchange, 2104 Fifth Avenue, San Diego in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129674, approving claim of Ralph Goodell, Document 523209, in amount of \$48.72; authorizing City Auditor & Comptroller to draw warrant in favor of Ralph Goodell, c/o Frederick P. Backer, 2601 So. Figueroa St., Los Angeles, California, in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129675, approving claim of Mrs. Christmas K. Idle, Document 523643, in amount of \$40.22; authorizing City Auditor & Comptroller to draw warrant in favor of Mrs. Christmas K. Idle, 5163 Hastings Rd., San Diego 16, in full payment of claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129676, denying claim of Doris Latanne Land, Document 523640, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129677, denying claim of Harbor Insurance Company, Document 523054, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129678, accepting subordination agreement, executed by George C. Vanderburg, beneficiary, and Pacific Coast Title Insurance Company, a corporation, trustee, November 1, 1955, subordinating all right, title and interest in and to easement for right of way for public street and incidents, in portions Lot 18 La Mesa Colony; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129679, accepting deed of Veronica Helen Grant and Raymond E. Grant, October 31, 1955, conveying Lots 6, 7, 8, 9 Block 3 Asher's Clover Leaf Terrace; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129680, accepting deed of G. N. Edison and Willa D. Edison, August 30, 1955, conveying portions Lot 15 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129681, accepting deed of Oliver W. Whitford and Bertha E. Whit-

ford, October 17, 1955, conveying Lot 55 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129682, accepting deed of Ralph Wollas and Minnie A. Wollas, October 24, 1955, conveying portion Lot 29 Boulevard Gardens; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129683, accepting deed of Maurice Diaz, September 21, 1955, conveying Lots 8, 9, 10 Block "B" Weeks Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129684, accepting deed of T. L. Stearns and Ellen T. Stearns, October 21, 1955, conveying easement for right of way for public street and incidents thereto in portion Lot 7 Block 43 Paradise Hills Unit 3; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129685, accepting deed of Western Mutual Corporation, a California Corporation, October 21, 1955, conveying easement and right of way for public street and incidents thereto, in portions Lots 8, 9, 10, 11 Block 43 Paradise Hills Unit 3; naming land Deauville Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129686, accepting deed of Western Mutual Corporation, a California Corporation, October 21, 1955, conveying easement for right of way for public street and incidents thereto in portion Lot 12 Block 43 Paradise Hills Unit 3; naming land Deauville Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129687, accepting deed of T. L. Stearns and Ellen T. Stearns, October 21, 1955, conveying easement for right of way for public street and incidents thereto in portion Lot 8 Block 44 Paradise Hills Unit 3; naming land Morningside Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129688, accepting deed of T. L. Stearns and Ellen T. Stearns, October 21, 1955, conveying easement for right of way for public street and incidents in portion Lot 23 Block 52 Paradise Hills Unit 3; naming land Morningside Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129689, accepting deed of Western Mutual Corporation, a California Corporation, October 21, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lots 19 and 20 Block 45 Paradise Hills Unit 3; naming land Morningside Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129690, accepting deed of Western Mutual Corporation, a California Corporation, October 21, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot 1 Block 57 Paradise Hills Unit 3; naming land Morningside Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129691, accepting deed of Palmer Conner and Helen M. Conner, October 21, 1955, conveying easement for right of way for public street and incidents thereto in portion Quarter Section 101 Rancho de la Nacion; naming land Reo Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129692, accepting deed of Alvin J. Hobbs and Ethel J. Hobbs, October 28, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot 7 Block 44 Paradise Hills; naming land Reo Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129693, accepting deed of T. L. Stearns and Ellen T. Stearns, October 21, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lots 1, 2, 3 Block 45 Paradise Hills Unit 3; naming land Reo Drive; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129694, accepting deed of Hulen E. Dunn and Lenna E. Dunn, October 27, 1955, conveying easement for right of way for public street and incidents thereto, in Lot 18 La Mesa Colony; naming land 63rd Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129695, accepting deed of Burr Stalnaker, October 26, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot 18 La Mesa Colony; naming land 63rd Street; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129696, accepting quitclaim deed of Western Mutual Corporation, a California Corporation, October 27, 1955, quitclaiming easement for public street and incidents thereto, in portions Lots 4 to 18 Block 45 Paradise Hills Unit 3; authorizing and directing
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City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129697, accepting deed of The United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, October 25, 1955, conveying easement and privilege of placing, etc. Sewer Lateral and appurtenances, together with right of ingress thereto and egress therefrom, in portion Lot 18 Block 86 Linda Vista Unit 3; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129698, accepting deed of Donald Murphy, as Executor of Last Will and Testament of Patrick Murphy, also known as Patrick C. Murphy and as P. C. Murphy, deceased, October 28, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portions Lot 29 Horton's Purchase, in 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 Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129699, accepting deed of Leonard M. Swezey and Ione D. Swezey, September 17, 1955, conveying easement for right of way for storm drain, or drains, and appurtenances in portion Lot 38 El Paso Tract; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

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 written or printed copy.

ORDINANCE 6744 (New Series), repealing Section 52.65 of Chapter V Article 2 The San Diego Municipal Code, relating to use of Narcotics, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays--None. Absent--Mayor Dail.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance creating positions of Accounting Division Supervisor and Auditing Division Supervisor in Classified Service, and establishing Schedule of Compensation therefor, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays--Councilman Curran. Absent--Mayor Dail.

On motion of Councilman Evenson, seconded by Councilman Schneider, Ordinance changing name of Baker Street in Bowman's Terrace to Dakota Drive, was introduced by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Curran, Kerrigan, Evenson. Nays--None. Absent--Mayor Dail.

The City Manager requested, and was granted, unanimous consent to present

RESOLUTION 129700, paying honor to A. George Fish, who at the age of 63 died Saturday, November 5, 1955, in his home in San Diego - a faithful and loyal public servant and citizen, who was City Safety Director for 10 years, and a member of the American Society of Safety Engineers and of the National Safety Council - directing forwarding of certified copy to his widow, Violet Fish, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

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

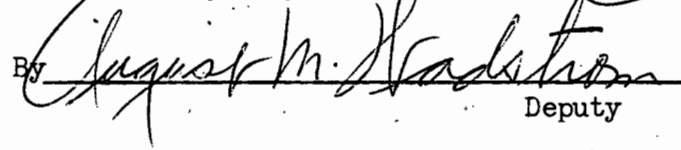
RESOLUTION 129701, adopting Map of Valley Square Subdivision, being a subdivision of portion Pueblo Lots 1286 and 1288; authorizing and directing Clerk of the City, as and for act of the Council, that named and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

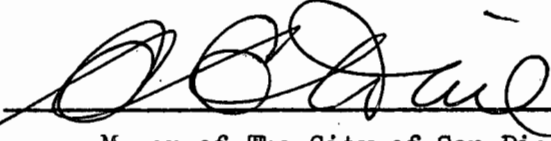
There being no further business to come before the Council, at this time, the Vice Mayor declared the meeting adjourned at 12:15 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, November
15, 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 104.

The Mayor called the meeting to order at 10:02 o'clock A.M.

The Mayor stated that inasmuch as no minister was present to give the invocation, he desired those present to arise and a moment of silent prayer.
All stood, as requested by the Mayor.

Inasmuch as the Mayor (who had just returned from Japan) had a cold, he asked Councilman Kerrigan to perform the next ceremony.

In behalf of the Mayor, Councilman George Kerrigan presented awards to the following City employees, honoring their long-time service with the City:

Battalion Chief Paul B. Allen, of the Fire Department - 35 year pin, and scroll of official and personal appreciation;
Arthur L. Remmen, Junior Civil Engineer in the Water Department - 25 years;
Marion Taylor Charles, Jail Sergeant in the Police Department - 20 years;
Ralph Stuart Strong, Police Officer - 20 years.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Minutes of the Regular Council Meetings of Tuesday, November 8, 1955, and of Thursday, November 10, 1955, were approved without reading.

They were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129061 for paving and otherwise improving Alley Block 7 Roseville Heights, the Clerk reported written protest of Russell F. Chartier and others.

Asked for a report, the City Engineer stated that it was a 67% protest.

Mrs. E. C. Moore told the Council she is in favor of the improvement. She asked if the alley is not paved, what steps will be taken to clean up, and take care of the drainage. She charged that it is a disgrace.

The Mayor said that the Council has no alternative but abandon proceedings in view of the protest. He said that the complaints could be referred to the City Manager. Mrs. Moore said the work should be done.

George Soares told of seeing the alley boarded up, and painted the same as the house. He said it is 1 foot high - on account of the trash. He stated that he is in favor of the improvement.

Deolindo Madeiros said her garage is at the back of the alley, and she can't get in. She said she has 3 children, and some seem to think it is a playground. She said she has to park her car at an angle, which can be dangerous for a child. She said she can't use her garage; there is a boat and a wagon parked in the alley. She asked to have something done. Mrs. Madeiros told the Council that she almost had a miscarriage on account of the bumps.

Councilman Schneider moved to abandon the proceedings. Motion was seconded by Councilman Evenson.

Meeting convened
Silent prayer
Minutes approved & signed
Hearing

Councilman Kerrigan asked that the frontage is, in relation to the job. The City Engineer said there are rectangular lots; therefore percentage would be the same. He showed a plat.

Mrs. Soares said that the same people signed; now they changed their minds.

Carl Soares said he brought in the protest.

Councilman Schneider asked if it was he who boarded up the alley.

Mr. Soares said "no" - it was an engineer. He said that alley were improved there would be a property drop, and said he has 7 children. He said it is true what it was filled in. He said the high end has a curb and sidewalk, put in by his wife (while he was out to sea) and property owner across the alley. Mr. Soares said installation was by permission of the City Engineer. He reported a conversation he had with one of the engineers whom he did not identify.

The roll was called, resulting in

RESOLUTION 129702, sustaining protests of Property Owners against paving and otherwise improving Alley Block 7 Roseville Heights, Bangor Street and Akron Street, Resolution of Intention 129061; abandoning proceedings for the proposed improvement, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Mrs. Madeiros said some signed by ways; there must have been a little bit of bribing. She said they were in favor of the paving when petition was circulated. She said she bought the property on the understanding that the alley was open.

RESOLUTION 129703, referring to the City ^{Manager} for investigation and report to the Council upon whether or not Alley Block 7 Roseville Heights between Bangor Street and Akron Street with portions of Bangor and Akron Streets - upon which hearing was held on Resolution of Intention 129061 for paving and otherwise improving - including the matter of drainage, 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 Intention 129062 for paving and otherwise improving Alley Block 1 Walter's Addition, between Market Street and F Street, and public right of way, the Clerk reported written protest from John Sedlack, and from Margaret O. Combs and Mamie C. Rice.

The Mayor inquired if anyone was present to be heard.

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

The City Engineer reported a 26.9% protest.

RESOLUTION 129704, overruling and deny protests of Margaret O. Comb and Mamie C. Rice and from John Sedlack, against Resolution of Intention 129062 for paving and otherwise improving Alley Block 1 Walker's Addition and public right of way; overruling and denying all other protests, was on motion of Councilman Curran, seconded by Councilman Evenson, 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, time set for hearing on Resolution of Intention 129063 for paving and otherwise improving Gregory 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 filed.

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 129064 for paving and otherwise improving Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, et al, the Clerk reported written protest of L. A. Prchal.

The Mayor inquired if anyone was present to protest. No one appeared to protest, and no additional protests were filed.

RESOLUTION 129705, overruling and denying protest of L. A. Prchal; against work of improving 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, 8, 9, 10 American Park Addition; Public Rights of Way in Lot 5 Partition of Pueblo Lot 1209, Superior Court Case 8341; Lot 22 Block 5 American Park Addition, Resolution of Intention 129064; overruling and denying all other protests, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

On motion of Councilman Williams, 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 129065 for paving and otherwise improving Orange Avenue, between Estrella Avenue and 49th 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 filed.

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 129066 for paving and otherwise improving South Lane and Alley lying easterly of and adjacent to Block A South La Jolla, Resolution of Intention 129066, the Clerk reported written protest from Dana W. Ingraham and Harriette T. Ingraham.

The Mayor inquired if anyone was present to be heard.

Miss Silvia Dunning told the Council she had a question regarding retaining wall removal. She said it is within the property line, and asked if there are plans for its removal.

Councilman Kerrigan stated that if the wall is within the property line it will not be removed.

The City Engineer said that the plan does not call for removal.

Miss Dunning said that appears on the notice. She stated that the sewer is in.

The City Engineer stated that it is a routine notice. He referred to Lots 29 and 30, and said no sewers are provided for; there is sewer on some of the property.

Councilman Kerrigan spoke to the City Engineer regarding the retaining wall removal.

The City Engineer said that general notice was mailed out; none is involved.

Miss Dunning asked how she would pay the cost.

The City Engineer explained to her.

RESOLUTION 129706, overruling and denying protest of Dana W. Ingraham and Harriette T. Ingraham against improving South Lane and Alley lying easterly of and adjacent to Block A South La Jolla, Resolution of Intention 129066; overruling and denying all other protests, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

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 129067 for paving and otherwise improving Worden Street, the Clerk reported written protests from Wanda Edland and from Aloha Lee Edland.

The Mayor inquired if anyone was present to be heard.

Mrs. C. B. McKinstry protested regarding the short street, which she said is not necessary to have improved.

Mrs. R. I. Bedford said it is a dead-end street; no curbs or sidewalks.

Mrs. Edland (who did not identify her first name), said she spoke for herself and for her mother. She told of having 100-foot frontage, and it is not their responsibility for the improvement. She said that the people who owned the property previously instigated the petition. She declared that it is not necessary "to pave the short street". She said there would be a traffic turn around, which would increase the traffic.

The City Engineer reported an 18% protest.

Councilman Kerrigan pointed out that "the people have instituted the improvement".

The City Engineer reported a petition of 70.4% for the improvement. Councilman Schneider moved to overrule the protests. Motion was seconded by Councilman Williams.

There was discussion the Mayor, Councilman Kerrigan and the women, regarding majority desires.

Mrs. Edkland said there were 3 protests.

Willard Olson, of the City Engineer's office, pointed out that petition was for 2 blocks (while the ladies were talking about their particular block).

Councilman Kerrigan said that if the City does anything to the proceedings, the whole thing would have to be abandoned. He conducted a discussion with the women.

The women came up and looked at a map shown to them by the City Engineer.

RESOLUTION 129707, overruling and denying protests of Wanda Edland, Aloha Lee Edland, Mrs. C. B. McKinstry, Mrs. R. D. Bedford, against improving Worden Street, Resolution of Intention 129067; overruling and denying all other protests, were on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2407 made to cover costs and expenses of work of paving and otherwise improving Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, Resolution of Intention 119094, the Clerk reported written appeal from Lulu E. Kirtley.

The Mayor inquired if any interested persons were present to be heard.

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

RESOLUTION 129708, overruling and denying the appeal of Lulu E. Kirtley, from Street Superintendent's Assessment 2407 made to cover costs and expenses of paving and otherwise improving Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, Resolution of Intention 119094; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2407; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2408 made to cover cost and expenses of paving and otherwise improving Alley Block 31 University Heights, Resolution of Intention 119095, 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 129709, confirming and approving Street Superintendent's Assessment 2408 for paving and otherwise improving Alley Block 31 University Heights, Resolution of Intention 119095; 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 Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2409 made to cover cost and expenses of paving and otherwise improving Quimby Street, Resolution of Intention 120407, 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 129710, confirming and approving Street Superintendent's Assessment 2409 made to cover cost and expenses of paving and otherwise improving Quimby Street, Resolution of Intention 120407; 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 Evenson, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2410 made to cover cost and expenses of paving and otherwise improving 40th Street,

Resolution of Intention 121402, 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 129711, confirming and approving Street Superintendent's

Assessment 2410 made to cover cost and expenses of paving and otherwise improving 40th Street, Resolution of Intention 121402; 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 Curran, 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 2411 made to cover cost and expenses of paving and otherwise improving Oliver Avenue and Pacific Beach Drive, Resolution of Intention 120580, 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 129712, confirming and approving Street Superintendent's

Assessment 2411 made to cover cost and expenses of paving and otherwise improving Oliver Avenue and Pacific Beach Drive, Resolution of Intention 120580; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing protest of Walter O. Roenicke and Doris W. Roenicke, 3219 Oliphant St., San Diego 6, and George B. Finch, 3224 Oliphant Street, San Diego 6, against the closing of Evergreen Street between northeasterly line of Newell Street and southwesterly line of Poe Street, Mr. Roenicke came to the microphone. He stated that he came before the Council a year ago protesting the paving of Evergreen. He said the street was paved and he was billed \$218. He told of having to go 15 blocks to reach it, although he had to pay; now the street is paved - paid for and sold. He stated that other property owners are now asking to have 10 feet turned over to them. Mr. Roenicke referred to improving at their expense, also. He stated that if the closing is granted, there is nothing to stop a request on Oliphant. He said he is now to be assessed on Evergreen (he read from a notice on closing, setting out "assessment district" for the closing). He said there would be expense involved in the moving of the water line. He said that Evergreen would be an opening wedge; next would come Oliphant; there would be splitting of lots, with small homes. Mr. Roenicke said this must be stopped before the opening wedge.

George B. Finch told the Council that he concurs in all Mr. Roenicke had said.

John Murphy told the Council that he is in favor of the closing. He spoke of a petition for a 1911 Act improvement. He asked that this hearing be kept germane only to Evergreen. He stated that the assessment district was not of his doing; it is in the hands of the Council. He said there is no expense to Mr. Roenicke or to Mr. Finch (for the closing). Mr. Murphy said that it is on a hillside. He stated that if street were not closed, the houses would have to be monstrosities. He pointed out that he has deposited moneys to cover cost of the expenses for closing.

Councilman Schneider spoke to Mr. Murphy about the purpose.

Mr. Murphy said that it is for the purpose of bringing the building site closer to the street, thereby eliminating 2 and 5 stories. He said that the building would then be only 2 stories.

The City Manager said the street is 24 feet from curb to curb, with paving. He said there are 12 feet on each of the curb to the property line.

There was discussion between several over the result after closing.

Marie Brunner stated that she is a building contractor, and had bought the property in question from Mr. Murphy. She said that it is in Roseville - not in Loma Portal, as has been stated. She told of building 2 homes in the \$35,000 class, and of improving the area, and of "taking a chance", since the district is unimproved. She spoke of the steep

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streets. She referred to building being 4 stories high; still 8 feet below the street. She spoke of having hauled in dirt to fill the property. Mrs. Brunner said she does not want the street for her own use; it is a dedicated street, and wants to leave it that way. She said she is pioneering on the street. She said there will be a 12-foot sidewalk, with the house back 30 feet. She said that Mr. Roenicke is a real estate salesman, and knows of the district assessment. She declared that the closing would be an asset to the Roenicke property. She said that she is going into the district and build it up.

Mayor Dail spoke of the reports of approval for the closing.

Mr. Roenicke read the notice regarding expenses.

Mayor Dail pointed out that Mr. Murphy is paying the cost (so there would be no cost to anyone else, despite the assessment district and expenses mentioned in the notice).

Councilman Williams spoke to Mr. Roenicke about the cost.

Mr. Roenicke said, again "it would be a progressive thing", and that he does not know where it would stop. He stated that a woman had said that below the property would be split, on account of the closing.

Councilman Schneider said they cannot do that. He spoke to Mr. Roenicke, and said that if closed, the property would go on the tax rolls and be added to the property. He stated that there would be no cost to Mr. Roenicke, and that it was not a proper protest.

Mr. Roenicke reiterated that it would be a progressive thing.

Councilman Williams spoke to Mr. Roenicke about the proposed condition.

Councilman Schneider moved to overrule the protests, and close the hearing.

Councilman Williams stated that he is interested in what happens; the people for and against the proposed closing are going to be neighbors.

The Mayor said the funds are on deposit. He said possibly there would be no harm, and such closings have been made before, so no precedent would be set.

Councilman Evenson seconded by motion.

RESOLUTION 129713, overruling and denying protest of property owners against proposed closing of portion of Evergreen Street, Resolution of Intention; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Councilman Williams moved to refer proceedings to the City Attorney for Resolution (Ordering Work). Motion, which was seconded by Councilman Kerrigan, carried.

The hour of 10:00 o'clock A.M. having arrived, time set for re-hearing on appeal of Robert N. and Dolly Benson from Board of Zoning Adjustment denying request for residence with attached garage on Lot 3 Tingley Estates, northeasterly corner of El Mac Place and John Street (there had been a hearing held at which proponents did not appear; re-hearing was set for this date by their request), the Clerk reported that Mrs. Benson had requested a continuance inasmuch as she was ill.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the re-hearing was continued 1 week - to November 22, 1955.

Mayor Dail left the meeting (to go to the doctor).

Councilman Schneider took the Chair, as presiding officer.

Report of Purchasing Agent, approved by City Manager, on low bid of Ets-Hokin & Galvan for Installation of Safety Lighting System at Intersection of Fairmount Avenue and Montezuma Avenue - \$4,711.00; 2 bids - was presented.

RESOLUTION 129714, accepting bid of Eta-Hokin & Galvan for Installation of Safety Lighting System at intersection of Fairmount Avenue and Montezuma Road; 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 Williams, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of R. E. Staite & Roy C. Ek, Joint Venture, for construction of Storm Drain in La Jolla Boulevard, between La Canada and Camino de la Costa - \$5,703.00; 3 bids - was presented.

RESOLUTION 129715, accepting bid of R. E. Staite and Roy C. Ek, Joint Venture, for construction of storm drain in La Jolla Boulevard; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to 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 authorization for auction sale of approximately 50 items of personal property recovered by Police Department and unclaimed during period exceeding 6 months, held November 5, 1955, was presented. It states that \$317.00 was received and deposited with City Treasurer. It also reports sale of bicycles recovered by Police Department, remaining and unclaimed in the total amount of \$892.31.

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

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Record of Survey Map of Ocean Beach, Block 4 Lots 47 & 48, was presented.

RESOLUTION 129716, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code for Tentative Map of Record of Survey of Lots 47 and 48 Block 4, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Application of John A. Coito, 3040 Byron Street, for Cabaret License for Green Room, 1200 Garnet Street, was presented with recommendations for approval by interested City departments.

RESOLUTION 129717, granting John A. Coito permission to conduct cabaret with paid entertainment at the "Green Room", 1200 Garnet Avenue, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

In connection with the next item, the City Manager made a verbal explanation of the proposal, to the Council.

Communication from City Engineer, approved by City Manager, recommending that Council order proceedings for paving and otherwise improving Alley Block 13 La Jolla Park and in Public Rights of Way in portion of Ravina Street, closed, and in portion of Alley closed in Block 13, was presented.

RESOLUTION 129718, 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 Alley Block 13 La Jolla Park, and in public rights of way in portion Ravina Street closed, and in portion Alley closed in Block 13, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Stadium Racing Association, 3963 Park Boulevard, San Diego 3, dated November 9, 1955, signed by Tom H. Haynes president and Frank J. Guthrie Vice-President, was presented. It states that it has been brought to the writers' attention that City of San Diego has been requested to make Balboa Stadium available for 5 special events in 1956: the National Collegiate Athletic Association track meet in June, and a fiesta entitled "The California Story," sometime in July, August, or September. It points out that the Association has been leasing Balboa Stadium since 1939 with exception of war years when automobile racing was discontinued. It relates the rental paid to the City, including parking concession rental. It says the City has received more than \$31,656 for the fiscal year ending July 1, 1955. It points out that if the City of San Diego insists on making Balboa Stadium

Stadium available for the track meet and fiesta on the dates contemplated, there would be no choice but to abandon auto racing in San Diego next year. It refers to automobile racing being established fixture in the local sports calendar, which outdraws all other sports attractions in the area, and that it has provided clean, wholesome entertainment for countless thousands of San Diegans. It tells of commitments made to present several outstanding shows for 1956, including championship midget race featuring Indianapolis drivers on Labor Day and fireworks display and racing on July 4. Concluding the communication, it says it is believed that the Association deserves prior consideration for use of Stadium facilities on dates mentioned.

Councilman Kerrigan observed that every time the Council gets a "quicky in Conference", it gets into trouble.

Councilman Curran said that the events had been approved on the understanding that it was O.K.

Mr. Guthrie spoke of having leased the stadium since 1939, and of having paid into the City over a quarter of a million dollars. He said that everybody but "us" (the Association, as Lessee) had been consulted. He said the Council would be legislating the lessees virtually out of business. He related the commitments, which are set out in the letter. He said that the opening is tradition, and it would be the same as telling Lane Field (The Padres' Baseball Club) that it can't open as of a certain date. He said it would represent and hurt thousands. He said the Fiesta date could be changed, or they could go to the Ford Bowl which he felt would be better.

Councilman Schneider spoke to Mr. Guthrie regarding the approach to bring the important collegiate track meet to San Diego. He said he hoped that could be accommodated.

The City Manager stated that the date of the meet follows May 30.

Councilman Schneider said that it "would be a feather in the cap, for local people and visitors" to have the events staged as proposed.

Answering a question, Mr. Guthrie replied that the Association needs 2 weeks to prepare the track in the Stadium. He said that the Track Meet comes at a time when it would wreck the set up in the stadium. He spoke of a late date to open. Mr. Guthrie told of having permitted the City to use the Stadium for track meets. He said it would be needed the same as at Indianapolis, and that thousands attend.

Mr. Schneider said that the City gets the track meet, or it doesn't, on account of the school closing date. He said he knows nothing of the fiesta dates.

The City Manager said there has been no official request in connection with the fiesta, and the City has not acted. He said there has been only newspaper publicity on the proposed event; it is a community discussion, which would affect the Stadium.

Mr. Guthrie spoke about a month earlier for the event.

Councilman Curran told about existing facilities at San Diego State College, but he does not know if seating facilities would be adequate.

Mr. Guthrie told the Council that he has seen 3 or 4 thousand people at important track meets in Los Angeles. He declared that the State College bowl would be adequate.

Councilman Schneider spoke to Mr. Guthrie about cooperation, and said that the City Manager has pointed out that the offer has been accepted (for the track meet).

Councilman Curran told of being under the impression that the Stadium Racing Association had been contacted.

The City Manager said "no; he had been told that legally the City could order the racing out, but that it would not make the Association happy". He said the use of the College bowl might be explored.

Mr. Guthrie said again that commitments have been made - which would knock out money. He said it would cost \$2,500 to move the dirt, and 2 weeks are needed.

Councilman Schneider said it is difficult to answer.

Councilman Curran moved to continue the item 2 weeks, and refer it to the City Manager to explore use of the State College.

Again, Mr. Guthrie spoke of the commitments, and that all except the Racing Association had been consulted.

Councilman Evenson seconded the motion, resulting in

RESOLUTION 129719, continuing consideration on communication from Stadium Racing Association, Document 524221, re use of Balboa Stadium for special events in 1956; requesting City Manager to make report on possible use of the Stadium at State College, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 129719, continuing consideration on communication from Stadium Racing Association re use of Balboa Stadium for special events in 1956, to the meeting of November 29, 1955; requesting City Manager to make report on possible use of Stadium at State College, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Following the verbal presentation and adoption of the Resolution, Councilman Kerrigan stated that the Council had been pressured by O. W. Todd, Jr., and by the Junior Chamber of Commerce in connection with the holding of the track meet in Balboa Stadium.

There was no further action.

RESOLUTION 129720, directing notice of filing of assessment and of time and place of hearing thereof - No. 2416 - made to cover costs and expenses of work done upon paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Lane, Sycamore Drive, Snowdrop Street, Pepper Drive, Tulip Street, Shamrock Street, Alley Block 26 Lexington Park, and Public Rights of Way, Resolution of Intention 120007, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 129721, directing notice of filing of assessment and of time and place of hearing thereof - No. 2417 - made to cover cost and expenses of work done upon installation of sanitary sewers in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, Resolution of Intention 121533, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 129722, accepting bid of A. R. Kingaard, and awarding contract for paving and otherwise improving Northwesterly and Southeasterly Alley in Fort Stockton Heights, Resolution of Intention 128282, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 14.3% below estimate.

RESOLUTION OF AWARD 129723, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract for paving and otherwise improving Landis Street, Resolution of Intention 128283, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 2.1% below estimate.

RESOLUTION OF AWARD 129724, accepting bid of Daley Corporation, a corporation, and awarding contract for paving and otherwise improving Wunderlin Avenue, Resolution of Intention 128284, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 2.7% above the estimate.

RESOLUTION OF AWARD 129725, accepting bid of San Diego Gas & Electric Company for furnishing electric current in Adams Avenue Lighting District No. 1, for 11 months and 18 days from and including October 13, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD 129726, accepting bid of San Diego Gas & Electric Company for furnishing electric current in Pacific Highway Lighting District No. 1, for

furnishing electric current in Pacific Highway Lighting District No. 1, for 11 months and 27 days, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION OF AWARD NO. 129727, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current in Roseville Lighting District No. 1, for 11 months and 16 days from and including October 15, 1955, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 129728, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 36 Fortuna Park Addition; approving Plat 2776 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 Curran, adopted.

RESOLUTION 129729, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 9 Wilshire Place; approving Plat 2786 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 Curran, adopted.

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RESOLUTION 129731, directing Notice Inviting Sealed Proposals for furnishing electric current in El Cajon Boulevard Lighting District 1, for 1 year from and including December 1, 1955, to and including November 30, 1956, was on motion of Councilman Williams, seconded by Councilman Williams, seconded by Councilman Kerrigan, adopted.

*RESOLUTION 129730, approving plans, drawings, typical cross-sections, profiles and specifications for grading and sidewalk on Thorn Street, between east line of 60th Street and east line of Redwood Village Unit 3; approving Plat 2792 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129732, directing Notice Inviting Sealed Proposals for furnishing electric current in Logan Avenue Lighting District 1, for 11 months and 16 days from and including November 16, 1955, to and including October 31, 1956, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129733, directing notice Inviting Sealed Proposals for furnishing electric current in Montemar Lighting District No. 1, for 11 months and 15 days, from and including December 16, 1955, to and including November 30, 1956, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION for closing portions of Bandini Street, was listed on the agenda.

On motion of Councilman Williams, seconded by Councilman Evenson, it was continued 1 week - to November 22, 1955.

RESOLUTION OF PRELIMINARY DETERMINATION 129734, for paving and otherwise improving Alley Block 36 Fortuna Park Addition, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129735, for paving and otherwise improving Alley Block 9 Wilshire Place, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129736, for grading and sidewalk portion of Thorn Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129737, appointing time and place for hearing protests, and directing notice of hearing, for electric current in El Cajon Boulevard Lighting District No. 2, for 1 year from and including March 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129738, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Talmadge Park Lighting District No. 3, for 1 year from and including March 1, 1956 to and including February 28, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129739, appointing time and place for hearing protests, and directing notice of hearing, for electric current in Talmadge Park Lighting District No. 1, for 1 year from and including March 1, 1956 to and including February 28, 1957, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129740, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street, and Public Right of Way, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129741, ascertaining and declaring wage scale for paving and otherwise improving Newton Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129742, ascertaining and declaring wage scale for sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street and Public Right of Way in Lots 14 and 15 Encanto Park Addition to Encanto Heights, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129743, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, Resolution of Intention 121777; 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, seconded by Councilman Evenson, adopted.
/Kerrigan,

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RESOLUTION 129744, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Hugo Street, Resolution of Intention 127129, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129745, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Ozark Street, Imperial Avenue, Public Right of Way in Lot 42 Ex-Mission Lands of San Diego (Horton's Purchase), Resolution of Intention 126852, and to be assessed to pay expenses thereof, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129746, adopting recommendation of City Engineer, Document 523827; authorizing City Engineer to amend proceedings for improvement of Celia Vista Drive, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129747, directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected by and benefited by and to be assessed to pay costs, damages and expenses of paving and otherwise improving Shasta Street and Crown Point Drive, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129748, granting David G. Fleet permission to install sewers in portion of Gage Drive and easement in Lot 6 Fairlawn Subdivision by private contract, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129749, authorizing Street Superintendent to grant Callahan Bros. a 60-day extension for completion of contract for improvement of Alley Block 44 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41, portions of Acre Lots 16, 37, 45, 46, and Blocks 150 and 151 Pacific Beach, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129750, authorizing Street Superintendent to grant a 45-day extension of time for completion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teraltay, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129751, authorizing Street Superintendent to grant 45-day extension of time to Callahan Bros. for completion of contract for improvement of Alley Block 31 University Heights, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

In connection with the next Resolution, Councilman Kerrigan said a 1911 Act proceeding for paving has just been finished - now the City wants to prohibit parking on it.

RESOLUTION 129752, prohibiting parking of automobiles between 7:00 a.m. and 9:00 a.m., Saturdays, Sundays and holidays excepted:

The east side of 70th Street, between El Cajon Boulevard and Amherst Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 129753, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 4 locations, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 129754, accepting bid of Morgan S. Rice for Lot 14 Block 39 Seaman and Choates Addition - at auction held November 3, 1955 - stating that he submitted the only bid for the property, to wit: \$900.00 which is minimum amount which Council fixed for sale of the property; authorizing and empowering Mayor and City Clerk to execute for and on behalf of the City a quitclaim deed; authorizing and directing Property Supervisor to place deed in escrow, with directions that it be delivered to the successful bidder when all escrow instructions have been complied with; directing the Property Supervisor, upon completion of the sale to return to Morgan S. Rice the deposit of \$200.00 heretofore made by him pursuant to Section 22.0904 of San Diego Municipal Code, all expenses to be deducted from proceeds from the sale, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

In connection with the next proposed Resolution, Councilman Evenson asked what it is.

The City Manager replied that it is a Wherry project.

RESOLUTION 129755, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Bayview Village, Inc., No. 1, a Delaware corporation, and Bayview Village, Inc., No. 2, a Delaware corporation: Care Centex Construction Co. Inc., PO Box 724 National City, California, developers of housing project known as Bayview Hills (Wherry Housing Project), providing for installation of water mains and appurtenances larger than necessary for housing project, including pipeline from Otay Pipeline to La Canada Street, via storage tank, on Munda Drive from intersection of Munda Drive and Saipan to Alleghany Street and thence on Alleghany Street from Munda Drive to Sea Breeze Drive, and special meter boxes therefor, installed at request of City, and for reimbursement by City to developers of \$16,462.96, for difference in cost of City-requested installation, upon execution and delivery to the City of Quitclaim Deed conveying to the City all of the right, title and interest of developers in and to water distribution system in Bay View Hills Wherry Housing Project, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

The City Manager was asked to comment on the next proposed Resolution. He said that it is still in the experimental stage, but operation is successful.

RESOLUTION 129756, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract with LaSalle Trucking Company for Hauling of Sewage Treatment Plant sludge for period of 8 months, November 1, 1955, through June 30, 1956:

Hauling to City-owned property in Tijuana Valley @	\$0.005 per gallon
Hauling to Mission Bay area.....	.005 per gallon
Hauling to Torrey Pines area.....	.007 per gallon

in accordance with offer embodied in letter dated November 9, 1955, to City Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 129757, approving Change Order 1 dated October 31, 1955, filed with City Clerk as Document 524242, issued in connection with contract between The City of San Diego and Cameron Bros. Construction Co. for construction of B Street Storm Drain, contract Document 518882; changes amounting to increase in contract price of \$357.40, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129758, 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 unnumbered tracts of land in First Addition to South La Jolla, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129759, 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 Unnumbered Tract of Land in First Addition to South La Jolla, together with all penalties and other expenses in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129760, 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 Unnumbered Tract of Land in First Addition to South La Jolla, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129761, granting revocable permit to B. L. Brewer, 707 25th Street, San Diego, to install and maintain 200 feet of 1" G. I. water line for use and benefit of owner's property: Lot 2 Block 21 Roseville - 3340 Byron Street; in Byron Street from intersection of Byron Street and Willow Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 129762, granting George B. Wright, 822 West Montecito Way, San Diego 3, to connect new sewer to serve constructions at rear of 4161 Goldfinch Street: Lots 9 and 10 to existing sewer serving buildings at 822 West Montecito: Lots 11 and 12 Block 27 Arnold and Choates Add., 4 lots being in 1 ownership; requested because there is no sewer in Goldfinch or Montecito to which private lines could be connected, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

In connection with the next Resolution, the City Manager and City Attorney explained to the Council that the Public Utilities Commission has its own rules, to which the Council has to conform.

RESOLUTION 129763, authorizing Mayor of The City of San Diego to prepare and submit to Public Utilities Commission of State of California all applications of The City of San Diego for allocations from Crossing Protection Fund and all requests for reimbursement for grade crossing protection projects; repealing Resolution 126538, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution says that 1953 Legislature by Statutes 1953, Chapter 1739, appropriated \$500,000. from State Highway Fund to Public Utilities Commission for allocation by the Commission to cities, counties, and cities and counties, on basis of need as determined by the Commission to assist them in paying their share of cost of constructing grade crossing protection work; that the Commission on January 18, 1954, issued Commission Order 49565 as amended, establishing procedures to be followed in requesting allocations from Crossing Protection Fund.

In connection with the next Resolution, the City Attorney explained that it has to do with Federal condemnation on the Silver Strand (current state park for portion of Amphibious Base). He said that the City is disclaiming any interest, on account of an obscure State law.

RESOLUTION 129764, authorizing and empowering City Attorney to enter into and execute stipulation consenting to entry of judgment of condemnation in action entitled "United States of America, Plaintiff, v. Certain Lands in the County of San Diego, State of California, et al., Defendants", being a consolidated action of cases in United States District Court, Southern District of California, Southern Division, Nos. 120-SD, 540-SD, 1516-SD, and 1530-SD, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

A proposed Resolution was presented. The City Manager said that it was the "same as last Monday", but asked for substitution of Martin Bouman, Traffic Engineering Department, for Harry C. Haelsig (Planning Director) inasmuch he had to attend a Planning Commission meeting.

RESOLUTION 129765, authorizing O. W. Campbell, City Manager, and Martin Bouman, of Traffic Engineering Dept. to go to Sacramento, California, for purpose of attending State Highway Commission to be held November 16, 1955, to present matters pertaining to The City of San Diego; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

In connection with the next proposed ordinance, the City Manager explained that the City had sold land - as water property. He stated that it is "an accounting step".

Councilman Schneider asked if the City can sell off acreage.

The City Manager's reply was "yes; if the Council approves".

Paul Beermann, Director of the Water Department, identified land as being north of San Diego River - sold over 5 years ago. He said it is an accumulation of parcels.

The City Manager spoke of the Council approving several steps on each sale.

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

ORDINANCE 6745 (New Series), appropriating \$32,971.22 out of Capital Outlay Fund (Fund 245-2) and transferring same to Water Department Fund, for reimbursing Water Department for expenditures made in connection with installation of Small Water Main Replacements, Group 20, was on motion of Councilman Kerrigan, seconded by Councilman Williams, was adopted, by following vote: Yeas-Councilmen Schneider, Kerrigan, Curran, Evenson, Williams. Nays-None. Absent-Councilman Burgener, Mayor Dail.

The City Manager was asked, in connection with the next ordinance, if it is a City payment.

The City Manager replied that it has been approved for City payment.

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

ORDINANCE 6746 (New Series), appropriating \$6,300.00 out of Capital Outlay Fund for construction of storm drain in La Jolla Boulevard, between La Canada and Camino De La Costa, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Schneider, Kerrigan, Curran, Evenson, Williams. 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 Council prior to day of passage a written or printed copy.

ORDINANCE 6747 (New Series), Ordinance appropriating \$5,200.00 from Capital Outlay Fund for installation of Safety Lighting System at intersection of Fairmount Avenue and Montezuma Road, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Schneider, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

On motion of Councilman Evenson, seconded by Councilman Curran, ordinance changing name of portion of Meade Avenue between Tarragona Drive and Carling Drive to Carling Way, was introduced, by following vote: Yeas-Councilmen Schneider, Williams, Kerrigan, Curran, Evenson. Nays-None. Absent-Councilman Burgener, Mayor Dail.

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

Paul Beermann, Director of the Water Department, spoke of sale of bulk water having been granted to George W. Scott. Mrs. Scott, according to Mr. Beermann, wants to work out the finances. (Mrs. Scott appeared in this matter, since Mr. Scott had passed away recently.

Questioned by Councilman Kerrigan, Mrs. Scott answered questions put by him. There was discussion between them.

Answering Councilman Kerrigan, Mrs. Scott said she has 8 rentals.

Councilman Kerrigan apologized to Mrs. Scott for comments he had.

Councilman Evenson moved to approve the proposed resolution. Motion was seconded by Councilman Kerrigan.

Councilman Schneider asked if this would be the last request.

Mrs. Scott answered that she hoped so - and left the meeting immediately.

RESOLUTION 129766, authorizing the Director of the Water Department to sell to Mrs. George W. Scott, 4506 Delta Street, a bulk supply of water in an amount not to exceed 1600 hundred cubic feet, at the rate of 50 cents per hundred cubic feet; water to be furnished in addition to supply heretofore authorized to be furnished by Resolution 128512 adopted September 15, 1955, and by Resolution 129101 adopted October 11, 1955 - cost of water to be paid in advance, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

The City Attorney requested, and was granted, unanimous consent to present the next Resolution, not listed. City Attorney J. F. DuPaul told the Council that it was regarding the subject discussed last Thursday regarding interim hearing in Long Beach. He read in its entirety the proposed resolution. He said it has been reviewed in detail.

RESOLUTION 129767, authorizing and directing the City Attorney and such of his staff as he may select, if possible, an opportunity for an early appearance before interim committee of the State Legislature relative to bill which by its terms transfers 50% of all of revenue derived by City of Long Beach from extraction of oil from tidelands fronting said City, theretofore granted to the City by the State of California, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The resolution states that the Council is advised that the committee is interested in knowing how other cities throughout the state feel about proposed legislation, and that the Council feels that The City of San Diego's position with the legislation should be presented to the committee at such convenient time and at such hearing as may be called in the near future.

The studies are concerning the Allen Bill pending. Authorization is made for then and there testifying as to attitude of administration of City of San Diego with respect to adoption of such legislation, and that such testimony should present objection of The City of San Diego as a municipal corporation to the type of legislation upon the theory that it will adopt a policy which may be followed with respect to tidelands now being developed, maintained and controlled by other cities throughout the State of California, and that it would be detrimental to The City of San Diego if the city in the future be deprived of its development of tidelands and waterfront or the revenue derived therefrom.

The Resolution states that if the meeting of the interim committee is held at a place other than The City of San Diego, the City Attorney and his assistant shall be authorized to incur all necessary expenses in connection with their attendance at the hearing.

Councilman Schneider announced that Council members were to attend a luncheon at the zoo today. He polled the Councilmen to see who could attend.

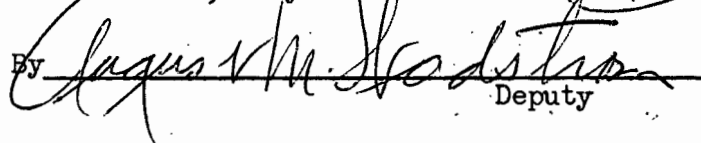
The agenda called the Council's attention to a meeting of San Diego County Division, League of California Cities, to be held at the Colonial Inn, 314 North Pacific Street, in Oceanside, California, on Friday November 18, 1955 at 7:15 P.M. It stated that Robert W. Tuttle, Jr., Executive Secretary, State Alcoholic Rehabilitation Commission, would speak on "Relationship between Alcoholic Rehabilitation Commission and Cities".

There being no further business to come before the Council, the Chairman declared the meeting adjourned at 11:45 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, November 17, 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 104

The hour of 10:00 o'clock A.M. having arrived, the next item was taken up at this time, out of order - inasmuch the hearing was not conducted November 10 as scheduled, due shortness of time on account of other lengthy hearings.

The Mayor said that permission has been granted to hear Mr. Kaufmann.

Mr. Kaufmann presented Lt. Charles Kidd, USN, Clairman of the Traffic & Safety Committee of Clairemont Town Council. He told the Council that he was here asking for a correction. He passed around Clairmont circulars. He said the street (Shawnee) was opened in the Spring of 1953 - a residential street. He related a series of accidents, which he described, in: December, 1953; June 12, 1954; November, 1954; January 9, 1955; February, 1955. Lt. Kidd told of complaint which had been filed with the Traffic Engineer, who made a survey and posted signs and painted double white line around the curb. Then, he told of further accidents: September 16, 1955; September 18, 1955. He said they all occurred within 200-foot strip of the residential street. He told of having had another meeting with the City Engineer. He said Mr. Reading (Traffic Engineer) stated that he did not believe reflectors would help, since it appears that drivers aim right at them. He said they have been installed since that time, however. He stated that Capt. Fogg, the City Engineer, had said that the problem is that the street was not designed to carry the traffic that it carries. He told of work going on for 2 other Clairemont access streets. He declared that the accidents are not caused by the heavy traffic. He told of a resident across the canyon - 1/4 mile away - who complains of screeching brakes at night. Lt. Kidd told of children being unsafe in front yards; 3 people have sold, just to get away. He said there are ample skid marks as evidence of dangerous curves. He stated that radar checks have been conducted - but not at night. He said that if check were made between 10:00 and 12:00 at night, speeders would be found. He suggested 3 steps to correct the situation: correct the contour of the street; install dips or bumps with adequate warning; install stop signs at Sumter (2 way). He said that the Council would be welcome to come to his open home to check on the situation, at 3435 Shawnee Road. He said that steps taken are what would be taken on an "open highway". Lt. Kidd said, again, that it is a residential street. He stated that drivers are familiar with the street - with 1 exception. He contended that warning signs have no effect. He said that if Baker Street is changed, it might be of interest to continue Dakota. Lt. Kidd filed a little slip on which he had written "steps suggested").

Mr. Kaufmann presented Mrs. Richard Fenn, who told the Council she has had 3 of the accidents, 1 of which demolished her car. She said has no children, but she saw a child on the sidewalk trying to get out of the way. She said that the City must take care of the children.

Mr. Kaufmann said the collisions "occurred in 20 feet". She stated that Balboa is being extended into Clairemont. He said he wants this traffic slowed down.

RESOLUTION 129768, referring to Council Conference suggestions made by Lt. Charles Kidd, USN, made at the meeting of November 17, 1955, suggesting the following steps be taken by the City in connection with traffic situation on the 3400 Block of Shawnee Road (in Clairemont):

1. Correct contour of street
 - (a) It is now "level" if you discount crown in middle;
2. Dips or bumps at Sumter and Chicago, with adequate warning
3. Stop signs at Sumter (2-way),

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

Meeting convened

Verbal presentation re traffic situation on Shawnee St. in
Clairemont (out of order)

129768

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on proposed annexation of "South Bay Area Tract", Mayor Dail pointed out that this is a continued hearing, and that the City of San Diego did not institute the annexation, but that the City will facilitate and negotiate. He stated that the City has a neutral attitude, and will adhere strictly to the law. The Mayor said that there are several protests, but they apparently are not sufficient (to stop the holding of an election). He asked for new material, and for not repetition of what had already been presented at the first hearing.

The Mayor recognized Earl A. Mansell, whom he identified as the Mayor of Chula Vista.

Mr. Mansell said that he is the Ex-Mayor, and a member of the City Council. He protested the "bay corridor", and told of San Diego having said it was not ambitious. He questioned the legality of the "bay corridor", and said there is effort to create a Port Authority. He said he feels that Chula Vista will be gypped on any dedication. He reviewed past actions, and contended that Chula Vista "is entitled to consideration".

When there was a burst of applause at the end of the presentation, Mayor Dail announced that this is not a popularity contest, and not an arena for applause. He stated that the Council will judge the proposal on its merits.

Louis deRyk Millen, of Coronado, presented a letter signed by 16 residents of Coronado, which he read and filed for the record. He showed a map of the area in which Coronado residents are interested. He told of being the president of the Strand Realty Co., which has an active office in Imperial Beach-Palm City area, as well as 2 larger offices in Coronado; is publisher of Coronado Directory and has partly compiled the first edition of the new Imperial Beach-Palm City-Nestor Directory which will make its appearance soon. He said he was a member of Coronado Planning Commission for 17 years, part of which he served as chairman. He told of activities, which have included study for annexation of Imperial Beach to Coronado. Mr. Millen said that the area could best be served by actions of home rule. He said that it would be greater, in annexation than Coronado, which would be like to tail wagging the dog. He expressed the belief that it would be unfair to lump the property together with San Ysidro and ranch acreage intervening, without giving Imperial Beach opportunity to decide whether it favors a corporate city of its own. He filed the statement.

E. M. Hayes read a letter which he said had been received by the Council. He did not file it.

Raymond G. Fair, of Imperial Beach, president of Imperial Beach Merchants' Association, told the Council that many have built, and are trying to "make a go of it". He said if property is annexed, they cannot exist under the tax load. He said that the Council has the privilege if annexation proceedings are conducted, to continue, or throw out.

The Mayor asked Shelley J. Higgins, Assistant City Attorney, if the statement was right.

Judge Higgins replied "correct".

Mr. Fair said that most of the Imperial Beach people are opposed (to the annexation to San Diego).

C. W. Perry, of Palm City, declared that it is illegal, on account of San Francisco having been defeated by the Supreme Court in attempting to extend a corridor. He spoke of areas being contiguous and adjacent, which he declared Imperial Beach is not - not adjacent or close by. He said it (presumably the corridor) goes through 3 cities. He said that the Flag, to which he pointed, was created by people who objected to taxation without representation. He contended that they would get no representation, and only 40% of services. Mr. Perry said that it might be unlawful for the Council to get an election. He said that the majority have their own problems, which they want to solve. He said they are going to try - if they have to go to the Supreme Court of the United States.

T. C. Macaulay, Imperial Beach, read a statement regarding the hearing of November 10, 1955. He said that there has been a variance of what the City Attorney said (then). He said petition represents 1500 persons, owners and taxpayers on some 2000 parcels of property seeking exclusion from annexation. He told of 70% of home owners, active or retired people who served in time of war who live in Imperial Beach. He said it is putting over annexation, over men who defend their country, which would be the worst advertising San Diego could have. He said proceedings should be terminated. He spoke of 29% assessed area in 15 years. Mr. Macaulay said it would mean the disenfranchisement of people. He said people are moving out of urban areas to suburban areas, because they like the privileges of the suburbs. He said the Council would only be doing its duty to 1,500 citizens when it terminates proceedings. He filed his statement.

Comdr. Bowers, of Imperial Beach, told the Council that he is not in favor of the annexation; he is against it. He said he cannot fail to realize that the Council should do the will of the people regarding the last Thursday hearing.

Mr. Macaulay said that Comdr. Bowers had been there the last 25 years.

Councilman Schneider moved to close the hearing.

Mayor Dail read a statement regarding the hearing, consideration which would be given to supplemental protests of property owners filed within 10 days from today. The statement says that on November 22 there will be introduced in the Council an ordinance calling a special election in the area to consider the proposition of annexing to the City of San Diego. It says that ordinance shall not be effective, however, if within the 10 days supplemental protests are filed which, together with those heretofore filed, show that protests are made by owners of one-half of the value of territory proposed to be annexed as shown by last equalized assessment roll.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Mayor's prepared statement was made a part of the record.

Mayor Dail stated that the hearing is closed.

At 10:47 o'clock A.M. the Mayor declared a 5-minute recess.

The Council reconvened on schedule. The roll call was the same as shown at the beginning of the meeting.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Dr. John T. Westwood, owner, from the decision of the Board of Zoning Adjustment in denying by Resolutions 9190 and 9191 request of Dr. John T. Westwood, owner, and H. H. Peterson Construction Co., lessee, to operate contractor's office and storage yard on southerly 105 feet Lot 5 E. W. Morse Subdivision, on west side of Sixth Street Extension, in Zone R-1A, and to erect a 6-foot high chain link fence in front setback area, the "Finding of Facts" which had been read to the Council on November 3, was read again by the Clerk.

Councilman Kerrigan said that the hearing had been continued so that there might be 7 members of the Council present (there are 6 present today).

Louis Karp, attorney, who appeared for the appellants at the first hearing, was heard again. He analyzed on the basis of the report the statement that property is not suitable for residences. He said the hearing had been continued because of the number present. He said that because the adjoining yard is unsightly the City proposes to deny this application. He said no answer had been given to "what is more suitable". He identified property as 5 acres in the flood area, which he said is not suitable for residences. He said the owner wants to use the 5 acres for storage. He said that would be similar to other uses in the area. He said it would be necessary to spend a few thousand dollars for fences. Mr. Karp said there is protest, but there is approval. He stated that Dr. Hippen had said that the proposal would be a detriment. He passed around photographs and showed drawing. He said the property is in the river bottom - approximately 20 feet below the road. He continued showing photos. He stated that the only way the property can be seen is by coming down from Clairemont, and then one would have to violate the law to see it. He showed additional photos. Mr. Karp spoke of having prepared a plot, which he passed around. He said that Dr. Westwood says the property is 1-1/2 acres - not 5. He said that the request for the 5-year use is like other similar uses in the area. He contended that the request is not unreasonable.

Will Hippen, president of the Mission Valley Improvement Association, spoke. He told of having a petition signed by 75 residents and property owners of Mission Valley. He read, and filed the petition. He showed to the Council a newspaper picture of the garden hotel which is to go in across from the property in question. He also showed an advertisement for Allied Gardens.

Councilman Schneider spoke to Mr. Hippen about no changes.

Mr. Hippen said that his group does "not object to all changes". He spoke of Mr. Karp having told of several uses that could be made of the property. He had a map of petitioners' property, signed against the request. He showed it to the Council. He said he has one of the finest training stables in San Diego on 2 acres of ground in the Valley. He identified on a map the protestants. He said if the City should permit such uses west of (Highway) 395 it would jeopardize beautifying the Valley. Mr. Hippen said that a man who owns property on Friars Road is afraid of such things, so he would not be able to put in a subdivision. He stated that the Council has traditionally gone on record to keep out industry west of 395.

M. H. Golden told the Council that he has appeared in support of zone variances in regard to the Caudell & Johnson expansion, but he "is here protesting below 395". He stated that his company owns 20 acres south of the property in contest today. He referred to being impressed by the Planning letter. Mr. Golden stated that there is only 1. small strip of deep river between the river and his property. He said he knows about the contractor's yard (Mr. Golden is a contractor) which is overcrowded and which they want to move. He said he would not insult people like the Town & Country Hotel by putting in a contractor's yard on the acreage to which he referred. He said it is not residence property, but it was zoned for residences when he bought. He said that it will be built up in a suitable manner. Mr. Golden said that he does not want more contractors' yards, and that he will not clutter up his own property.

Ward Jaques told the Council he owns the property north of the property in question. He said he resents the statement of the Westwood representative. (Mr. Karp had made comments about the Jaques' property as he passed around photos). He stated that the property is "going on, and be remodeled". He said that it will be in conformity with the wishes of Mission Valley property owners, and of owners of property overlooking the Valley, and the R-1A Zone. Mr. Jaques stated that it will be a park-like atmosphere. He said it is not in the river bottom; it is high and dry. He stated that there are no floods on the property - even after heavy rains. He said he bought the property on account of an article in the San Diego Union regarding bridle paths. He said he owns horses, and that his children participate in horse shows. He said he will not permit crossing (by horse) of highways, and as a result, they ride in the Park now. Mr. Jaques stated that "bridle paths in Balboa Park are being chopped up". He said he bought regarding trail facilities, and because of not having to cross highways. He stated that he intends to construct a residence on the property, which he declared to be safe except from major floods. Mr. Jaques identified himself as secretary of the Mission Valley Improvement Association. He stated that the Association does not oppose every variance, but it is proposed to maintain Mission Valley as a residential and recreational area. He said that there is the possibility of a recreational area in the center of the City. He said there should be no further industry west of 395; trails should be continued. Mr. Jaques stated that this area has thousands of privately-owned horses; and they should be permitted to continue. He said that there is no delinquency where there is riding. He said (refuting statement of Mr. Karp) that every day he can see the property on which the proposed project would go, from the highway - without violating the law.

Councilman Schneider spoke to Mr. Jaques regarding detriment.

Mr. Jaques replied that it would ruin the area if a contractor's yard were installed.

Councilman Williams asked Dr. Westwood how long he had owned the property. After consulting with Dr. Westwood, Mr. Karp replied "6 years".

Councilman Williams pointed out that the property existed as R-1A when bought.

Mr. Karp said that the owner can't find a use for the property. He said Mr. Jaques failed to point out that he is across Griffith's tremendous yard, and that the new hotel would be south of Highway 80.

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Evenson.

Fred Landgraf, who lives in Mission Heights, stated that there is 2 million dollars worth of property in the area overlooking the site. He said it would be injured, and that he protests the variance.

Jim Holladay told the Council that at a Board meeting (Mission Valley Property Owners' Development Association, of which he is president), it was thought that the variance would be in line with the policy, and that the temporary variance would be an improvement. He stated that he is in favor of the variance.

At this point, the Mayor declared the hearing closed, in accordance with the motion.

RESOLUTION 129769, overruling and denying appeal of Dr. John T. Westwood, owner, from decision of Board of Zoning Adjustment in denying by Resolutions 9190 & 9191 request of Dr. John T. Westwood, owner, and H. H. Peterson Construction Co., lessee, to operate contractor's office and storage yard on southerly 105 feet Lot 5 E. W. Morse Subdivision, west side of Sixth Street Extension in Zone R-1A, and to erect a 6-foot high chain link fence with extension arms inside, in front setback area; sustaining the decision, was on motion of Williams, seconded by Councilman Schneider, adopted.

Petition of Francis E. Sandstrom requesting special plumbing permit at 6501

Goodwin, Lot 10 Block 63 Linda Vista, was presented.

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

Report of Purchasing Agent on low bid of William H. Clint for installation of 54th Street 12" A.C. Pipeline from Collier Avenue to Montezuma Road - \$14,955.90; 5 bids - was presented.

RESOLUTION 129770, accepting bid of William H. Clint for Installation of 54th Street 12" A.C. Pipe Line from Collier Avenue to Montezuma Road; 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 on low bid of W. V. Hutchison Company, Inc. for Small Water Main Replacements, Group 24 - \$35,759.70; 3 bids - was presented.

RESOLUTION 129771 accepting bid of W. V. Hutchison Company, Inc. for Small Water Main Replacements, Group 24; awarding contract, authorizing and directing City Manager of The City of San Diego 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 on low bid of Dave Martin Building Materials for furnishing Vitrified Clay Pipe and Bends for 3 months, November 20, 1955 through February 19, 1956 - at unit prices on 4 items set out in detail in report - 4 bids - was presented.

RESOLUTION 129772, accepting bid of Dave Martin Building Materials for furnishing Vitrified Clay Pipe and Bends for period of 3 months; awarding contract, authorizing and directing City Manager of The City of San Diego 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 Evenson, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent on bids for furnishing approximately 40,000 lbs. Powdered Activated Carbon (to be used for taste and odor control) - recommending award to the Los Angeles Chemical Company (not the low bidder), was presented. The report says, however, that it was the lowest bid when evaluated by the phenol removal method. It states that the Director of Water Department concurs in the recommendation.

RESOLUTION 129773, accepting bid of Los Angeles Chemical Company for furnishing approximately 40,000 lbs. Powdered Activated Carbon @ \$11.75 per cwt., plus Sales Tax; awarding contract, authorizing and directing City Manager of The City of San Diego 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 Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, submitting Resolution authorizing bids for furnishing 1 Motor Grader - which had been continued from time to time - was presented. The City Manager asked, after motion had been made to continue another week, that the item be referred to him.

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

RESOLUTION 129774, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Installation of Street Lighting System on Byron Street and Yacht Harbor Drive, Document 524287; 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 129775, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Improvement of Cedar Street between 31st Street and Edgemont Street, Document; 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 Purchasing Agent, approved by City Manager, reporting on 2 high bids for sale of surplus used furniture and scrap metal - \$2,149.30 received and deposited with City Treasurer - was presented.

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

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Final Record of Survey Map in Bird Rock Addition, Block 11 Lots 14 & 15, was presented.

RESOLUTION 129776, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of The San Diego Municipal Code - Lots 14 and 15 Block 11 Bird Rock Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from City Engineer, addressed to City Manager, recommending acceptance of work in Clairemont Villas Unit 3 Subdivision, was presented.

RESOLUTION 129777, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Villas Unit 3 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Harry C. Haelsig, reporting on the proposed Health Center, was presented. It states that the Commission continued consideration to meeting of Wednesday, November 2, at which time Dr. Askeu (Health Officer) and Mr. Bodmer (Architect) presented additional plans and studies. It says that the Planning Commission after considerable discussion of problems involved as to off-street parking, compatibility of separate building on north parking lot, and possibility of developing a wing on the northwest corner of the present City-County Administration Building, recommended that the Health Center Building be located as a wing on the west side of the County portion of the City-County Administration Building. It says that the Commission was not desirous of taking action at the meeting (November 10), but because the 40 days time limit in State Planning Act was soon to expire, which would mean automatic approval of the building on the north parking lot, the Commission did act with thought that if further developments took place at suggested conference between the Commission and the Council on November 10, their recommendation could be amended. The communication states that at the Workshop Meeting with the Council on November 10, additional sketches were presented showing possibility of adding a 3-story wing to the Administration Building. It states that the advisability of a 3-story wing to obtain the necessary 48,000 square feet, cost of foundations, compatibility of design and necessity for the Health Department to be located at the Civic Center, and the future expansion of other administrative units was rather thoroughly discussed. The report recites that it was the conclusion of the 5 members of the Planning Commission who were present, that the construction of the Health Center should be on a separate site rather than located on Civic Center grounds.

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

Communication from Planning Commission, by Harry C. Haelsig, reporting on proposed Tentative Map of Romero Heights, a 2-lot resubdivision of Lot 6 Block C La Jolla Country Club Heights, located on westerly side of Romero Drive between Brodiaea Way and Romero Court within R-1 zone, was presented. It gives a detailed report on the present development and the proposed division. It states that the Commission held a hearing July 27, 1955, to consider the tentative map; there was opposition from adjacent owners in that they felt proposed lots were too small and not in keeping with sizes in the area which range from 7700 square feet to 29,000 square feet - average being 12,000 to 14,000 square feet. It says 7 letters were received in favor; 3 letters and petition of 21 signatures opposed. It recommended denial.

On motion of Councilman Schneider, seconded by Councilman Evenson, it was continued to Tuesday, November 22.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Southclair Terrace Unit 2, subject to posting adequate bond to insure installation of required improvements, unless required improvements have been installed and approved by City Engineer, was presented.

RESOLUTION 129778, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Walton Development Co., a California corporation, for installation and completion of unfinished improvements and setting of monuments required for Southclair Terrace 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 Evenson, adopted.

RESOLUTION 129779, adopting Map of Southclair Terrace Unit 2 Subdivision, subdivision of portion of Pueblo Lot 1191; accepting on behalf of the public Cowley Way, Lister Street, portion July Street and unnamed easements shown for public purposes; declaring them to be public streets, portion of public street and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; directing Clerk of the City to transmit Map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Application of Patrick Wm. Rose and Frank A. Giglitto, 2244 Bacon Street; for Class "C" Dine & Dance license at Caporicci's, 2244-52 Bacon Street, was presented, together with recommendations from interested City departments.

RESOLUTION 129780, granting application of Patrick Rose & Frank Giglitto for Class "C" Dine & Dance License to conduct public dance at Capriccis', 2244 Bacon Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent, approved by E. W. Blom, Assistant City Manager, reporting on request for closing Alley Block 45 Paradise Hills Unit 3, was presented. It says alley is entirely unimproved, and contains no utility services, and not required for future sewers or drains. It points out that First Lutheran Church of National City is owner of Lots 4 through 10, and 13 through 18, on both sides of the alley; and that closing would allow development as a unit. It says property owners in Block 45 have dedicated additional street width for Morningside Street, Deauville Street and Reo Drive, as recommended by Planning Commission. It recommends closing portion from northerly line of Calle Arriba to line parallel to and 10 feet southerly of southerly line of Deauville Street.

RESOLUTION 129781, adopting recommendation of Street Superintendent for closing portion Alley Block 45 Paradise Hills Unit 3; 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 Curran, adopted.

Communication from Civil Service Commission, by Wm. P. Elser, president,

recommending amendment to 1955-56 Salary Ordinance, to include Retirement Officer, Rate 25 \$438 - \$532, was presented. It states that creation of the class will provide a full-time manager to administer affairs of City Employees' Retirement System, and that salary level is in keeping with comparable management positions in other City operations. The report says it is necessary to create the class in order to recruit a manager to assist in installing the anticipated change in the retirement system. It says the creation of the class was requested by the Board of Administration and has been approved by office of City Manager and City Auditor and Comptroller.

RESOLUTION 129782, referring to Council Conference communication from Civil Service Commission re position of Retirement Officer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Paul R. Stevenson, president, Stevenson's Department Store, La Jolla, requesting permission to appear at this meeting in connection with ruling of Chief of Fire Department re proposed Christmas decorations on outside of store at 7877 Girard Avenue, was presented.

Mr. Stevenson told the Council that on October 11 he requested permission to decorate his store for Christmas. He said he was notified that request was approved - but it bogged down in the Fire Chief's office. He said it was suggested that he talk to Capt. Franklin of the Fire Department. He said that Capt. Franklin, in the opinion of the Chief, would have difficulty in turning down other requests when they comply. He said that Capt. Franklin had stated that decorations would have to be non-inflammable. Mr. Stevenson said that he was going to have it certified after work done. He said that Capt. Franklin would not state what material should be used in the decoration; the Chief said that no trees would be permitted. He spoke of having gone to expense for purchase and erection. He said that decoration would be erected on a fire wall above a steel marquee. He declared that the position of the Fire Chief is unfair. He spoke of decoration which had been made downtown - without permit - but which was taken down. He said that now there are to be figures on the Jordan Marsh store (the downtown store referred to). Mr. Stevenson said that his store had started the program for Christmas in La Jolla. He said he would comply with the ordinance.

Al Penrose, Asst. Chief of Police, spoke for Fire Chief Courser who was not in the city. He said that the exceptions the Chief had taken was regarding marquee over public property, as well as trees on marquees. He stated that combustible materials are not approved - even if made fire-retardant. He read an unidentified paper regarding partial treatment. Chief Penrose stated that Chief Courser does not want to curtail Christmas decorations, but opposes inflammable trees on marquees. He said some other things would be approved. He spoke of trying to set up a policy regarding Christmas decorations. He said that when it is on private property, it is different; but when on a marquee over sidewalk it is another matter. He said it is not the intention to prohibit decorations on marquees - it applies only to Christmas trees.

Councilman Schneider spoke to Chief Penrose regarding effective inflammability.

He said that it would be noninflammable in the open ; there is 1 display in La Jolla, not on a marquee.

Mr. Stevenson said that the La Jolla decoration hangs over the library.

Councilman Williams spoke to Chief Penrose regarding flame proofing trees, and the elements.

Chief Penrose said that when 1 tree is allowed, someone else may want 20 trees - or 25 trees. He said that on the Jordan Marsh decorations there would be no trees.

Capt. Sidney Franklin, Fire Department, said there would be rubber figures - not papier mache - and organ pipes (used in the Jordan Marsh decorations).

Mayor Dail said that the trees at Jordan Marsh had been taken down in the daylight.

Chief Penrose said Mr. Stevenson has complied with the permit.

Mr. Stevenson said that the decoration includes reindeer and metal sleigh - the same as Jordan Marsh.

Mayor Dail asked if anything had been turned down.

Chief Penrose's reply was "no".

Mr. Stevenson said he was informed that application had been turned down.

Chief Penrose said that only trees were turned down.

129782

Communication and discussion
re Christmas decorations at Stevenson's, La Jolla.

Councilman Schneider moved that the Chief of the Fire Department permit "what is passed by the Fire Department". Motion was seconded by Councilman Kerrigan, adopted. (Resolution was not written on this, since it is an administrative matter. Telephone call to the City Manager's office revealed that permit had been issued).

RESOLUTION 129783, authorizing and directing City Manager, for and on behalf of The City of San Diego, to execute lease with Silvergate Riding Club (being a new lease to replace a permit), for leasing portion of Balboa Park lying westerly of Park Boulevard, northerly of Date Street and easterly of Balboa Bowl Drive, and being approximately 6 acres, for operating and maintaining public riding academy, club headquarters, and boarding of horses, for 5 years, beginning December 1, 1955, and ending November 30, 1960, at rental of \$250.00 per month and delivery to Park Department of all stable manure; also payment by lessee of \$800.00 at rate of \$15.00 or more per month as compromise settlement for water used under permit dated October 1, 1939, issued to Silvergate Riding Club by Park Department, under form of lease and Property Management Division Plat 154 filed with City Clerk under Document 524405; property has value of \$30,000.00 as disclosed by records of City Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129784, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with San Diego Unified School District for reimbursement by the District to the City of portion of cost of relocating water mains and sewers in Templeton Street and alley closed in Block 4 Chesterton Extension, Document 524406, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129785, making findings and establishing charges in connection with construction of water mains, serving the Camp Callan Area, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129786, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property in Lots 1 and 80 Boulevard Gardens, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129787, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southerly 5.00 feet of 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129788, 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 67 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 Kerrigan, adopted.

RESOLUTION 129789, 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 South Half of South Half of Pueblo Lot 120, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129790, 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 Block 18 Swan's Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129791, granting Doyle Baird Plumbing Co. permission, for owner, Charles Chandler, to install 1-1/2" copper waste lines instead of 1-1/2" cast iron waste lines (Copper to be type "M" in building being constructed at 7980 Dorado Court, La Jolla; subject to conditions of the Resolution, was on motion Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129792, granting Doyle Baird Plumbing Co. permission, for owner, G. R. Schniepp, to install 1-1/2" copper waste lines instead of 1-1/2" cast iron waste lines (Copper to be type "M" in building being constructed at 1015 Newkirk, La Jolla; subject to conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129793, authorizing City Attorney to settle \$114.00 claim of James G. Seveck of Lakeside, California, Document 495335, for \$75.00; directing City Auditor & Comptroller to draw his warrant in favor of James G. Seveck, Rt. #2, Box 743 Lakeside, California in amount of \$75.00 in full settlement of the claim; rescinding Resolution 120307, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129794, denying claim of Paul Joseph Lajiness, Document 520425, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129795, accepting subordination agreement, executed by Continental Assurance Company, an Illinois corporation, beneficiary, and Union Title Insurance and Trust Company, a California corporation, trustee, October 13, 1955, subordinating all right, title and interest in and to easement for right of way for public sewer and appurtenances in portions of Lot 4 Lomas de La Jolla Unit 1; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129796, accepting deed of Russell Segel and Stephanie Segel, November 7, 1955, conveying easement for right of way for public street and incidents in portion Lot 4 Lemon Villa; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion

of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129797, accepting deed of James E. Hagans and Bonnie J. Hagans, September 30, 1955, conveying easement for right of way for public street and incidents thereto, in portion of Lots 18, 19, 20 Block 104 Morena; naming land Hartford Court; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129798, accepting deed of Henry A. Snow and Betty M. Snow, October 3, 1955, conveying easement for right of way for public street and incidents, in portion Lots 15 to 28 inclusive Block 104 Morena; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129799, accepting deed of Donald Stewart and Hilde B. Stewart, October 13, 1955, conveying easement for right of way for public street and incidents, in portion Lots 24, 25, 26 Block 104 Morena; naming land Hartford Court; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129800, accepting deed of Cecelia S. Krause, September 19, 1955, conveying for street purposes portions of Lot 14 Boulevard Gardens; setting aside land and dedicating it to Morena Boulevard and Naples Place; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129801, accepting deed of R. E. Hazard and Bruce R. Hazard, September 14, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 6 Pueblo Lot 1782; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129802, accepting deed of R. W. Kearns and Alberta G. Kerns, October 6, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 5 Pueblo Lot 1782; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129803, accepting deed of The San Diego Unified School District of San Diego County, November 1, 1955, conveying easement for right of way for public sewer in portion Pueblo Lots 1286 and 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129804, accepting deed of William Spencer Stroud and Kathleen

Norah Stroud, October 7, 1955, conveying easement for right of way for public sewer and appurtenances in portions of Lot 4 Lomas de La Jolla Unit 1 and Lot 4 Pueblo Lot 1782; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129805, accepting deed of Clark Dedrick and Harriet Dedrick, November 7, 1955, conveying easement for right of way for storm drain, or drains and appurtenances in portion Lot 2 Block 8 Sunny Slope Addition; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129806, accepting subordination agreement, Henry A. Snow and Betty M. Snow, beneficiaries, and Union Title Insurance and Trust Company, a corporation, trustee, October 21, 1955, wherein they subordinate all their right, title and interest in portion Lots 18, 19, 20 Block 104 Morena; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

ORDINANCE 6748 (New Series) creating positions of Accounting Division Supervisor and Auditing Division Supervisor in Classified Services, and establishing Schedule of Compensation therefor, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-Councilman Curran. Absent-Councilman Burgener.

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

ORDINANCE 6749 (New Series) changing name of Baker Street in Bowman's Terrace to Dakota Drive, 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 Schneider, seconded by Councilman Kerrigan, Ordinance amending San Diego Municipal Code by Amending Section 101.0601 thereof, and by adding thereto a new section to be numbered 101.0601.1, pertaining to Side and Rear Yard Requirements; and regulating percentage of Lot Coverate; repealing Ordinance 1177 (New Series) adopted June 29, 1937, was introduced, by following vote: Yeas--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

The Mayor requested, and was granted, unanimous consent to present bill of Kona Kai Club in sum of \$15.60, covering lunch honoring Congressman Harry Sheppard.

129805 - 129806
6748 N.S. - 6749 N.S.
Ord. introduced
Bill of Kona Kai Club by U.C.

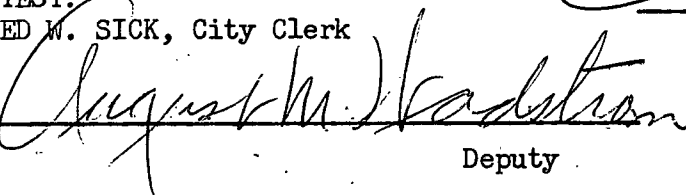
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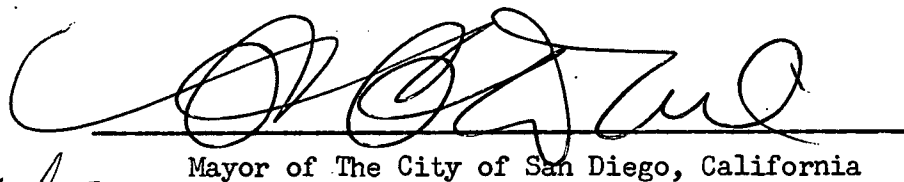
RESOLUTION 129807, approving bill of Kona Kai Club, covering cost of luncheon for Congressman Harry Sheppard in amount of \$15.69; authorizing City Auditor and Comptroller to pay bill out of proper account or fund, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:55 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,
November 22, 1955

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

The Mayor presented Pastor Frank Poole, of the College Center Covenant Church, who gave the invocation.

Councilman Burgener entered

Mayor Dail welcomed the ASB and Social Studies Class from the Pacific Beach Junior High School - some 60 students in number - who attended. Their principal is Henry Batchelder, and their teacher Mrs. Hazelle Leavenworth.

Councilmen Williams and Schneider entered during the welcoming of the school visitors.

Mayor Dail presented awards to the following City employees, honoring their lengthy service:

Fred D. Pyle, Jr., Recreation Leader in the Recreation Division of the Park and Recreation - now District Supervisor in the Southeast and East San Diego areas - 20 years;

August M. Wadstrom - City Clerk's Office - records Council proceedings, and minutes, as well as office routine - 30 years; and a scroll.

The Minutes of the Regular Council Meetings of Tuesday, November 15, 1955, and of Thursday, August 17, 1955, were approved without reading, on motion of Councilman Kerrigan, seconded by Councilman Schneider. They were signed by the Mayor.

The Purchasing Agent reported in writing that 1911 Act bids had been opened November 18, 1955, for improvement of Alley Block 274 Pacific Beach - 4 bids - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, finding was made that bids had been opened as reported. They were referred to City Manager and City Attorney for report and recommendation.

The Purchasing Agent reported in writing that 1911 Act bids had been opened November 18, 1955, for improvement of Commercial Street - Alley Block 317 San Diego Land & Town Co. Add'n., et al - 3 bids - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, finding was made that bids had been opened as reported. They were referred to City Manager and City

Meeting convened
School visitors introduced
Service awards presented
1911 Act Bids reported

Attorney for report and recommendation.

The Purchasing Agent reported in writing that 1911 Act bids had been opened November 18, 1955, for improvement of 63rd Street - 4 bids - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, finding was made that bids had been opened as reported. They were referred to 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 129185 for paving and otherwise improving Gillmore Street, Southlook Avenue, Olivewood Terrace and Ocean View Boulevard, the Clerk reported no protests. None was filed.

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

No one appeared to be heard.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129186 for paving and otherwise improving Alley Block 49 Ocean Beach, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Schneider, 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 129186 for paving and otherwise improving Alley Block 49 Ocean Beach, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Schneider, 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 129187 for paving and otherwise improving San Fernando Street, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Burgener, 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 129188 for grading and sidewalking of Grape, Sultana, 54th Streets in O.D. Arnold's Westwood Hills Unit 2, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Evenson, 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 129189 for paving and otherwise improving Alley Block 23 Ocean Beach Park, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Schneider, 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 Resolu-

tion of Preliminary Determination 129190 for paving and otherwise improving La Jolla Hermosa Avenue, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Williams, seconded by Councilman Schneider, RESOLUTION 129808, determining work to be feasible and finding and determining that public convenience and necessity do not require Special Assessment, Investigation, Limitation and Majority Protest Act provisions.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 129191 for paving and otherwise improving Vancouver Avenue, and Kalmia Street, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Schneider, seconded by Councilman Williams, RESOLUTION 129809, determining work to be feasible and finding and determining that public convenience and necessity do not require Special Assessment, Investigation, Limitation and Majority Protest Act provisions.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 129192 for sewers in Alley Block 8 Clifton Addition to City Heights, Chamoune Avenue, Quince Street, right of way, the Clerk reported no protests. None was filed, and no one appeared to be heard.

On motion of Councilman Evenson, seconded by Councilman Curran, RESOLUTION 129810, determining work to be feasible and finding and determining that public convenience and necessity do not require Special Assessment, Investigation, Limitation and Majority Protest Act provisions.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 129305 for paving and otherwise improving Alley Block M Tract 2 Alta Vista Suburb, the Clerk reported no protests. None was filed, and no one appeared to be heard.

RESOLUTION 129811, determining work to be feasible and finding and determining that public convenience and necessity do not require Special Assessment, Investigation, Limitation and Majority Protests Act, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 129306 for paving and otherwise improving Alley Block 49 University Heights, Alley Block 49-1/2 University Heights, the Clerk reported no protests. None was filed, and no one appeared to be heard.

RESOLUTION 129812, determining work to be feasible and finding and determining that public convenience and necessity do not require Special Assessment, Investigation, Limitation and Majority Protests Act, 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 129307 for grading and sidewalking of Alleghany Street, the Clerk reported no protests. None was filed, and no one appeared to be heard.

RESOLUTION 129813, determining work to be feasible and finding and determining that public convenience and necessity do not require Special Assessment, Investigation, Limitation and Majority Protests Act, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2413 made to cover cost and expenses of paving and otherwise improving Alcott Street, Resolution of Intention 122930, the Clerk reported no appeals.

When the Mayor asked if anyone was present to be heard, no one spoke and no appeals were filed.

RESOLUTION 129832, confirming and approving Street Superintendent's Assessment 2413 made to cover cost and expenses of paving and otherwise improving Alcott Street; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman 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 2412 made to cover costs and expenses of paving and otherwise improving Alley 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, the Clerk reported written appeal from Ethel M. Punshon.

When the Mayor asked if anyone was present to be heard, no one spoke and no appeals were filed.

RESOLUTION 129814, confirming and approving Street Superintendent's Assessment 2412 made to cover costs and expenses of 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; 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 diagram, warrant and assessment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

(Resolution overrules appeal from Ethel M. Punshon).

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2414 made to cover expenses of sanitary sewer mains in La Jolla Rancho Road, Resolution of Intention 123409, the Clerk reported no appeals.

When the Mayor asked if anyone was present to be heard, no one spoke and no appeals were filed.

RESOLUTION 129815, confirming and approving Street Superintendent's Assessment 2414 made to cover costs and expenses of sewers in La Jolla Rancho Road, Resolution of Intention 123409; 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 diagram warrant and assessment, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for rezoning portion of Boulevard Gardens and portion of Pueblo Lot 256 of the Pueblo Lands of San Diego, from R-4 to M-1, report from Planning Commission, by P. Q. Burton, was read.

The report transmitted the Commission's recommendation dated October 7, 1955, together with request from H. H. Peterson that the recommendation be reconsidered. It says that the Commission considered the request that portion be zoned M-1 and that no subdivision map be required on the property. It says that it was explained to the Commission that M-1A zone, previously on the property, requires that a contractor's yard unless contained in a building shall be located a minimum of 100 feet from any public street, highway or public place or property. It states that, in effect, would leave no open land on which Mr. Peterson could conduct a contractor's yard unless he enclosed it entirely within a building or buildings. It points out that such a requirement did not seem necessary to the Planning Commission. It says that inasmuch as Boulevard Gardens is a recorded subdivision, the Commission could see no reason to delay any zoning on the property awaiting time when owner of portion of Pueblo Lot 256 might or might not file a subdivision map, and that the Commission also studied size of parcel to be rezoned in Pueblo Lot 256. It reports that after discussion, the Commission voted 5-0 to amend previous recommendation and to recommend entire area shown on B-676 be zoned M-1 rather than M-1A and that zoning on portions of Boulevard Gardens concerned be effective without regard to any subdivision requirements on portion Pueblo Lot 256. The communication says that the Commission also recommended that a subdivision map should be required on portion of Pueblo Lot 256 now proposed to be zoned M-1, and that zoning not be effective until map is filed.

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

was introduced, Mr. Burton asked if the Ordinance was M-1 or M-1A. He said that the report that had been read by the Clerk was the report dated earlier. He said that the subsequent report recommended M-1A (while the first one was M-1, but reported as M-1A which was the one intended to be considered).

On motion of Councilman Kerrigan, seconded by Councilman Schneider, motion was reconsidered.

Then a portion of the Ordinance was read. (It was the one originally introduced, while the report differed).

Mr. Burton, asked for an additional report, told the Council that the Commission voted 5-0 for approval.

The roll was called on motion of Councilman Kerrigan, seconded by Councilman Burgener to introduce the ordinance:

Ordinance incorporating portion of Boulevard Gardens and portion of Pueblo Lot 256 into M-1 Zone as defined by Section 101.0412 of San Diego Municipal Code and repealing Ordinance 2009 (New Series) adopted December 10, 1940 insofar as it conflicts.

The hour of 10:00 o'clock A.M. having arrived, time set for Rezoning portion. Lots 498, 499, 500, 501 Allied Gardens Unit 4 from RC to C Zone, report of the Planning Commission, by P. Q. Burton, was read. It forwards application of Lewis L. Kelton and Walter Bollenbacher. It states that the Commission reviewed zoning on the property from its beginning and found that the property in its original design was not intended to be commercial property, that there is more than adequate commercial zoning across the street which might be used and that commercial zoning on the property in question would be undesirable adjacent to existing R-1 zoning across the alley to the rear. It states that representative of petitioner admitted that rezoning from RC to C, which is now occupied 100% by existing buildings or buildings under construction, was commenced because of fact that one of the tenants could not get the sign he wanted on his building and because another tenant has been notified to remove an illegal sign in RC Zone. It reports that the Commission felt that reasons advanced for rezoning were entirely inadequate and voted 4-0 to deny application for rezoning.

Walter Bollenbacher told the Council of being in the process of building a shopping center, and that the Planning Commission thinks there is too much business provided. He stated that there will be some 3,000 tenants because of future maps.

Councilman Burgener spoke to Mr. Bollenbacher.

Councilman Burgener moved to overrule the Planning Commission, and rezone the property to C Zone.

Mr. Bollenbacher looked at a map with members of the Council and with Harry C. Haelsig, Planning Director. There was discussion by the group, over the map.

Councilman Kerrigan said that the recommended R-C Zone was for protection of the houses across from the property in question.

Councilman Evenson seconded Councilman Burgener's motion.

Councilman Schneider said that Councilman Kerrigan points out that this is because of the sign for the radio shop.

Councilman Kerrigan spoke to Mr. Bollenbacher about the radio shop.

Mr. Bollenbacher gave a list of the tenants.

Councilman Kerrigan discussed with Mr. Haelsig regarding the "difference".

Councilman Schneider spoke to Councilman Kerrigan about the zoning having to do with difference in size and kind of signs.

Councilman Kerrigan said that anybody could go in, indiscriminately, in the zone prescribed.

Councilman Burgener stated that buildings are already there; occupied and improved.

Councilman Kerrigan said that they can "do anything in C Zone".

Mr. Bollenbacher said that the last buildings are being finished. He told the Council that he is not interested in having bars, answering a comment addressed to him by Councilman Schneider. He pointed out the signed petitions.

Mayor Dail said that there have been petitions, and that the area has been posted.

Councilman Kerrigan wondered about the necessity, and said that if people want, they can have homes.

The roll was called, resulting in

RESOLUTION 129816, requesting City Attorney to prepare and present necessary ordinance for rezoning portions of Lots 498, 499, 500 and 501 Allied Gardens Unit 4 from RC to C.

The hour of 10:00 o'clock A.M. having arrived, time set for re-hearing on appeal of Robert N. and Dolly Benson from decision of Board of Zoning Adjustment in denying request to construct residence and attached garage with 5-foot setback on John Street where 10 feet is required; and to observe required 15-foot setback on El Mac Place; Lot 3 Tingley Estates, on northeasterly corner of El Mac Place and John Street in Zone R-1, D. E. South, Zoning Administrator, was heard.

Mr. South showed a map of the property, and reported that proposal lost by a vote of 4-3. He said that Mrs. Benson (who had appealed, but did not speak at the first hearing before the Council), had requested a re-hearing. He said that it had been up before. Answering questions of the Council, Mr. South said there were no protests, but the Board felt it would be setting a precedent to allow the request. He pointed out that a request had been denied by the Board on the next-door property for a lath house which was then taken down.

Mrs. Benson told the Council that there was no opposition to the proposal. She stated that once before it had been said that it would create a precedent on John Street - but "this is the last house to be built". She said there is an irregularity (on the property), and that granting would not interfere. She said if not allowed, there would be 2 setbacks on a small lot, which would be difficult.

Councilman Williams moved to overrule the Board, and grant the request.

Councilman Schneider stated that he has looked at the property. He said that there is always a human need, and there are special cases. He said the area would not be adversely affected.

Councilman Schneider seconded Councilman Schneider's motion. He said that people next door can ask for a variance. He asked why the ordinance should not be changed.

Councilman Curran spoke to Harry C. Haelsig, Planning Director, regarding reasons for denial.

Mr. Haelsig told Councilman Curran that John Street is to be continued south, and is to be an extension. He said there are 10-foot setbacks on other streets. He stated that additional length of lots had been provided to allow for the existing situation.

Councilman Schneider spoke to Mr. Haelsig, who answered him.

Mr. Haelsig said that the area is developing to the west, answering questions put by Councilman Evenson. He pointed out the university.

Councilman Williams said that hardships result on account of the setbacks.

Mr. Haelsig said the problem is that the house is too large for the lot. He showed how it could be built, by a slight shift. Answering Councilman Schneider he said it would be 7,000 square feet.

Councilman Burgener said that it is a question of how far the City show go on "protection" to property owners. He said he used to vote for what he thought was their protection; now he feels that perhaps they should have what they want and need.

Councilman Kerrigan said that "in Linda Vista property owners did not want protection; now they are protesting".

The roll was called on the motion, resulting in

RESOLUTION 129817, overruling and denying decision of the Board of Zoning Adjustment in denying appeal of Robert N. and Dolly Benson, Resolution 9197, for permission to construct a residence and attached garage having a 5-foot setback on Mohn Street where 10 feet is required, and observe the required 15-foot setback on El Mac Place; Lot 3 Tingley Estates, on northeasterly corner of El Mac Place and John Street, in Zone R-1; sustaining the appeal, was on motion of Councilman Williams, seconded by Councilman Schneider, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-Councilman Curran, Mayor Dail. Absent-None.

Communication from Purchasing Agent, approved by City Manager, on low bid of Benton Roof Company for Reroofing Ford Building in Balboa Park - \$9,247.00; 3 bids, was presented.

RESOLUTION 129818, accepting bid of Benton Roof Company for Reroofing Ford Building in Balboa Park; awarding contract, authorizing and instructing City Manager on behalf of The City of San Diego to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

In connection with the next item, the Mayor recognized Jack Brem.

Communication from Purchasing Agent, City Manager, recommending accepting low bid of D & M Sprinkler Company of Long Beach, for grading preparation for landscaping, and installation of a Sprinkler System in the State Park Land lying east of Pacific Highway (U.S. 101) between Jellet Street and extension of Littlefield Street - \$22,095.00; 5 bids received.

Mr. Brem told the Council that he was the second-low bidder. He placed an objection to the award, on account of there not being a bond on the bid, and therefore (in his opinion) D & M Sprinkler Company was not the low bidder. He related his experiences with the State about his having taken a bid out of a book of specifications, and thereby being declared not a low bidder. He told of practice over the United States of disqualifying a bidder for minor details. Mr. Brem said he has been disqualified on technical grounds. He asked to be declared the low, technical bidder.

Asked by the Mayor for comment, City Attorney J. F. DuPaul stated that the Council may waive the bond if it desires. He pointed out that the Purchasing Agent and the City Manager have recommended award, on bid of D & M Sprinkler Company.

Mayor Dail asked if it is fair to set out the rules, and then violate them.

Mr. DuPaul said that the Council has waived violations, but "does not recall this type of case".

Councilman Burgener commented that the Council can reject the bids, and re-advertise.

Councilman Williams said that would not accomplish the end. He said the City should make up its minds to live up to the specifications - or not. He declared that this is a realistic problem.

The City Attorney said this is not the type of proceeding where "this is jurisdictional". He said he understood that the bond had been sent in.

Mr. Brem said that if he walked in 1/4 minute late with a bid, it would not be opened. He asked why provision be put into specifications, if not recognized. He said it "should hold with the other fellow too".

Councilman Burgener said it is the same with insurance.

The Mayor spoke about being not provided in bidding procedures. He said it would look foolish to the people if the City were to pay \$4,000 more.

Councilman Schneider spoke to Mr. Brem about the bond. He said that the bond does not take effect until finished, that it is not effective until bid is opened.

Answering Councilman Schneider, Mr. Brem said "yes". He pointed out that it is a bid bond about which he was speaking; not an accomplishment bond.

Councilman Burgener said that the Council should qualify the low bid - or reject them all, and re-advertise.

RESOLUTION 129819, rejecting all bids received by the Purchasing Agent November 9, 1955, for Grading, Preparation for Landscaping, and Installation of Sprinkler System in the State Park Land lying east of Pacific Highway (U.S. 101) between Jellet Street and Extension of Littlefield Street; authorizing Purchasing Agent to advertise for new bids, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

In connection with the next item, Mayor Dail said that the Council has "another little problem".

Communication from Purchasing Agent, approved by City Manager, submitted resolution accepting low bid of M. G. White-Starke Insurance Corporation for furnishing Fire Insurance for term of 4-years 10-months, was presented. It says specifications and proposal forms for furnishing approximately \$2,096,000 coverage of Fire Insurance were advertised October 23, and 37 insurance companies contacted. It says bids were received from 5 companies, and gives a detailed report.

George Hamilton told the Council of having bid through American Motorist Insurance Co. He said the bid would have been under the White-Starke bid, based on the same theory as stocks and bonds. He told of those who are getting the contract under the recommendation, and of not knowing how White-Starke bid was arrived at. He thanked the Council for permitting him to make a presentation. Answering a question, Mr. Hamilton said he can't guarantee dividends, but they have been paying since 1912. Answering the Mayor, he agreed that payment could be waived.

RESOLUTION 129820, accepting bid of M. G. White-Starke Insurance Corporation

for furnishing Blanket Fire Insurance, in accordance with City specifications, for 4-years 10-months, commencing December 1, 1955, ending October 1, 1960, at rate of \$.723 per \$100 valuation; 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 Evenson, seconded by Councilman Burgener, adopted.

Recommendation of Purchasing Agent, approved by City Manager, for advertising for bids for furnishing 30 tons of 26" Palm Fibre for use on street sweeper rotary brooms, was presented.

RESOLUTION 129821, authorizing and directing Purchasing Agent to advertise for sealed proposals for furnishing Palm Fibre Stalks, Specifications Document 524561, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 129822, approving plans and specifications for furnishing all material, tools, labor, equipment, transportation, and other expense necessary or incidental for Cast Iron Water Main Replacements, Group 101, Specifications Document 524483; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 129823, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expenses necessary or incidental for Resurfacing of portion of 28th Street Pier, Specifications Document 524481; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 129824, approving plans and specifications for furnishing all material, tools, labor, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements Group 25, Specifications Document 524482; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 129825, authorizing and directing Purchasing Agent to advertise for sale and sell Automotive Equipment belonging to the City, no longer desirable for use or retention by the City - all expenses in connection with sale shall be deducted from proceeds received from the sale - was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

During consideration of the next item, the School visitors left the meeting. As they were leaving, the Council was thanked for having the students as visitors.

Communication from Planning Commission, by P. Q. Burton, reporting on request of (Dr.) William P. Odom for inclusion of approximately 16 acres of Lot 15 Rancho Mission of San Diego to the Encanto Trailer Park District, was presented. It says the Commission on November 16, 1955, held a hearing, after notifying 32 property owners in the area that proposed addition would be considered at a public hearing. It identifies the property, and gives detail of surrounding area. The communication states that petitions of protest bearing 40 names were submitted before and during the Planning Commission. Recommendation for denial, on 6 points, was made. It says that in addition, members of Planning Commission voiced objection to general appearance of a trailer park immediately adjacent to Imperial Avenue, one of the city's main thoroughfares in the area. It points out that the Commission seemed

to feel that reasons advanced by petitioners did not overcome objections, and voted 7-0 to deny the request for addition to the existing Encanto Trailer Park District.

Mr. Burton laid a map on the Council table, at which the Council looked.

A letter from Percy H. Goodwin Company, dated November 17, 1955, signed by Charles L. Kendrick, was presented. It says the firm is acting as agent for Dr. Odom, owner of north half of Lot 15. It says property rises from approximately 50 feet above sea level on Imperial Avenue to approximately 275 feet above sea level on the south, that subdivision development would be extremely costly, especially with regard to grading, constructing necessary streets, and installing utilities. The communication states that on the other hand, the land could be readily developed into a luxury trailer park by grading property in 35 foot wide terraces; area is sparsely settled and homes on the bluff to the rear of the property all face in a southerly direction and do not overlook the site. It says that to be economically feasible modern trailer parks now require a site in excess of 14 acres, and the acreage is necessary to accommodate the new longer trailers. It states that while there is some vacant property in Encanto Trailer Park Zone, there is no single parcel of land available in excess of 10 acres. It tells of request for annexation into Encanto Trailer Park District, denial of request, and wish to appeal to the Council.

Mayor Dail presented a petition of about 30 signatures against the trailer park.

Mr. Burton said they are not shown on the map (as protestants). He said they would be about 1/2 - approximately 15 lots.

Charles Kendrick, signer of the letter, spoke of acting as agent for Dr. Odom. He said these are areas that could be used. He said that in 1953 Dr. Odom tried to subdivide, but found that it would be too expensive. He said that this adjoins Trailer Park District 3, and asked that this be permitted to join it.

Dr. Odom told the Council that economics have to enter into the picture. He stated that he bought the property, then sold it for a subdivision. He told of arrangements having been made to develop it. Dr. Odom spoke of "having gone through the process up until the last". He stated that the City approved, but there was a catch, regarding that there must be taken on the east a portion for a major thoroughfare. He said that being a small subdivision, thoroughfares took 7 or 8 choice lots of the 50 in the subdivision. He said that the purchaser felt he could not go ahead, and asked Dr. Odom if he would take the land back. He purchaser was told that the seller could not take it back. He said that the new owner stated that he could not put on a first class subdivision and do the work required, because it would be unprofitable. He told the Council that the property came back (to him) after a year - at a loss. He said he has had the opportunity to sell again for \$30,000; but purchaser backed out. He told of trying to get rid of the land. Dr. Odom said he has another man on the string looking over the property. He stated that the City wants the easterly part of the land. He said that the land could not be developed as a first class subdivision. He said that a "trailer park can give land for a street, and come out". Dr. Odom said that he is appealing for disposal, at a fair profit.

Councilman Burgener wondered how far Council responsibility extends on use of land.

Mr. Haelsig showed another map to the Council, which had not been seen.

Beryl Phelps, engineer, suggested that the matter be held over for 2 weeks, so a road could be plotted, and another road on the other side. He said "trailer court would be 50 or 100 feet".

On motion of Councilman Schneider, seconded by Councilman Curran, hearing was sent for 3 weeks - (December 13, 1955)

Communication from Planning Commission, by Harry C. Haelsig, stating that Western Mutual Corporation requests that certain sections of Resolution 125813 relative to Homesites Unit 3 be amended to exclude requirement of grading, curbs, sidewalks and paving on Cumberland Street adjacent to southwesterly 75.46 feet of Lot 121 and northeasterly 74.40 feet of Lot 99 - the portion of Cumberland Street to be improved under 1911 Act job - was presented. It recommends that request be granted and that Items 2, 5, 6, 11 be amended.

RESOLUTION 129826, amending Resolution 125813 adopted April 19, 1955, approving Tentative Map of Homesites Unit 3 - Items 2; 5 a), b), c), d); 6; 11, was on motion of Councilman Schneider, 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 for Redivision of Westerly 90 feet of Lots C and D Block 261 Horton's Addition, was presented.

RESOLUTION 129827, suspending Section 102.07-5, 102.12-4, 102.12-6, 102.17-c of the Municipal Code in connection with Tentative Map for redivision of westerly 90 feet of Lots C and D Block 261 Horton's Addition, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map for redivision of westerly 90 feet Lots C and D Block 261 Horton's Addition, located on easterly side of Fifth Avenue southerly of Kalmia Street, subject to 3 conditions, was presented.

RESOLUTION 129828, approving Tentative Map of Horton's Addition, redivision of westerly 90 feet of Lots C and D Block 261, 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 La Jolla Corona Estates, a 65-lot subdivision of portion of Pueblo Lot 1773, was presented.

RESOLUTION 129829, suspending Section 102.17-c of the Municipal Code, in connection with tentative map of La Jolla Corona Estates, 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 La Jolla Corona Estates, a 65-lot subdivision of portion Pueblo Lot 1773, within R-1C Zone, adjacent to westerly boundary of Muirlands Heights, on both sides of extension of La Jolla Rancho Road and Rodeo Drive, also immediately west of Muirlands Panaroma on which tentative and final subdivision maps have been approved but final map not yet recorded, was presented - subject to 13 conditions.

RESOLUTION 129830, approving Tentative Map of La Jolla Corona Estates, 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 Mission Valley Inn Subdivision, for a 1-lot subdivision of several parcels within portion of Pueblo Lot 1118 and 1119 - located on southerly side of Camino del Rio (U. S. 80) approximately 1500 feet westerly of Cabrillo Freeway, was presented. The communication states that it is proposed to erect a restaurant together with 160 motel units on the property - present plans include restaurant with 60 motel units with the other 100 being a future development plan. It says that in development it will be necessary to dedicate and improve additional right of way for service road over and above the improvements as proposed by State Highway Department. The communication states that the City Engineer has recommended that service road be paved 40 feet wide, to provide for an additional disabling land. It says that it is not felt, however, that the additional pavement should be required until such time as the Division of Highways do their improvement on the service road, which should occur in approximately 2 years. It attaches 7 conditions to the recommendation.

The proposed resolution approving tentative map was on motion of Councilman Williams, seconded by Councilman Burgener, adopted. It was not numbered, however, since the Mayor recognized Paul Borgerding who asked to be heard. Action on the resolution was reconsidered.

Mr. Borgerding told the Council about having purchased property across from the Town and Country Hotel and the Mission Valley Golf Course. He said he could answer Mr. Haelsig regarding Planning objections. He said that Mr. Haelsig had said that he would need a zone variance. Mr. Borgerding stated that there are no objections to variance; he had endorsements. He told the Council that nothing had been said about filing a subdivision map. He said he came back October 14, and was told that he would have to have the subdivision map. He said that he objects to a subdivision map, regarding the cost and the delay.

Mr. Borgerding pointed out that it is not a subdivision; he is going to build a first class garden hotel. He referred to the Planning Commission asking for right of way for road; asking for addition of 8 feet and paving in the future. He said he does not object to the right of way. He said Planning is not asking "to pave the other place". He said they are asking for another right of way; and that he does not object if others donate. He told of having gone to the Water Department, where he was told of a transmission line to Point Loma, where there would be a cost of \$5,000. He said he was not told he would have to build an additional line. He said he realizes that he should have some type of main for fire protection. He recommended building a portion, to the first fire plug. He said he is not going to cover more than one. He said that Planning "has sterilized 400 feet, access to access road". He declared that taking 400 feet away is too much. He said he suggested 300 feet. Mr. Borgerding passed around maps. He said that he has the financing, and that time is of the essence.

Mr. Haelsig laid a map on the Council table.

Councilman Schneider asked Mr. Haelsig if the Town & Country was requested to file a map.

Mr. Haelsig replied "no; that was prior to the current policy". He said a map was not requested from the golf course, either; but for the bowling alley (granted recently) is was required.

Councilman Schneider spoke to Mr. Haelsig regarding what is wanted on the 8 feet, in addition to 32 feet from the State.

Mr. Haelsig said that is what is wanted, and he explained the situation. He said that it is the same on Cabrillo Freeway, with 2-way travel.

Councilman Schneider said that it is an access road; not heavy traffic.

There was discussion between Councilman Evenson and Mr. Haelsig regarding the highway plan for Mission Valley.

Next, there was discussion between Mr. Haelsig and Mr. Borgerding.

Councilman Evenson said that Mr. Borgerding is trying to develop. He asked if what is requested is required under the ordinance.

Mr. Haelsig said that it is required under the Subdivision Ordinance.

Councilman Schneider declared that "it is a mild form of blackmail".

Councilman Burgener said whether the terms are equitable is another matter.

Mr. Borgerding said he will go along; extra 25 feet are wanted.

Councilman Schneider spoke to Mr. Haelsig regarding requirement.

Mr. Haelsig said there would be 120 units (the report says 60 units now; 100 in the future), and that there would be need, as requested.

Mayor Dail asked if the City can't take an agreement.

Mr. Haelsig said "that's what it is".

Councilman Schneider said he is interested in the City's claim. He asked how the City was going to require across the property.

Mr. Haelsig said the State will set that up.

The Mayor said that the City Attorney would not uphold the requirement, if it is exorbitant.

City Attorney J. F. DuPaul stated that he has not seen the plan.

Mr. Borgerding said he would be glad to donate the 8 feet, but not pave it, unless needed.

Mr. Haelsig said there is the same situation on Cabrillo Freeway, at Sharp Memorial Hospital.

There was discussion between Councilman Schneider and Mr. Haelsig over requirements on the Sharp area.

Mr. Haelsig told the Council that Mr. Borgerding is not being treated differently than others. He pointed to a map regarding service road and ramps. He said there would be a problem regarding the turning of cars. He said that cars would pile up on the Freeway.

There was continued detailed discussion between several.

The City Manager told the Council that it is a question of timing. He said that most points are regarding the time needed. He stated that the situation can be worked out when needed. The Manager stated that it is mostly a question of working out for the future between the City and Mr. Borgerding. He said both might be accomplished, without requiring immediately. He told the Council that there can be congested use - if there is more development.

Councilman Schneider said that the motel might provide turn-outs on its own property.

Mr. Borgerding spoke of not going to be able to develop the others. He said he will give the 25 feet, if others do; but not on all the 1,000 feet.

Mr. Haelsig told of having had agreements, where the City has been unable to get the property. He said another development is contemplated to the west. He declared that service roads will be inadequate, and there will be a City problem.

Councilman Schneider spoke to Mr. Haelsig about giving property, and said that since the other side is developed owners there will not have to give.

Mr. Haelsig predicted that in the next 25 years will heavy development in the Valley. He said the State is taking on the north side, but he does not have detailed plans.

Councilman Schneider said the 8 feet can be taken now - not the 25 feet.

Mr. Haelsig said that the 25 feet would not be taken now - that is for the future.

Mr. Borgérding said he is interested in the water main.

Mayor Dail said that the water matter can be referred to the City Manager. He said that it would have to be redrawn.

The City Attorney suggested that the matter be referred to the City Manager.

The City Manager stated that he can get it back for the next Council meeting.

On motion of Councilman Schneider, seconded by Councilman Williams, the file was referred to the City Manager.

During the preceding item Mayor Dail said that there will be a meeting of the Council on Friday. It had been stated, earlier that there would not be, but an informal poll revealed that a quorum could be present.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map for redivision of Lots J, K and L of Pauline's Addition, was presented.

RESOLUTION 129831, suspending Sections 102.07-5, 102.06-1, 102.17-c of the Municipal Code in connection with tentative map for redivision of Lots J, K, L of Pauline's Addition, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129832 is shown earlier

Communication from Planning Commission, recommending approval of Tentative Map for redivision of Lots J, K and L of Pauline's Addition, located in La Jolla, extending from South Coast Boulevard through to Coast Boulevard, subject to 4 conditions, was presented.

RESOLUTION 129840, approving Tentative Map for redivision of Lots J, K and L of Pauline's Addition, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, continued from meeting of November 10, 1955, was presented. It was a report on request for Tentative Map for 2-lot subdivision of portion of Pueblo Lot 105 (Funcheon), located on Point Loma, immediately north of the military reservation. In addition to giving a detailed report, it recommended that the tentative map be denied, on account of problems which were set out.

Mr. Haelsig read the report to the Council.

Mayor Dail left during the reading.

Vice Mayor Burgener took the chair.

Mr. Haelsig recommended that Mr. Funcheon meet with property owners of the area, to work out problems.

Mr. Funcheon said he came to see if he could do something regarding the dividing. He said he understands the Fire Department objects. He said he is within about 25 feet of a fire plug on Kellogg Way. Mr. Funcheon said "Trepte did the same thing".

Mr. Haelsig showed the Council a map relating to past activity in the area. He said there is a problem of fire and rubbish service in connection with the cutting up of the properties. He said that grades can be used; they are the same as those at the Shops

Verbal presentation re
Mission Valley Inn sub (ref to City Mgr)
Announcement of meeting to be held 10/25/22

129831 (and 129840), out of order)
Communication & verbal presentation re
dividing

(The City's) at 20th and B Streets. He said the Commission denied the cutting up of the property. He said that the cutting up was not contemplated, when area was originally developed.

Mr. Funcheon said that only 1 lot can be divided. He said 17 out of the 18 property owners agreed to the division, and had no objections. He said development, as a result, would look better than a raw piece of property. He contended that the Fire Department could get to the property. He said, again, that it would look better in a home property than as a vacant lot. Mr. Funcheon declared that there is discrimination in permitting the cutting of 1 lot, but not permitting him to do so. He said this "is the last lot".

Councilman Williams moved to overrule the Planning Commission.

Mayor Dail returned to the meeting, and took the Chair

The City Manager stated that the Fire Department will go anywhere to put out a fire, answering a comment of Councilman Kerrigan about there being a private street.

Councilman Burgener seconded the motion to overrule the Commission.

Councilman Williams asked what the conditions are.

Councilman Kerrigan declared that the Council is now replacing the Planning Commission.

City Attorney J. F. DuPaul said that the item should be referred back to the Planning staff, for conditions which can be approved or pared down.

Mayor Dail said that if the Council overrules Planning, it does not necessarily approve the map.

Councilman Kerrigan said that the Council is going to design a subdivision.

Councilman Schneider pointed out that no access was being provided.

Councilman Burgener said that City departments have no problems.

Mr. Funcheon said that there is private access, which can't be closed.

Mayor Dail said that if map as filed is accepted, it would not be good.

Mr. Haelsig said the property should not be divided; there would then be others. He showed a map of the property in the area.

Councilman Burgener said the question is "is it injurious to have another house".

Councilman Kerrigan was excused

Councilman Burgener spoke to Mr. Haelsig regarding mechanics.

Mr. Haelsig said it would have to go back to the City Engineer and to the Water Department. He said if the Tentative Map is approved, there would be conditions that would have to be approved.

Councilman Kerrigan returned

Councilman Burgener spoke to Mr. Funcheon regarding procedure.

Councilman Schneider said that if not served for trash, there must be burning.

Mr. Funcheon stated that he carries it to his place of business.

The roll was called on the motion to refer request for 2-lot division of portion of Pueblo Lot 105 (Funcheon) located on Point Loma, lost by the following vote: To overrule the Commission--Councilmen Burgener, Williams, yea; Councilmen Schneider, Kerrigan, Curran, Evenson, Mayor Dail, nay; none absent.

RESOLUTION 129833 denying the division was adopted, as shown above.

The next item was taken up out of order:

Ordinance calling and providing for and giving notice of special election in "South Bay Area Tract", was presented.

It was pointed out that the ordinance excludes a specific area.

Councilman Burgener moved to introduce the ordinance, dispense with reading, and adopt it. Motion was seconded by Councilman Schneider.

Mayor Dail said that the Council, by the ordinance proposed, is "dropping out the Imperial Beach area" (which had been protested at the hearing).

Councilman Williams said in that there is change in boundaries, it would be wise to hear from the people.

Mayor Dail said that the hearing had been closed.

Councilman Williams repeated that the "boundaries are being changed".

Mayor Dail said that the Ordinance meets the objection (by protesting property

owners). He pointed out that a statement was read by him, which he offered to show to Councilman Williams - and the hearing was closed.

City Attorney DuPaul stated that "the timing is thrown off, if the Council backs up".

Councilman Williams said that Imperial Beach people may have different opinion.

Mr. DuPaul said that the Council is "acting on the law".

Councilman Burgener said that it was in connection with the sanitary district. The roll was called.

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

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

ORDINANCE 6750 (New Series) calling and providing for and giving notice of Special Election to be held in territory known as "South Bay Area Tract", in the County of San Diego, State of California, on Tuesday, January 24, 1956, for purpose of submitting to electors residing therein the question whether the territory in the South Bay Area Tract shall be annexed to and incorporated within The City of San Diego, and that the property therein shall, after such annexation, be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of said City outstanding or authorized at the date of such annexation, and also that following annexation street maintenance, police, fire, park and recreation services furnished in the annexed area by The City of San Diego will be at a reduced level for a period of time compatible with safety, present County services and economics, and that such annexation shall become effective as of November 1, 1956, 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-Councilmen None.

Communication from Planning Commission, by Harry C. Haelsig, recommending denial of a 2-lot resubdivision of Lot 6 Block C La Jolla Country Club Heights, located on westerly side of Romero Drive between Brodiaea Way and Romero Court within R-1 zone, was presented. It says there is an existing residence on southerly portion, and owner proposes to divide property approximately in half to provide 2 lots having 100 feet and 115 feet of frontage, respectively, and being 9,125 and 10,150 square feet in area. The report states that the Commission held a public hearing on July 27, 1955, to consider the map; there was considerable opposition from adjacent owners in that they felt proposed lots were too small and not in keeping with sizes of lots in the area, which range from 7700 square feet to 20,000 square feet - the average being approximately 12,000 to 14,000 square feet. The communication points out that the Planning Department office received 7 letters from adjacent property owners in favor of the subdivision and 3 letters and a petition bearing 21 signatures opposing the division. It states that after considerable discussion at the public hearing, the Commission recommended that the tentative map be denied in that lot sizes do not conform to adjacent divisions within the area. Report was read to the Council.

David Pain appeared, but was not heard before the report was read. Then, Mr. Pain told the Council that he has "one speaker who cannot come back (at an adjourned session, which was indicated by the hour)".

Mayor Dail said that the subject should be set for hearing.

Mr. Pain said that the speaker can limit his presentation to 5 minutes.

James E. Stubbs told the Council that he owns the "property which backs up to this property" (Lot 7). He said it is used as a dump, now, and that the division would be an improvement. He stated that there are odd sizes.

By common consent, it was agreed that the item would be heard at 3:00 P.M.

On motion of Councilman Schneider, seconded by Councilman Curran, the Council took a recess at 12:15 noon, until 2 P.M. this date.

6750 N.S.

Planning Commission communication

re division of por La Jolla Country Club Hts.
(discussion thereon)

Recess taken

Upon reconvening, at 3:15 o'clock P.M., the roll call showed the following:
 Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail
 Absent--Councilman Curran (he had been present before the roll was called, but at roll call
 Mr. Curran was not at the meeting)
 Clerk---Fred W. Sick

The Council returned to the subject which had been continued from the morning session regarding Tentative Map of Romero Heights, a 2-lot resubdivision of Lot 6 Block C La Jolla Country Club Heights.

Mr. Pain, who had spoken earlier, reviewed the report and the verbal presentation of Mr. Stubbs, from the morning session. He stated that objection was because a man wanted to buy property for his own use.

Byrl Phelps, engineer, spoke about 104 lots, and said there are 60 with less than 115 feet. He reviewed the sizes on various lots.

Mr. Pain said that one of the residents, who had opposed the division, has changed his mind, and now favors it.

F. H. Tewksbury told the Council that "an injustice has been done to the woman who has the lot". He stated that he had signed "either way". He showed property, and other lots. Mr. Tewksbury stated that the lot next to him had been sold, is now built on, and that it improves the neighborhood.

Councilman Schneider spoke to Mr. Tewksbury about ownership.

It was identified. Mr. Tewksbury said that it is going to be attractive. He said he wants his signature taken off the other petition.

Mr. Pain said that it is a very large lot; by dividing it, there would be 115 foot frontage and 100 foot frontage. He related other sizes in the area, which he stated are between 9,000 and 10,000 square feet. He said he did not represent the Hunts at the Planning hearing. (Proposed map lists Grace E. Hunt, 7308 Romero Drive, GL 4-6458 as the owner). Mr. Pain said that there are many approvals - except Planning on account of size. He stated that there are lots across the street with 7,000 square feet. He showed a plat of the house and proposed subdivision. He showed photographs, and explained them to the Council. He pointed out 65 foot-frontage lots on the pictures, whose owners are objectors, while the proposed lots would be larger.

Councilman Kerrigan said that the Council has to "clear this up procedure wise". He spoke to Mr. Pain on that point. He declared that the Council would be setting itself up as subdividers. He said that if this is to be a subdivision there should be at least a hearing (the Council, under this procedure, would be listening to presentation by petitioner's attorney; not a general hearing set for the purpose, on which notice had been given).

The City Attorney stated that the Planning Commission has denied petitioners the right to file a Tentative Map for subdivision of the property. He said that if the Council disagrees, it can indicate its disagreement, send the item back to Planning, and get recommendations for a subdivision.

Harry C. Haelsig, Planning Director, said that the Planning Commission set the item for hearing; there were 3 protests, and a signed protest. He said that it was denied, by 5, because of objections.

The City Attorney said there would be conditions, for the final map.

Mr. Haelsig said "no"; it was denied.

The Mayor said that until the Council considers recommendations of the Planning Commission (on proposed new procedures), the Council has to handle the items this way.

Mr. Pain said that there had been plenty of publicity; if there are objectors, they could be here.

Mayor Dail pointed out that there are protestants on a petition, who are not here. He said 1 public hearing has been held (by Planning; no notice had been given of this presentation as a hearing). He said "they are not here".

Mr. Pain said that the denial is being appealed.

Councilman Kerrigan said that if this is set up as a subdivision of the property, a hearing is needed.

Councilman Schneider asked Mr. Pain if the people interested in the property could wait 3 weeks.

Mr. Pain said "yes; it has been continued twice".

Meeting reconvened
 Hearing (unscheduled) was
 resumed re denial of Tent
 Sub Map on Romero Hts

11/22/55

Mr. Phelps told the Council that he has had trouble, as an engineer, ever the procedure for subdivisions on 2 lots had gone into effect. He said that every time he works on one he makes an enemy of his client.

Mayor Dail said that the Council has recommendation for passage of ordinances. He said the Council has to do. He said the Council has to set up hearings, on the present system.

Mr. Phelps said that it happens continually, and people can't understand why it is so long to complete a 2-lot subdivision. He said that as a result of difficulties, he is turning "down these jobs". He repeated that he makes an enemy of the client.

Mr. Pain contended that this is an appeal, and the Council "does not need to re-try the case".

Mayor Dail said that is part of what has been recommended to the Council by the Planning Commission. He said there is pending legislation, and the Council is stuck at the present time.

Councilman Kerrigan said that is the assumption, because this is large enough to be subdivided.

On motion of Councilman Kerrigan, seconded by Councilman Williams, a hearing was set for 3 weeks from this date (notices to be given by Planning Commission, according to Harry C. Haelsig, Planning Director).

Mayor Dail announced that report of the City Attorney's office regarding Mission Beach Amusement center was ready. It was filed with the Clerk, and copies distributed to members of the City Council.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, hearing was set for Thursday, December 8, 1955, at 2:00 P.M.

Mayor Dail left the meeting

Vice Mayor Burgener took the Chair.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with redivision of Lots 5 and 6 Block 132 Roseville.

Councilman Williams said he had a question. He wondered if this was involved in the street closing.

Harry C. Haelsig, City Planning Director, showed a plat of the property, and he explained it. He said no hearing had been held on the proposed redivision.

There was discussion between Councilman Evenson and Mr. Haelsig regarding the holding of a hearing. Mr. Haelsig said it was a matter of judgment.

RESOLUTION 129834, suspending Sections 102.18-5 and 102.17-c of the Municipal Code, in connection with resubdivision of Lots 5 and 6 Block 132 Roseville, was on motion adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-Councilman Williams. Absent-Mayor Dail. (Motion was by Councilman Kerrigan, seconded by Councilman Schneider)

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map for redivision of Lots 5 & 6 Block 132 Roseville, located at northeasterly corner of Oliphant and Evergreen Streets - lots 50 ft. x 100 ft. in size, fronting Oliphant Street. Request is to change lot lines in order to provide 2 50 ft. x 100 ft. lots fronting on Evergreen Street - subject to 4 conditions.

RESOLUTION 129835, approving Tentative Map for redivision of Lots 5 and 6 Block 132 Roseville, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson. Nays-Councilman Williams. Absent-Mayor Dail.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of letter from Eyril Phelps, engineer for subdividers of Westridge Unit 1, approved by Resolution 122955, which requests that width of Conrad Avenue within Unit 1 be reduced from 60 to 56 feet.

Communications

Hearing set re Amusement Center (report of City Attorney presented, but not on agenda)

129834 - 129835

RESOLUTION 129836, amending Tentative Map of Westridge Unit 1 (formerly known as Clairmont Hills) approved by Resolution 122955, so that width of Conrad Avenue, easterly of Merrimac Avenue, be reduced from 60 feet to 56 feet, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Westridge Unit 1, approved by Resolution 122955, and subsequent resolution amending width of street, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 129837, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Saxon Development Co., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Westridge Unit 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129838, adopting Map of Westridge Unit 1 Subdivision, a subdivision of portion Pueblo Lot 1241; accepting on behalf of the public, streets and unnamed easements: Biltmore Street, Capehart Street, Conrad Avenue, Merrimac Avenue and Appleton 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 map, as and for act of the Council that streets and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from City-County Band and Orchestra Commission, by Cletus W. Gardner, Secretary, setting out dates, places and type of music approved at meeting of November 15, was presented. It states that it is expected that subsequent requests for approval will be made from time to time for additions to the original program.

RESOLUTION 129839, approving music program submitted by City-County Band and Orchestra Commission (set out in detail in the Resolution), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Fremont-Kearny Historials of Old San Diego, dated 17 November, 1955, signed by Ben F. Dixon - addressed to Councilman Chester E. Schneider, was presented. It suggests naming North-South Freeway in honor of Junipero Serra.

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

Communication from David Hellyer, Inter-American Editor, The San Diego Union, dated 16 November 1955, expressing appreciation for San Diego's nomination for the "Inter-American Order of Municipal Merit", was presented.

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

Communication from Rohr Aircraft Corporation, by C. W. Cook, President of Rohr Trap & Skeet Shooters, dated November 17, 1955, was presented. It refers to the possibility of the City of San Diego obtaining a plot of land south of flood control channel and north of the Old Spanish dyke, which could be used as a public Trap and Skeet range, and says that it would be a great benefit as there is no such activity available in this area.

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

Communications requesting facilities for distance running in recreation area south of and adjacent to Morley Field Tennis Courts, were received from: W. C. Bailey, Ass't. Sup'v of Physical Education; Spencer D. Gartz; H. F. Wiegand, Coach, Cross Country Team, San Diego High School, and endorsements attached; San Diego Post 6, The American Legion, by Arthur O. Hunt; Ralph M. Young, president, San Diego Track Officials Association; Raleigh H. Holt, Cross Country and Track Coach, Herbert Hoover High School; C. Dewey Youngblood, Hoover High School; Amateur Athletic Union Of The United States, Southwest Pacific Border Association, by Orien W. Todd, Jr.,

RESOLUTION 129841, directing notice of filing of Assessment and of time and place of hearing thereof, No. 2420, made to cover costs and expenses of work done upon paving and otherwise improving Alley Block 80 Pacific Beach, Resolution of Intention 124570, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129842, directing notice of filing of Assessment and of time and place of hearing thereof, No. 2421, made to cover costs and expenses of work done upon paving and otherwise improving Alley Block 113 Pacific Beach, Resolution of Intention 123286, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129843, directing notice of filing of Assessment for paving Jefferson St., Moore St., et al.

RESOLUTION 129844, directing notice of filing of Assessment and of time and place of hearing thereof, No. 2422, made to cover costs and expenses of work done upon paving and otherwise improving Taft Avenue and Bellevue Avenue, Resolution of Intention 122545, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129845, directing notice of filing of Assessment and of time and place of hearing thereof, No. 2419, made to cover costs and expenses of work done upon paving and otherwise improving 31st Street, Resolution of Intention 123158, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 129846, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 50 Park Villas, Document 524227; approving Plat 2782 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 Williams, adopted.

RESOLUTION 129847, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sidewalks on Hughes Street, Boren Street, Gayle Street, Nelson Street, Kerch Street; approving Plat 2772 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 Williams, adopted.

RESOLUTION 129848, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Rosefield Drive and 67th Street; approving Plat 2790 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 Williams, adopted.

RESOLUTION ORDERING WORK 129849, for paving and otherwise improving Alley Block 1 Walker's Addition, and Public Right of Way, Resolution of Intention 129062, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 129850, for paving and otherwise improving Gregory Street, Resolution of Intention 129063, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 129851, for paving and otherwise improving Orange Avenue, Resolution of Intention 129065, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 129852, for paving and otherwise improving South Lane and Alley lying easterly of and adjacent to Block A South La Jolla, Resolution of Intention 129066; was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 129853, for closing portion of Evergreen Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 129854, for paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street, and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 129855, for paving and otherwise improving Newton Avenue, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 129856, for sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street and Public Right of Way in Lots 14 and 15 Encanto Park Addition to Encanto Heights, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 129857, for furnishing electric current in Hermosa Lighting District Number One, for 1 year from and including May 1, 1956, to and including April 30, 1957, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 129858, for furnishing electric current in Kensington Manor Lighting District Number One, for 1 year from and including May 1, 1956, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 129859, for furnishing electric current in Mission

Beach Lighting District Number One, for 1 year from and including May 1, 1956, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The resolution orders that 1/4 of costs shall be assessed upon the district, and 1/5 of costs and expenses shall be paid out of Treasury of the City, from Street Light Fund (included is maintenance of mast arms, wires and lamps)

RESOLUTION OF INTENTION 129860, for furnishing electric current in Talmadge Park Lighting District 4, for 1 year from and including April 1, 1956, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129861, rescinding Resolution of Intention 129076 (University Avenue Lighting District 2), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The next item had been continued from meeting of November 15, 1955.

RESOLUTION OF INTENTION 129862, for closing portions of Bandini Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 129863, for closing portion of Unnamed Road in Lot 67 Rancho Mission of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

OF PRELIMINARY DETERMINATION

RESOLUTION/129864, for paving and otherwise improving Alley Block 50 Park Villas, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129865, for sidewalks on Hughes Street, Boren Street, Gayle Street, Nelson Street, Kerch Street and Rock Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129866, for paving and otherwise improving Rosefield Drive and 67th Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129867, appointing time and place for hearing protests, and directing notice of hearing, for electric current in Talmadge Park Lighting District 1, for 1 year from and including March 1, 1956, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129868, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Pynchon Street, Resolution of Intention 126335 and to be assessed to pay expenses, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

The balance of minutes for this meeting will be found in the next volume.