

First part of Minutes for this meeting are in the preceding book

RESOLUTION 129869, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Quince Street, Resolution of Intention 127275 and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129870, directing City Engineer to furnish diagram of property affected and benefited by work of improvement on paving and otherwise improving 37th Street, Logan Avenue, Newton Avenue, Z Street, Boston Avenue, Resolution of Intention 126727 and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129871, granting petition, Document 523396, for paving and otherwise improving Rosecroft Lane; 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 Kerrigan, adopted.

RESOLUTION 129872, authorizing and empowering members of Harbor Commission to execute, for and on behalf of the City, agreement with Willis L. Lipscomb, empowering said Lipscomb as Consulting Engineer for preparing plans and specifications and to perform all necessary professional services in connection with electrical work and give general supervision and advice during construction of 2 transit sheds at 10th Avenue Marine Terminal, set out in Document 524400, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, by Richard W. Emrich, Acting Port Director, submitting the resolution and stating that agreement is for a fee that will be 4% of the electrical contractor's bid, total not to exceed \$6,000.

RESOLUTION 129873, establishing parking time limit of 1 hour, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Girard Avenue, between Pearl Street and Silverado Street;
authorizing installation of necessary signs and markings; rescinding any resolutions or portions of resolutions in conflict, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129874, authorizing and directing installation of a 6000 lumen overhead street light at each of 3 locations, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129875, endorsing and adopting statement of policy made by Board of Directors of San Diego County Water Authority in connection with development and transportation of water from Feather River Project - set out in detail in the Resolution - was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129876, authorizing City Manager to employ A. R. Kingaard to cut out existing paving, remove it and replace with 5-inch PCC paving, together with preparation of necessary subgrade at termination of Alley Block D Sterlingworth in Meade Avenue;

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cost not to exceed \$328.41, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Resolution is in connection with a 1911 Street Improvement Act Proceeding, and refers to offer of contractor to do the work at price mentioned, and City Manager's recommendation that offer be accepted.

RESOLUTION 129877, authorizing City Manager to execute on behalf of The City of San Diego a Concession Agreement with Charles Edwards, as custodian and Janitor of municipal golf course clubhouse in Balboa Park, to be cancellable by either party upon 30 days written notice or a material breach thereof, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 129878, authorizing and empowering City Manager to execute, for and on behalf of the City, an agreement with Herluf Brydegaard, architect, for securing working plans, studies, drawings, specifications and cost estimates in connection with acquisition, construction and completion of branch library building at Field Street and Bûrgener Boulevard; Document 524760, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129879, authorizing City Manager to execute, for and on behalf of The City of San Diego, contract with Chester D. Walz for expert services in connection with air conditioning system for central library building, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129880, authorizing City Manager to accept work on behalf of The City of San Diego in Lorenz Avenue Tract Subdivision, Agreement Document 483116, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Councilman Curran entered

In connection with the next item, Councilman spoke of discussions. He referred to the property as part of Mission Bay Park, and wondered if there are any limits.

The City Manager said there are not; the City is only planning the limits; it has not been set up as a park. The City Manager said that sometimes it requires a vote where property is a dedicated park. He said that if it is acquired for a park, the City can't sell (without a vote by the people, authorizing the action). He said that the Government wants to sell land for 50%, except where used for park.

Councilman Curran said there are restrictions placed by the government.

Councilman Evenson said "if it is not a park, delete it".

Councilman Schneider told of park use planned.

The City Manager said that skeet use (for which land is proposed to be acquired) has been planned ever since he has been here.

Councilman Kerrigan said that the City doesn't have to buy; "somebody else can go out and buy the land, and put up anything".

Councilman Schneider stated that this is just completion of the plan.

Councilman Kerrigan said this would be acquired for a camp, with millions spent.

Councilman Evenson said that it is quite a system.

Councilman Schneider spoke for need to define the park (Mission Bay Park), and said it is a necessity.

Councilman Kerrigan said that if this property becomes a park, the people would have to vote it out if there is to be a bridge.

RESOLUTION 129881, authorizing City Manager to acknowledge receipt and acceptance of letter dated November 2, 1955, from The General Services Administration, United States Department of the Interior, National Park Service, Region Four, accepting application

of The City of San Diego, dated January 7, 1955, for transfer for public park and public recreational area of portion of San Diego River Dyke Lands, San Diego, containing 32.06 acres, more or less, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran. Nays-Councilman Evenson. Absent-Mayor Dail.

RESOLUTION 129882, approving Change Order 1, November 8, 1955, filed as Document 524605, issued in connection with contract between The City of San Diego and Einer Brothers, Inc., for improvement of Balboa Avenue, contract Document 514458; changes amounting to increase in contract price of approximately \$126.90; approving request contained in Change Order 1 for extension of 30 days to and including December 10, 1955, in which to complete contract for improvement, and extending the completion time to December 10, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129883, approving Change Order 1, November 15, 1955, filed as Document 524607, issued in connection with contract between The City of San Diego and Raymond D. Haas, for construction of 28th Street Pier Cafe and Landing Building, contract Document 521827; changes amounting to increase in contract price of \$241.50, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129884, approving request of Rogers Construction Company, dated November 8, 1955, Change Order 2, for extension of 60 days to and including January 24, 1956, filed with City Clerk as Document 524609, in which to complete contract for construction of Chollas Pumping Plant and Chollas-Redwood Village Pipe Line, contract Document 517238; extending time of completion under contract to January 24, 1956, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129885, granting, pursuant to recommendation of City Manager on file in office of City Clerk, permission to Salvation Army to place Christmas Kettles in prominent locations, from November 25, 1955, through December 24, 1955, for soliciting funds and toys to be used to provide extra assistance and Christmas cheer for underprivileged of San Diego; locations to be as set forth and described in recommendation of City Manager, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129886, granting, pursuant to recommendation of City Manager on file in office of City Clerk, permission to The Volunteers of America, to place Christmas Chimneys in prominent locations, from November 25, 1955, through December 24, 1955, for soliciting funds to be used for general relief for needy at Christmas-time and throughout the year; locations to be as set forth and described in recommendation of City Manager, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129887, granting to Joe G. Binswanger, 8120 Commercial, La Mesa, permission to install and maintain sewer and water lines for owner's benefit over under and across Lots 3, 4, 5 Block 4 La Huerta, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129888, granting to David B. Coleman, 8585 La Jolla Shores Drive, La Jolla, revocable permit to install and maintain water lines for owner's benefit, over, under and across Younge Street, northwest of Rosecrans Street, Lots 3 and 4 Block 205 Roseville, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 129889, granting revocable permit to Vernon Safford, 3227 - 31st Street, to install and maintain a 4" cast iron sewer line for owner's benefit, over, under and across Tamarack Street and Alley Block "L" Montclair (legal description Lots 1, 2, 3, 4 and 29 Block "L" Montclair, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129890, granting revocable permit to Richard L. Shinn, 4093 Eagle, San Diego, to install and maintain a 3/4" water line for owner's benefit, over, under and across Tooley Street: SE-1/2 of Lot 129 of Del Norte Addition, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129891, granting revocable permit to Workman and Meadows, 3046 Congress Street, San Diego, to install and maintain wall and walkway for owner's use, over, under and across Gaines Street: 3905-13-17 Gaines Street, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129892, granting revocable permit to Fred B. Young, 3551 Redwood Street, San Diego, to install and maintain a 3/4" G.I. water line and a 4" C.I. sewer line for owner's benefit, over, under and across Redwood Street: Lots 1, 2, 3, exc. west 60', was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129893, approving claim of Mrs. Mount J. Browning, Document 523971, in amount of \$20.00; authorizing City Auditor & Comptroller to draw warrant in favor of Mrs. Mount J. Browning, 2393 Vancouver St., San Diego 4, in amount of \$20.00, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129894, authorizing City Attorney to settle \$154.13 claim of J. Elbert Smith of San Diego, Document 522021, for \$55.25; directing City Auditor & Comptroller to draw warrant in favor of J. Elbert Smith, 5225 Landis St., San Diego 5, in amount of \$55.25 in full settlement of claim, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129895, denying claim of Mrs. Esther Brun, Document 523255, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129896, denying claim of Government Employees Insurance Company, Document 523968, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 129897, denying claim of Bernadette Senseney, Document 523968, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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

ORDINANCE 6751 (New Series), changing name of portion of Meade Avenue, between Tarragona Drive and Carling Drive to Carling Way, was on motion of Councilman

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

Ordinance calling Special Annexation Election in "South Bay Area Tract", listed next on the agenda, had been acted upon 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 final passage a written or printed copy.

ORDINANCE 6752 (New Series), appropriating \$2,500.00 out of Unappropriated Balance Fund, and transferring same to Election Expense Account, City Clerk's Fund, for providing funds to cover costs of holding South Bay Area Tract Annexation Election, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays--None. Absent--Mayor Dail.

Asked for a report on the next item, the City Manager stated that the appropriation is tied in with a 1911 Act Job.

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

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

ORDINANCE 6753 (New Series), appropriating \$122,210.00 from 1952 Storm Drain Bond Fund (No. 716) for purpose of providing funds to 50%, which is City's share, of contract costs and statutory incidental expenses for construction of Storm Drain in Las Peletas-Nórdica Heights Area, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, 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 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 6754 (New Series), appropriating \$75,000.00 from Capital Outlay Fund, for purchase of portion of San Diego River Dyke Lands, containing 32.06 acres, to be used for public park and recreation purposes, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays--None. Absent--Mayor Dail.

The City Manager told the Council, in connection with the next item, of having worked out an agreement with the School Board, which is paying \$25,000 rent. He said that the appropriation is part of the Capital Outlay budget.

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

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ORDINANCE 6755 (New Series), appropriating \$10,200.00 from Capital Outlay Fund, for providing funds for reroofing Ford Building in Balboa Park, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas- Councilmen Burgener, Williams, Schneider, Kerrigan, 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 129898, requesting the United States Navy immediately to declare its policy relative to the Miramar Air Station: that it advise City of San Diego and those persons interested as to use to be made of the station by the Navy insofar as it might affect land adjacent thereto, and also that it advise the City as to the Navy's attitude toward development of land adjacent to Miramar Air Station for commercial and other uses by the City and private land owners, in order to eliminate present confusion and uncertainty existing in minds of officers and officials of the City and surrounding land owners and to enable said property owners to know definitely as to what they may do in the way of developing land now owned by private individuals, with aid and assistance of The City of San Diego, in hope that resultant development will consist of an industrial center for use of San Diego and its people on Kearny Mesa, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The Resolution recites the background of the area, related to the Air Station, and makes detailed statements by The City in connection with its position.

(Copies were obtained by Mayor's and City Manager's offices for transmittal to Washington, D.C.)

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

RESOLUTION 129899, granting revocable permit to J. C. Lynn and Lydia S. Sechrist, 6658 and 6657 Bell Court, respectively, San Diego, to install and maintain retaining wall and steps for use and benefit of owner's property, over, under and across Bell Court: Lots 23 and 22 Block 8 Linda Vista 7, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The City Manager told the Council that there have been requests from Fire and Police Department representatives for increases in pay. He said that they have been filed with the Clerk (requests had not been filed at that time, but were later). He stated that they had been present through the meeting.

It was indicated that consideration would be given in Conference, following this meeting.

The Vice Mayor declared the meeting adjourned at 4:00 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Chas. O. Dail
Mayor of The City of San Diego, California

6755 N.S.
129898 - 129899 (under U.C.)
Mgr. reported request of Fire &
Police Dept. members for increase in pay

REGULAR MEETING

Friday, November 25, 1955 - in lieu of Thursday (Thanksgiving Day) Chamber of the Council of the City of San Diego, California

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

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

Ordinances and Resolutions are recorded on Microfilm Roll 104.

Petition requesting that North-South Freeway, which when completed will link California's first Mission on the north side of the City with Montgomery Freeway on the South, be named in honor of Junipero Serra, OFM, was presented. It says that it would make a direct freeway link between Mission San Diego de Alcalá, the "Mother of Missions" and the Mother Country of New Spain, or Mexico. It states that it would be a symbolical linking between the Mission Age of San Diego's beginnings with the present era of her Age of Aviation. Petition is directed to the Division of Highways of the State of California, the Board of Supervisors of the County of San Diego, and the City Council and City Planning Commission of the City of San Diego.

In connection with the next item, the City Manager reported verbally that of the 6 pumps, 4 are replacements; 2 are new. He said some go back to WPA days, and told of having had some bad breaks.

Report of Purchasing Agent, approved by City Manager, for advertising bids for furnishing 6 pumps, was presented.

RESOLUTION 129900, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 6 Pumps, re Document 524803, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The item, continued from meeting of November 25, 1955, in connection with Tentative Map of Mission Valley Inn Subdivision, a 1-lot subdivision of portions of Pueblo Lots 1118 and 1119, was held temporarily. The City Manager told the Council that he had called Paul Borgerding and told him what would be required. He said Mr. Borgerding is satisfied with the statements made by him. He said that objection was made on water main, in connection with the extension - not the size.

Harry C. Haelsig, Planning Director, told the Council that he did not have the file, but that it will be shown on the map.

RESOLUTION 129901, approving Tentative Map of Mission Valley Inn Subdivision, a 1-lot subdivision of portions of Pueblo Lots 1118 and 1119, and suspending portion of San Diego Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

(This meeting, originally not to be held, was conducted specifically for this item. The resolution, adopted today, differs from requirements presented at the meeting of November 25).

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

Five Points Lighting District No. 1;
 La Jolla Shores Lighting District No. 1;
 Midway Drive Lighting District No. 1;
 Mission Beach Lighting District No. 2;
 Ocean Beach Lighting District No. 1;
 Pacific Beach Lighting District No. 1;
 University Avenue Lighting District No. 1;
 University Avenue Lighting District No. 3.

Communication from Planning Commission, by Harry C. Haelsig, reporting on Council's request of August 23, and Planning Commission public hearing held November 16 on Stanford Research Institute Report of "Public Assembly Facilities" (Convention Hall, etc.) for San Diego, was presented. In addition to a detailed report, it states that "The Planning Commission, after giving each side equal time and permitting essentially all persons interested to present their views, closed the hearing to the public. After considerable discussion among themselves, it was moved that the Planning Commission recommend to the City Council the adoption of the site as delineated in the Stanford Research Report, being the four-block area bounded by Ash and Cedar Streets and First and Third Avenues, as the site to be incorporated in the Master Plan for a Convention Hall-Arena facility. This motion was carried by a unanimous vote of 7 to 0." It concludes by saying "The Planning Commission, by a second motion, moved to reaffirm the Commission's earlier action, recommending to the City Council that the Civic Theatre be placed in Balboa Park on the site on Park Boulevard, as indicated on Drawing B-639 (copy attached). This motion was duly seconded and carried by a vote of 6 to 1."

On motion of Councilman Kerrigan, seconded by Councilman Burgener, a hearing was set before the Council on December 20, 1955, at 2:00 o'clock P.M.

The City Clerk asked if the Council wanted to have a formal hearing with an "official notice". It was determined that was to be the procedure. (Notice of hearing was published in the official newspaper, as directed).

Application of Robert E. Gilliard, 3902 - 4th Avenue, for a cabaret license at Robert's Dining Room, 3902 Fourth Avenue, was presented, together with recommendations for approval from the interested City departments.

RESOLUTION 129902, granting permission to Robert E. Gilliard to conduct a cabaret with paid entertainment at Robert's Dining Room, 3902 - 4th Avenue, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Street Superintendent, approved by Assistant City Manager, reporting on petition "to close a portion of North Judson Street adjoining Lots 1 and 18 Block 40 Linda Vista Subdivision No. 8, as indicated on City Engineer's Drawing 5797-B, attached hereto", was presented. It states that closing is requested to eliminate existing building encroachment in North Judson Street adjoining Lot 18, that a street opening has been made on the northwesterly side of North Judson Street, and improvements to be installed are being shifted to accommodate the closing. It recommends closing as requested.

RESOLUTION 129903, adopting recommendation of Street Superintendent for closing portion North Judson Street; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from C. E. Peterson, executive director, Alumni Association, San Diego State College, San Diego 15, California, dated Nov. 21, 1955, was presented.

It favors a Cross Country Running Course at Morley Field (Balboa Park).

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

Lighting undertakings signed
 Communication re "convention hall"; hearing set
 Cabaret application
 Communications

129902 - 129903

Postal Card from R. D. Messinco & Assoc., 320 N. La Brea Ave., Los Angeles 36, Calif., reading: "Re Health Center Hon Mayor & Councilmen We can finance said project - Lease Purchase", was presented.

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

Postal Card from R. D. Messinco & Assoc., 320 N. La Brea Ave., Los Angeles 36, Calif., reading: "We can offer you a lease-purchase proposition on Auditorium", was presented.

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

Communication from The Metropolitan Water District of Southern California, 306 West Third Street, Los Angeles 13, California, signed by Charles C. Cooper, Jr., Assistant General Counsel, was presented. The letter, addressed to the City Clerk, refers to the City's payment of taxes lying within the corporate entity.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was filed. (There was a Resolution on the agenda, later - which was adopted).

Communication from Dorothy E. Omsted, Secy., Christian Women's Fellowship, Pacific Beach Christian Church, dated November 17, 1955, was presented. It expresses appreciation to the Council for its decision in favor of permitting use of the lot at corner of Riveria (Riviera) Drive and Ingraham Street for a church directory and Memorial. It tells of a memorial to combined effort of people of Pacific Beach working together for a better and more beautiful community.

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

Communication from James F. Taylor, 3004 Main Street, Lemon Grove, California, November 21, 55, stating that he has invented a water tank for closets that will save 25 to 50% of water now used in conventional tanks. It asks for a simple expression from the Council if it is interested in such a water saving.

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

Communication from United Manufacturers Outlet, Inc., 700 - 714 Broadway, requesting an additional 30 days for conducting a "going out of business" sale, 702 Broadway, was presented.

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

Communication from Valley Gun Club, P.O. Box 666 El Cajon, California, by Linley K. Hall, 1621 Drexel Dr., Lemon Grove, President, et al, was presented. It says that the Club has over 300 adult members and more than 125 Junior members. It says that the Council would be doing a real service to the community in purchasing land for use of small bore rifle shooting in flood control area.

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

Communication from E. Werden Conway, 530 Spreckels Building, chairman of committee of San Diego Wildlife Federation, favoring purchase of land near flood control channel for small bore rifle and gun club range, was presented.

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

Communication from Street Superintendent, by D. S. Goodin, requesting that Resolution 129471, approving diagram of Assessment District for paving Franklin Avenue, was presented.

RESOLUTION 129904, rescinding Resolution 129471, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 129905, being a resolution and order of the City Council declaring intention to pay out of municipal funds the whole of amount of taxes to be derived from area of Metropolitan Water District of Southern California within The City of San Diego for Fiscal Year beginning July, 1956, as such amount of taxes shall be fixed in August, 1956, by resolution of the board of directors of such Metropolitan Water District, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129906, authorizing and empowering Mayor and City Clerk, for and on behalf of the City, to execute a quitclaim deed quitclaiming to Morgan S. Rice all its right, title and interest in Lot 14, Block 309 Seaman and Choates' Addition; authorizing and directing Property Supervisor to place deed in escrow, with directions that it be delivered when all escrow instructions have been complied with; directing him, upon completion of sale to return to Morgan S. Rice deposit of \$200.00 heretofore made pursuant to San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted. It states that expenses in connection with sale (held November 3, 1955) shall be deducted from proceeds, and rescinds Resolution 129754 which erroneously described the property. It directs the City Clerk to mark deed heretofore executed, void.

RESOLUTION 129907, authorizing and empowering City Manager to do all work in connection with making necessary water connections, sterilizations, and certain fire hydrant and meter adjustments in connection with replacement of Country Club reservoir main, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 129908, authorizing City Manager to execute on behalf of The City of San Diego contract with George C. Hatch, architect, copy on file in office of City Clerk as Document 524808, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

(Although resolution does not so state, it is for services as "Architect", for (a) Balboa Park comfort station near 7th & Nutmeg; (b) Municipal Golf Course rest room building near 28th & Cedar; (c) Mount Hope Cemetery garage and storage building near railroad tracks and the north boundary of cemetery.

RESOLUTION 129909, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a supplemental agreement with Birmingham Development Company, modifying improvement plans, all in accordance with terms and conditions as set out in form of First Supplemental Agreement filed in office of City Clerk as Document 524831, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 129910, authorizing and directing San Diego Gas & Electric Company to replace existing 6000 lumen light at intersection of Morena Boulevard and Jellett Street, with a 400 watt mercury vapor light, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129911, directing 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 33 Boulevard Gardens, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129912, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 56 Boulevard Gardens, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129913, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 7 and 8 Block "A" Weeks' Addition, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129914, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 1 Block 98 Point Loma Heights, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129915, 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, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129916, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots A and B Del Cerro Unit 1, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129917, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 28 Lemon Villa, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129918, 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 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, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be, and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129919, granting revocable permit to W. George Hubbard, dba Hubbard Casket Co., 2553 State Street, San Diego, to install and maintain telephone cable for use and benefit of owner's property: 2603 State Street, Lot 1 Reynard Hills Subdivision) over, under and across Maple Street east of State Street, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129920, authorizing City Manager to execute agreement with John D. Lyerly and Faith Lyerly, Charles W. Tischoff and Jane D. Tischoff, Thomas W. Keelin and Julia H. Keelin, William L. Canning and Jane L. Canning, for additional paving on La Jolla Mesa Drive, as indicated in Plans and Specifications Document 523266, and City Engineer's letter to City Manager Document 523872 - in connection with work required to be done under agreement with the City for installation of improvements in Muirlands Panorama, and reimbursement at rate set forth in Document 523872; a maximum payment of \$4108.00, in accordance with Document 524868, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129921, authorizing and directing City Attorney to attend Joint Interim Legislative Committee hearings on public transportation in Los Angeles, December 6, 7, 8, 9, 1955; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by 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 6756 (New Series), amending San Diego Municipal Code by amending Section 101.0601 thereof and by adding a new section to be numbered Section 101.0601.1, pertaining to side and rear yard requirements, and regulating percentage of lot coverage, and repealing Ordinance 1177 (New Series), was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Schneider, Curran.

In connection with the next item, Councilman Kerrigan asked for information. Harry C. Haelsig, Planning Director, told the Council that this is a new grade; one had never been established.

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 a written or printed copy.

ORDINANCE 6757 (New Series), establishing grade of 63rd Street, between northerly line of Acorn Street and northerly line of Lot 18 La Mesa Colony, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Schneider, Curran.

11/25/55

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

On motion of Councilman Evenson, seconded by Councilman Burgener, Ordinance setting aside and dedicating portion of Pueblo Lot 264 as and for a public street, and naming it Dorcas Street, repealing Ordinance 6739 (New Series) adopted November 3, 1955, was introduced, by the following vote: Yeas-Councilmen Burgener, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Schneider, Curran.

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

RESOLUTION 129922, accepting deed of Joe Chandler and Elizabeth S. Chandler, November 21, 1955, conveying easement for right of way for public street and incidents, in portion Lot 12 Acacia Park; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129923, authorizing and directing City Attorney to execute, for and on behalf of The City of San Diego, stipulation for judgment in matter of the "United States of America vs. Certain Lands, etc., et al" No. 1546-SD Civil, in which The City of San Diego agrees to accept \$675.00 in return for oil line easements across Parcels 27A, 27B, 27C, 27D, 27F, 27G, 27H, 27I and 27J, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Schneider, Curran.

The Resolution refers to offer of United States, acting by and through United States Attorney, to make the settlement, and the City Attorney's recommendation that he be authorized to execute the stipulation.

Mayor Dail announced that Wednesday, December 14, 1955, had been set for a dinner date to honor former Councilmen and Mayor. Individual Councilmen expressed their desires.

Councilman Burgener asked about the program for meeting or meetings next week.

Mayor Dail said that the Thursday meeting would be the only one next week.

Councilman Kerrigan told about having a water meeting that day.

Councilman Burgener asked about the necessity for having a meeting. He said that it would be a routine meeting, and could be delay.

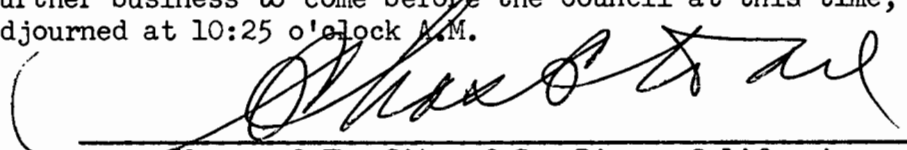
Mayor Dail said that if the Council can hold the meeting, it should.

Councilman Burgener wondered if it could be held another day.

It was determined, on made by Councilman Kerrigan, seconded by Councilman Burgener, to adjourn the Regular Meeting of Tuesday, November 29, to Wednesday, November 30, 1955.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:25 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By  Deputy

Ords introduced
12922 - 12923 under U.C.
Announcement of a presentation
dinner
Discussion of meetings for
next week, and determination
to meet 11/30/55

11/29/55

Chamber of the Council
of The City of San Diego, California -
Tuesday, November 29,
1955

Present-Councilman Kerrigan

Absent--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail

Clerk---Fred W. Sick

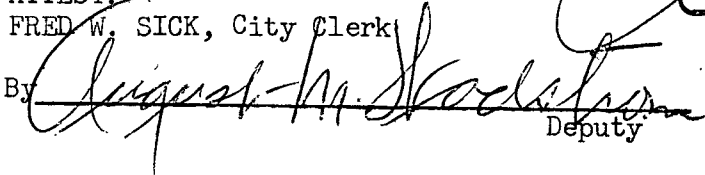
Councilman George Kerrigan appeared in the Council Chambers at 10:40 o'clock A.M. He declared the meeting adjourned, due to lack of a quorum, until 10:00 o'clock A.M., Wednesday, November 30, 1955 - which date had been determined by the Council as a regular meeting.

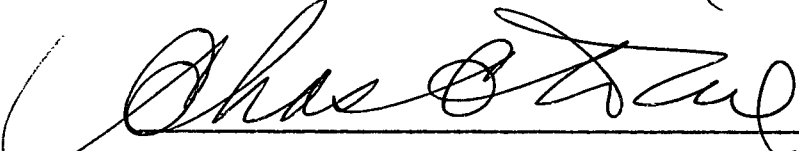
Several members of the Council are in attendance at the American Municipal Congress in Miami, Florida.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

Meeting of 11/29/55 - Not held
- adjourned to 11/30/55

REGULAR MEETING (IN LIEU OF TUESDAY,
NOVEMBER 29, 1955 - WHICH HAD
BEEN ADJOURNED TO THIS DATE
- WEDNESDAY, NOVEMBER 30, 1955

Present-Councilmen Burgener, Kerrigan, Evenson, Mayor Dail
Absent--Councilmen Williams, Schneider, Curran (in attendance at the American Municipal
Congress, in Miami, Florida.
Clerk---Fred W. Sick

The Mayor presented the Reverend Clarence B. Holland, Pastor of Chollas
View Methodist Church, who gave the invocation.

Ordinances and Resolutions for this meeting are recorded on Microfilm
104.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, minutes
for meetings of November 22, 1955, November 25, 1955, and November 29, 1955, were approved
without reading. They were signed by the Mayor.

Petition of property owners for vacating by the City of an easement lying
within Lots 33, 34, 35 Mission Cliff Gardens, together with portion Pueblo Lot 1111 which
adjoins Lot 35 to the North, was presented.

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

Petition of St. Thomas Aquinas Guild, not signed, but with this notation:
"66 members" - requesting the naming of North-South Freeway in honor of Junipero Serra, OPM,
was presented.

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

Communication from Purchasing Agent, approved by Acting City Manager,
recommending low bid of Automobile Club of Southern California for furnishing and installing
231 Boulevard Stop Signs (New Style) Code RIR - \$2,279.97, 2 bids; was presented.

RESOLUTION 129924, accepting bid of Automobile Club of Southern California
for furnishing and installing 231 Boulevard Stop 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 Burgener, adopted.

In connection with the next item, the Acting City Manager made a verbal
explanation; tests and specifications by the State of California (which uses the recommended
product). He said there were no reports available from 3 Southern California cities on the
low bid, since they had all stated that they had not used the paint.

Communication from Purchasing Agent, approved by Acting City Manager,
recommending acceptance of second low bid of W. P. Fuller & Company for furnishing approx-

Meeting
Invocation
Minutes approved
Petitions
Purchasing reports
129924.

11/30/55

5,000 gallons of White Traffic Paint for Street Department - \$1.895 per gallon plus State Sales Tax, 5 bids, was presented.

RESOLUTION 129925, accepting bid of W. P. Fuller & Co. for furnishing White Traffic Paint for period of 6 months beginning 12/1/55; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Mayor Dail told the Council that John Bate, Port Director, who had just returned from the Orient, would make a presentation.

The following letter was read to the Council by the Clerk:

"Presidency of the Council of Ministers, Bangkok, 22nd November, B. E. 2498 (1955)

Dear Mr. Mayor,

Today I received Mr. John Bate, Port Director of the City of San Diego and the emissary of your City at the Government House, Bangkok, and on this occasion, Mr. John Bate had graciously presented a certified copy of Resolution by the City of San Diego to me.

I am proud and deem it a very high honour in being presented with this esteemed Resolution by your City. Please therefore accept my grateful thanks, and kindly convey my message of appreciation to the Council of the City of San Diego.

I avail myself of this opportunity to extend, on behalf of the people of Thailand to the people of San Diego, through, our greetings and best wishes for a continued welfare and prosperity.

Through the courtesy of Mr. John Bate, I am pleased to send you a cigarette box for the City of San Diego as a token of high esteem and consideration.

Assuring you, my highest consideration.

With Kindest regards,

I remain, Sir, faithfully yours,

(SIGNED) P. PIBULSONGGRAM

The Mayor of the City of San Diego,
San Diego I, California, U.S.A."

Pictures were taken by the press, of the Mayor, members of the Council, and Mr. Bate, of the handsome large silver box.

(Television equipment was set up for pictures, but Mr. Bate had left, so it was proposed to request Mr. Bate's return).

The Council returned to the agenda.

RESOLUTION 129926, authorizing and instructing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Bulk Quicklime requirements for period of 6 months, Jan. 1, 1956 through June 30, 1956, in accordance with Document 525004, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129927, authorizing and instructing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Whiteprinting Machine, in accordance with Document 525005, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Stadium Racing Association re City's request to make Balboa Stadium available for National Collegiate Athletic Association track meet and "The California Story, pointing out that Stadium has been leased since 1939 for automobile racing and having made commitments for 1956 for use of Stadium, was listed on the agenda - since it had been referred to City Manager 11/15/55, for consideration today.

RESOLUTION 129928, referring communication from Stadium Racing Association re fact that City has requested making Balboa Stadium available for 2 special events in 1956, was on motion Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Civil Service Commission, by William P. Elser, president, dated November 28, 1955, was presented. It recommends amendment to 1955-56 Salary Ordinance: Assistant Director of Social Service, Rate 26 \$460 - \$559. It says creation of class has been requested by City Manager in order to provide a more efficient level of supervision, that salary is in keeping with comparable positions in other City operation. It states that it is necessary to create the class in order to recruit an Assistant Director to act in absence of Mr. Cooley, and to set up necessary records and reports for the next fiscal year. It attaches a Class Specification.

The letter was read to the Council by the Clerk.

Councilman Kerrigan moved to adopt the recommendation.

Councilman Evenson asked about the absence of Mr. Cooley.

The Mayor stated that Mr. Cooley can't always be present.

Acting City Manager E. W. Blom, said that Mr. Fletcher of the City Manager's office is washing this.

Mr. Fletcher told the Council that this is not a new position, it is "just kicking (one) up stairs". He said there are 7; making 6 and 1 assistant. He said there is need for an administrative aid. He said it will give more supervision in the field. He said there has never been the 7th man on the job.

Councilman Kerrigan held a discussion with Mr. Fletcher.

Mr. Fletcher agreed that it would be a new position.

Councilman Evenson seconded the motion.

RESOLUTION 129929, adopting recommendation of Civil Service Commission, by the president, for establishment of position of Assistant Director of Social Service; requesting City Attorney to prepare and present necessary ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from City-County Band and Orchestra Commission, by Cletus W. Gardner, secretary, dated November 28, 1955, requesting approval of 2 music events outlined.

Councilman Kerrigan said that this method complicates things.

Mayor Dail stated that it is the one set up. He said that an amendment is proposed.

The communication was read to the Council by the Clerk.

RESOLUTION 129930, adopting recommendation of City-County Board and Orchestra Commission for music events at National City Recreation Department and Memorial Playground, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from T. N. Frizzell, 4621 Kensington Drive, San Diego 16, Calif., dated 11/22/55, was presented. It suggests a 4-way boulevard stop at intersection of Adams Avenue and Kensington Drive. The communication offers substantiating statements for the suggestion.

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

Communication from Dorothy L. Muirhead, 1522 - 10th Avenue, San Diego 1, Calif., dated November 22, 1955, advocating distribution of surplus food to aged and needy, was presented.

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

Copy of Communication from R. Sherman Platt, law offices of Luce, Forward, Kunzel & Scripps, Suite 1220 San Diego Trust & Savings Building, San Diego 1, California, dated November 23, 1955 - addressed to Richard Gallagher, Director, Public Works Department, was presented.

The communication refers to an open concrete drainage culvert placed by The City of San Diego at the north end of section of Bangor Street which lies south of Talbot Street in Point Loma. It asks for a barricade across the culvert, and concludes "...and if a child is injured or killed as a result, my neighbors have authorized me to inform you on

their behalf as well as my own that redress will be sought against the City of San Diego.

The Mayor said this "is constructive notice".

City Attorney J. F. DuPaul, and asked about the item, told the Council that he has not read it. He said it should be referred to the City Manager.

Acting City Manager E. W. Blom, stated that the original had been addressed to the Public Works Director. He, too, recommended reference to the City Manager.

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

Communication from Glenn A. Rick, P.O. Box 68 La Jolla, dated November 22, 1955, in behalf of owners of southeasterly portions of Pueblo Lot 220 offering to dedicate approximately 700 feet of the property for southeasterly extension of Kemper Street, was presented. It says that part of land is owned by San Diego Unified School District, which is offering 80 feet, and other owners offer their share as shown on attached sketch.

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

Communication from Earl Worthington, 1043 University Ave., San Diego 3, Calif., dated Nov. 22, 1955, suggesting a plan for new Highway 101 south of Del Mar, was presented.

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

Communication from San Diego Unified School District, by William J. Lyons, Secretary to the Board, dated November 23, 1955, was presented. It says the District has requested rezoning from R-1 to R-2 of approximately 22 acres near 55th Street and Orange Avenue, and that work will be completed prior to opening Will Clark Crawford High School.

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

Listed next on the agenda, were a report from the City Clerk on protests against the "South Bay Area Tract" Annexation, and Resolution making a finding relative to the protests.

City Attorney J. F. DuPaul asked the Council to hold the items, temporarily, awaiting arrival of Asst. City Attorney Higgins.

RESOLUTION OF AWARD 129931, accepting bid of John B. Henry, Inc., a corporation, and awarding contract, for paving and otherwise improving Alley Block 274 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 17.9% below the estimate.

RESOLUTION OF AWARD 129932, accepting bid of Daley Corporation, a corporation, and awarding contract, 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 Evenson, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 9.0% above the estimate.

RESOLUTION OF AWARD 129933, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract, for paving and otherwise improving 63rd Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 9.0% above the estimate.

RESOLUTION 129934, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Ravina Street Closed and in Alley Closed in Block 13 La Jolla Park; approving Plat 2775 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 Kerrigan, adopted.

RESOLUTION 129935, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys Blocks 13, 14 and 16 Ocean Beach, and in Blocks 97 and 98 Point Loma Heights, and Guizot Street; approving Plat 2767 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129936, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Nipoma Street and Amaryllis Drive; approving Plat 2764 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129937, for paving and otherwise improving Alleys Blocks 13, 14, 16 Ocean Beach and in Blocks 97 and 98 Point Loma Heights, and Guizot Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129938, for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Ravina Street Closed and in Alley Closed in Block 13 La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 129939, for construction of cement concrete sidewalk in Nipoma Street and Amaryllis Drive, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129940, ascertaining and declaring wage scale for paving and otherwise improving Alley Block M Tract No. 2 of Alta Vista Suburb, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129941, ascertaining and declaring wage scale for sewers in Alley Block 8 Clifton Addition to City Heights, Chamoune Avenue, Quince Street and Public Rights of Way, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 129942, ascertaining and declaring wage scale for paving and other-

wise improving Alleys Blocks 49 and 49-1/2 University Heights, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 129943, ascertaining and declaring wage scale for grading and otherwise improving (sidewalking) Alleghany Street, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 129944, ascertaining and declaring wage scale for paving and otherwise improving La Jolla Hermosa Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 129945, ascertaining and declaring wage scale for paving and otherwise improving Vancouver Avenue and Kalmia Street, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

*

Communication from City Engineer, approved by City Manager, recommending amendment to proceedings under Resolution 121885 for paving and otherwise ^{improving} 52nd Street - to include portion of El Cajon Boulevard and 52nd Street to take necessary storm drain work.

RESOLUTION 129947, adopting recommendation of City Engineer, Document 524842; authorizing City Engineer to amend proceedings for improvement of 52nd Street, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

* RESOLUTION 129946, authorizing Street Superintendent to grant Al E. Riley, Inc. a 30-day extension for completion of contract for improvement of Alley Block 1 Wilshire Place, in accordance with recommendation under Document 524817, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 129948, granting petition, Document 524818, for installation of sewers to serve portions of Blocks 6, 7, 9, 12 Beverly Subdivision; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129949, expressing appreciation of faithful and long service of Thomas F. O'Connell as a member of the City Funds Commission and recognizing the splendid services he has performed as a member, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The resolution recites Mr. O'Connell's service continuously since October 17, 1939, his background, and his resignation because of contemplated absence from the City for a protracted period.

RESOLUTION 129950, establishing a parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of 4th Avenue, between Nutmeg Street and Olive Street; establishing Parking Meter Zone; directing City Manager to cause Parking Meters to be installed and Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings to be made, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129951, authorizing and directing San Diego Gas & Electric Company to install 5 6000 lumen overhead street lights, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Councilman asked about the next item.

The Acting City Manager said that Resolution was based on the high bid. He told the Council that no commission is to be paid.

RESOLUTION 129952, declaring bid of Roy M. Ledford and Lyman W. Bruce to be the high bid for sale at public auction conducted November 23, 1955, of Lots 1 & 2 Block 41 Middletown, excepting a portion lying within 100-foot right of way of Atchison, Topeka & Santa Fe Railroad, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Resolution, which lists the price as \$24,100.00, authorizes and empowers the Mayor and City Clerk, for and on behalf of the City, to execute a quitclaim deed quitclaiming to Roy M. Ledford and Herma Lucille Ledford, as tenants in common, as to an undivided 1/2 interest, and Lyman W. Bruce, a single man, as tenant in common, as to an undivided 1/2 interest; authorizing and directing Property Supervisor to place deed in escrow, with directions that it be delivered to successful bidders when all escrow instructions have been complied with; directing Property Supervisor to return to Hans P. Jepsen, the unsuccessful bidder (there were 2 oral bidders) deposit of \$100.00 heretofore made by him; directing that all expenses in connection with the sale shall be deducted from proceeds received from the sale, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129953, authorizing City Manager to employ V. R. Dennis Construction Company to do work (listed in the resolution) at southerly portion of intersection of 29th Street and Broadway, in connection with improvement of 29th Street and E Street; cost not to exceed \$250.31, payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Resolution states that The City has entered into contract with V. R. Dennis Construction Company under a 1911 Street Improvement Act proceedings; Drawing 11555-L shows work to be done, which is in addition to work provided in the contract; contractor has offered to do work at price stated, and City Manager has recommended that offer be accepted and work done.

RESOLUTION 129954, authorizing and empowering City Manager to do all work in connection with necessary connections, sterilizations, and installation of certain valves in connection with Small Water Main Replacements, Group 24, by appropriate city forces, in connection with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129955, approving Change Order 3, dated November 15, 1955, filed with City Clerk as Document 525025, issued in connection with contract between The City of San Diego and Royal Pipeline Construction Co., for installation of Small Water Main Replacements, Group 18, contained in Document on file in office of City Clerk; changes amounting to increase in contract price of \$153.24, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

In connection with the next item, Councilman Kerrigan asked for information.

The Acting City Manager told the Council that previously portion had been purchased; this is additional. He said purchase can be made at 2.3%, and there is a fluctuation.

John McQuilken said that tax collections are coming in.

RESOLUTION 129956, authorizing and directing City Treasurer to purchase up to \$5,000,000 United States Treasury Bills, due in 90 days, offering an interest return of slightly above 1.90%, to be purchased from inactive funds in amounts and maturities as may fit into the City Treasury funds management; authorizing and directing City Treasurer to sell all or such amount of the investments whenever additional cash is required for purpose for which funds were originally accumulated and placed in Treasury of the City.

It says that the City Treasurer has recommended the investment, and City Manager has approved the recommendation, and has recommended that investment be made.

RESOLUTION 129957, authorizing and directing City Treasurer to exchange \$500,000 par value of United States Treasury 1-1/4% Certificates of Indebtedness purchased from inactive funds in the City Treasury, due December 15, 1955, for \$500,000 United States Treasury 2-5/8% Certificates of Indebtedness, dated December 15, 1955, and due December 15, 1956; authorizing and directing City Treasurer to sell all or such amount of investments whenever additional cash is required for purpose for which funds were originally accumulated and placed in Treasury of the City.

It says that the United States Treasury Department has announced that they may be exchanged, and the City Manager has recommended the exchange.

RESOLUTION 129958, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 2 Block 17 M. Santee's Subdivision, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 129959, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 18 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 129960, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion Lot 18 La Mesa Colony, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 129961, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of South Half of South 80 rods of 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; and that Property Supervisor take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Councilman Kerrigan asked about the next item.

The Acting City Manager explained it to him.

RESOLUTION 129962, granting revocable permit to Charles S. Carlstrom, Comstock, Linda Vista, San Diego, to install and maintain 2-1/2" water line for benefit of owner's property, over, under and across Pacific Highway south from City main in Balboa, to serve property located at 6565 Pacific Highway: Portion Lot 6 Eureka Lemon Tract, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 129963, accepting deed of Security Title Insurance Company, a corporation, November 15, 1955, conveying easement for right of way for construction, etc., of storm drain or drains and appurtenances in portion Lot 33 and portion Lot 34 Block 500 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129964, accepting deed of H. Lincoln Chadbourne and Evelyn S. Chadbourne, November 4, 1955, conveying permanent easement and right of way for water main or mains, together with all fittings, etc., 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129965, accepting deed of Lynn G. Fayman, November 7, 1955, conveying permanent easement and right of way for water main or mains, together with all fittings, etc., 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 Kerrigan, seconded by Councilman Evenson, adopted.
This is a duplicate number; see page 25 for 129965

RESOLUTION 129966, accepting deed of Lynn G. Fayman, November 7, 1955, November 7, 1955, conveying permanent easement and right of way for water main or mains, together with fittings, etc., 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129967, accepting deed of Theodor S. Geisel and Helen Palmer Geisel, November 16, 1955, conveying permanent easement and right of way for water main or mains, together with all fittings, etc., in portion of Lot 4 Block F La Jolla Country Club 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 Evenson, adopted.

RESOLUTION 129968, accepting deed of Hamilton Cattle Company, a New Mexico Corporation, November 14, 1955, conveying permanent easement and right of way for water main or mains, together with fittings, etc., in portion Pueblo Lot 1288; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

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RESOLUTION 129969, accepting deed of H. E. Mann and Mary I. Mann, November 8, 1955, conveying permanent easement and right of way for water main or water mains, together with fittings, etc; 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 Evenson, adopted.

RESOLUTION 129970, accepting deed of Virginia Rose Olmstead, November 7, 1955, conveying permanent easement and right of way for water main or mains, together with fittings, etc.; 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 Evenson, adopted.

RESOLUTION 129971, accepting subordination agreement, executed by Home Federal Savings and Loan Association of San Diego, a corporation, beneficiary, and Land Title Insurance Company, a corporation, trustee, November 7, 1955, subordinating all their right, title and interest in and to public easement and right of way in portion Lot 15 Block 111 amended map of 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 129972, accepting subordination agreement, executed by Isaac Mack McLemore, beneficiaries, and Union Title Insurance and Trust Company, a corporation, trustee, October 21, 1955, subordinating all their right, title and interest in and to public easement and right of way in portion Lot 15 Block 111 Amended Map of 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 Kerrigan, adopted.

RESOLUTION 129973, accepting deed of California Growers, a Partnership; John Donovan and Peter Donovan, partners, November 2, 1955, quitclaiming Lots 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129974, accepting deed of Augustin L. Durazo, October 31, 1955, conveying Lot 82 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129975, accepting deed of Ray C. Lilly and Betty Mae Lilly, November 9, 1955, conveying Lot 57 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129976, accepting quitclaim deed of John F. and Ella J. Neeley, September 6, 1955, quitclaiming portion Lots 11 and 12 Boulevard Gardens for limited access 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129977, accepting deed of Dayray Investment Corporation, November 8, 1955, conveying Lot 21 Block "M" Montclair; 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 Kerrigan, adopted.

RESOLUTION 129978, accepting deed of State of California, November 17, 1955, accepting deed of The State of California, November 17, 1955, conveying portion of Northeast Quarter of Southeast Quarter of Section 7, and Northwest Quarter of Southwest Quarter Section 8, Township 13 South Range 2 West S.B.M.; 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 Kerrigan, adopted.

RESOLUTION 129979, accepting deed of Helen B. Hackett, November 9, 1955, conveying easement for right of way for public alley and inclusions in portion Lot 15 Block 11 Bird Rock 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 Kerrigan, adopted.

RESOLUTION 129980, accepting deed of Helen B. Hackett, November 9, 1955, conveying easement for right of way for public street and incidents, in portion Lot 15 Block 11 Bird Rock Addition; setting aside and naming land Bellevue 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129965, accepting quitclaim deed of Clairemont Unfinished Furniture, Arthur Burgeron and Bettler Fowler, November 1, 1955, quitclaiming Lots 7 and 8 and 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129981, accepting deed of Harry Apelman and Beatrice Apelman, October 4, 1955, conveying easement for right of way for public street and incidents in portion Pueblo Lot 1234; setting aside land and naming it Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

RESOLUTION 129982, accepting deed of Clair W. Burgener and Marvia J. Burgener, and Fred S. Leeds and Bertha Leeds, October 10, 1955, conveying easement for right of way for public street and incidents in portion Pueblo Lot 1234; setting aside and naming land Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

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RESOLUTION 129983, accepting deed of Joseph Arthur Cossairt, Jr., October 11, 1955, conveying easement for right of way for public street and incidents in portion of Pueblo Lot 1234; setting aside and dedicating land for and naming it Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

RESOLUTION 129984, accepting deed of H. B. Housman and Marjorie Z. Housman, and J. T. Lipe and Georgeana W. Lipe, October 11, 1955, conveying easement for right of way for public street and incidents thereto, in portion Pueblo Lot 1235; setting aside land and naming it Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

RESOLUTION 129985, accepting deed of C. D. Minor and Clara E. Minor and Gladys M. Carson, October 8, 1955, conveying easement for right of way for public street and incidents in portion of Pueblo Lot 1233; naming land Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

RESOLUTION 129986, accepting deed of Jack L. Oatman and Elinor S. Oatman, and Armistead B. Carter, October 18, 1955, conveying easement for right of way for public street and incidents thereto, in portion Pueblo Lot 1233; naming land Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

RESOLUTION 129987, accepting deed of R. L. Parsons and Etta Parsons, September 30, 1955, conveying easement for right of way for public street and incidents thereto, in portion Pueblo Lot 1234; naming easement Clairemont Mesa Blvd.; 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 Kerrigan, adopted.

RESOLUTION 129988, accepting deed of Security Title Company, a corporation, October 19, 1955, conveying easement for right of way for public street and incidents, in Portion Pueblo Lot 1233; naming easement Clairemont Mesa Boulevard; 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 Kerrigan, adopted.

RESOLUTION 129989, accepting deed of San Diego Unified School District, November 15, 1955, conveying easement and right of way for street purposes in portion Lot 66 Rancho Mission; naming easement 51st 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 Kerrigan, adopted.

RESOLUTION 129990, accepting deed of Paul T. Agsten and Eileen E. Agsten, November 22, 1955, conveying portions of Lots 23 and 24 Block 1 Weeks 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 Evenson, seconded by, Councilman Kerrigan, adopted.

RESOLUTION 129991, accepting deed of Orillia S. Steele and Earl R. Steele, October 29, 1955, conveying for street purposes portion of Lots 1 to 5 inclusive in Block 11 American Park 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129992, accepting deed of Dayray Investment Corporation, November 8, 1955, conveying for street purposes Lot 2 Block "O" Montclair; naming land Nile 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129993, accepting deed of The United States of America, Acting by and through The Housing and Home Finance Agency, Public Housing Administration, November 10, 1955, conveying easement for right of way for public street in portion Lots 5, 6, 7 Block 37 Linda Vista; naming land North Judson Street and Richland 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 Kerrigan, adopted.

RESOLUTION 129994, accepting deed of Clarence M. Ellsworth, Sr. and Margaret T. Ellsworth, November 14, 1955, conveying public easement and right of way in portion Lot 15 Block 111 Amended Map of 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 Kerrigan, adopted.

RESOLUTION 129995, accepting deed of Isaac Mack McLemore and Hortense C. McLemore, October 21, 1955, conveying public easement and right of way in portion Lot 15 Block 111 amended Map of 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 Kerrigan, adopted.

RESOLUTION 129996, accepting deed of George DuBourdieu and Claire DeBourdieu, October 10, 1955, conveying easement for earth embankments, slopes, cuts or fills, in portion Lot 25 The Highlands; 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 Kerrigan, adopted.

RESOLUTION 129997, accepting deed of J. M. B. Company, a partnership, composed of J. M. Banister and Helen G. Banister, partners, October 10, 1955, conveying easement for earth embankments, slopes, cuts or fills, in portion Lot 78 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 129998, accepting deed of Henry R. Behrens, August 19, 1955, conveying easement for right of way for public sewer and appurtenances in portion of Lobelia Path, La Jolla Country Heights 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 Evenson, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-

RESOLUTION 129999, accepting deed of Eula D. Pattee and Walter J. Pattee, Jr., October 12, 1955, conveying easement for right of way for public sewer and appurtenances in portion of Mint Canyon Path, La Jolla Country Club Heights, 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130000, accepting deed of The United States of America, acting by and through The Housing and Home Finance Agency, Public Housing Administration, November 15, 1955, conveying easement and right of way for public sewer and appurtenances, and a water main or water mains and appurtenances, in portions of Lots 10, 11, 25 Block 26 Chesterton; 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 Kerrigan, adopted.

RESOLUTION 130001, accepting deed of Orace W. Marshall and Martha M. Marshall, November 8, 1955, conveying easement for slope rights and appurtenances in southerly 15.00 feet except easterly 10.00 feet, and easterly 10.00 feet of southerly 35.00 feet Lot 10 Block 27 Rolando 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 Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130002, accepting deed of Raymond M. Tong and Agnes M. Tong, November 8, 1955, conveying easement for slope rights appurtenances in southerly 15.00 feet except westerly 10.00 feet and westerly 10.00 feet of southerly 35.00 feet Lot 11 Block 27 Rolando 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 Evenson, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reading of 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 6758 (New Series), 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) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by following vote: Yeas-Burgener, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Schneider, Curran.

On motion of Councilman Burgener, seconded by Councilman Evenson, Ordinance 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 6759 (New Series), appropriating \$21,000.00 from Capital Outlay Fund, for acquisition of site for proposed Clairemont Branch Library, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Williams, Schneider, Curran.

Acting City Manager E. W. Blom 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 Ridge View Manor, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by City Manager, was presented.

RESOLUTION 130003, adopting Map of Ridge View Manor Subdivision, being portion of Lot 12 Ex Mission Lands of San Diego (Horton's Purchase); accepting on behalf of the public Elm Street, Ridge View Drive and unnamed easements shown for public purposes; declaring them to be dedicated to the public use; accepting all public improvements installed within the subdivision; 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 Evenson, adopted.

Councilman Burgener told of having had a call regarding a conference for a hearing on the Mission Beach Amusement Center.

Councilman Evenson said that December 8 has been set for conference.

Councilman Burgener said it was thought that difficulties could be ironed out in a smaller meeting. He referred to conference minutes.

Mayor Dail said that it "involves people of the City"; the Council is talking to a small group of people.

Councilman Burgener said that it is not intended that conference shall replace a public hearing.

There was discussion between the Mayor and Councilman Burgener regarding objections.

Mayor Dail asked how much further the Council should go. He said the Council is not negotiating with property owners.

Councilman Burgener said that Mr. Paine (attorney who represented Mission Beach protestants at a previous hearing) is not asking for cancellation of the lease, but that the lease be not amended.

Councilman Kerrigan said the request was to do away with "this thing" (interpreted to mean the roller coaster).

The Mayor spoke to Mrs. Merrick, who was in the audience. He told her "it will be decided at the time of the hearing - not now". He said the Council has a responsibility to people of the City; not just a few property owners. He said that there have been damaging statements.

Councilman Kerrigan said that it is a matter of what direction is to be taken - public or private operation.

There was no action.

Mayor Dail told the Council that there is a possibility of a transit strike Thursday morning. He said that he does not know how far the City can go in the matter. He said there was serious possibility of a strike. The Mayor stated that he understands that it has been deadlocked (on negotiations). He told the Council that the mediator has to go back to Los Angeles. He spoke of going to vote in the next 2 hours.

Councilman Kerrigan said that the Council can adopt a resolution requesting "both sides to get together".

Councilman Burgener asked what the franchise says about strikes.

6759 N.S.

130003

Discussion re Mission Beach
Amusement Center

Discussion re possible transit strike

City Attorney J. F. DuPaul replied "it does not".

Mayor Dail answered a question, by saying that the Ferry is not involved.

Councilman Evenson asked if the City is involved.

The Mayor's reply was that the Council passed a resolution, on another problem, asking both sides to stay in negotiation, in the public interest. He declared that there is a serious situation.

Councilman Kerrigan moved that the "Mayor be authorized by the Council to consult with both sides regarding using all possible means on both sides".

Mayor Dail said it has been pointed out to both sides there is seriousness.

Councilman Evenson spoke about there being no pressure (by the Council).

The Mayor said that the situation is just stalmated; they sit and look at each other.

There was general discussion, not through the Chair.

The Mayor stated that he will write a letter.

There was no action.

Shelley J. Higgins, Assistant City Attorney, arrived, so there was taken up by the Council the temporarily continued item on the South Bay Annexation.

Mayor Dail said that "this is the day to evaluate the protest".

Mr. Higgins said there are on file with the Clerk 2 protests. He said he has prepared Resolution for Council to adopt regarding valuation of 2 agencies. He stated that values "are generously high". He said there was total of 14% value for annexation. He said there was a small protest, as far as jurisdiction is concerned.

Councilman Kerrigan spoke to Mr. Higgins. There was discussion between the two.

Mr. Higgins stated that the Council takes over districts, where they are in the City.

The Clerk read the evaluation of protests, signed by L. E. Earnest, Budget Officer, directed to the City Clerk, approved by Fred W. Sick, City Clerk.

It reads:

"Evanuation has been made of 1,322 protests on the proposed South Bay Annexation. It was found there were 497 valid protests representing a land value of \$313,437. There were 100 duplicates of the above protests.

There were 521 protests that were invalid because they represented land in the excluded area, land outside of the boundaries of the proposed annexation, or were not property owners. There were 204 duplicates of the latter group of protests.

The assessed valuation of the land within the proposed annexation is \$2,122,190. The valuation of the Sweetwater Union High School property within the district is \$9,390; the valuation of the Imperial Beach Sanitation District is \$8,280, making a grand total of \$2,139,860."

Resolutions were read.

After some discussion, a portion of one of the resolutions was re-read, at the request of Councilman Kerrigan.

Councilman Kerrigan asked if resolution statement is true.

Mayor Dail said that language is based on legal procedure.

Councilman Kerrigan declared that Resolution says Council proposed (to be annexed to the City).

Councilman Burgener stated that "by" should be used instead of "to".

Mr. Higgins said that the City has to annex.

Councilman Burgener asked that it be changed to "by".

Mr. Higgins stated that should not be done.

RESOLUTION 1300004 reads:

WHEREAS among the protests of property owners filed with the City Clerk of The City of San Diego in the proposed annexation proceeding of the South Bay Area Tract to the City of San Diego are governmental political subdivisions, namely: the Sweetwater Union High School District and the Imperial Beach Sanitary District; and

WHEREAS, these two public agencies own certain real property within the area proposed to be annexed to the City of San Diego and under the law it becomes necessary that this Council find the valuation of the property so owned to be considered under the statute allowing protests; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego, as follows:

That the Sweetwater Union High School District is the owner of the west 1/2 of the southeast 1/4 of the northeast 1/4 of Section 30, Township 18 South, Range 2 west, San Bernardino Meridian, in the County of San Diego, State of California, which lies partly within and partly without the proposed area to be annexed to the said City of San Diego. That that portion of the area lying within the area proposed to be annexed was assessed on the last Assessment Roll of the County Assessor in the sum of \$5,100.00, which this Council hereby finds and determines to be the true and correct valuation of the land for purposes of protest in said annexation proceeding;

That this Council finds that said Sweetwater High School District is also the owner of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 18 South, Range 2 West, San Bernardino Meridian, and that said land lies within the area proposed to be annexed to the City of San Diego and was assessed on the last Assessment Roll of the County Assessor in the sum of \$3230.00; and

That said Sweetwater Union High School District is also the owner of the South 450 feet of the West 1/2 of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 18 South, Range 2 West, San Bernardino Meridian, in said County and State, according to the United States Government Survey, approved February 25, 1870, excepting therefrom the East 17 feet thereof; and that said property was assessed by the County Assessor on the last Assessment Roll of the County Assessor in the sum of \$1060.00; and that this Council hereby finds and determines that each of the amounts so assessed by the County Assessor on the last mentioned two parcels of land described are the true and correct valuations of said property for the purposes of protest in said annexation proceedings; and that the total value of the real property owned by the said Sweetwater Union High School District in the area proposed to be annexed to the City of San Diego is the sum of \$9390.00.

BE IT FURTHER RESOLVED, that this Council finds that the Imperial Beach Sanitary District, a public agency, is the owner of the West 1/2 of the Southeast 1/4 of Section 30, Township 18 South, Range 2 West, San Bernardino Meridian, in said County and State, in the proposed area to be annexed to the City of San Diego, and was assessed on the last Assessment Roll of the County Assessor in the sum of \$7130.00; and said Imperial Beach Sanitary District is also the owner of the Northwest 1/4 of the Northeast 1/4 and the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 18 South, Range 2 West, in said County and State, and that said land lies within the area proposed to be annexed to the City of San Diego and was assessed on the last Assessment Roll of the County Assessor in the sum of \$1150.00; and this Council hereby determines and finds that the assessed valuations, as fixed by the County Assessor on both last described pieces of property are the true and correct valuations for purposes of protest in said annexation proceeding," was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 1300005, reads:

"Whereas, the time for filing written protests of property owners residing in the South Bay Area Tract, which has been proposed for annexation by The City of San Diego, expired at midnight of November 28, 1955; and

WHEREAS, the City Clerk having advised this Council that certain property owners owning property within the territory proposed to be annexed as above described have filed written protests against the annexation of said territory, but that said protests so filed were not made by the owners of one-half of the value of the territory as shown by the last equalized assessment roll, and that said protests so filed were not made by public and private owners equal to one-half of the value of the territory proposed to be annexed; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That this Council hereby finds from the evidence produced and presented to it with respect to the proposed annexation of the South Bay Area Tract that protests against such annexation were not and have not been made by the owners of one-half of the value of the territory as shown by the last equalized assessment roll, or by public and private owners equal to one-half of the value of the territory proposed to be annexed, and that Ordinance, adopted on the 22nd day of November, 1955, is in full force and effect, and that said annexation election shall be held as in said ordinance made and provided," was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

(This resolution is the one on which there was question if word "by" or "to" should be used).

Mr. Higgins said there was a protest made by Imperial Beach Sanitary District. On motion of Councilman Kerrigan, seconded by Councilman Evenson, the protest,

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presented for the file, was ordered filed.

The protest was from Imperial Beach Sanitary District, Post Office Box 787 Imperial Beach, California, signed by Sidney Robbins, president, and Jane F. McLaughlin, secretary, on behalf of the Governing Board. It sets out the property protested, and quotes sections of the State of California Government Code.

Councilman Kerrigan asked if there would be a full Council present for meeting of Tuesday. He said he thought members would be there Thursday, but not Tuesday.

The Mayor announced there would be a conference held next Tuesday, at 9:00 A.M.

Mayor Dail told about a dinner, a luncheon, and arrival of a seaplane tender. He asked if someone can meet the tender.

There was no action.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 10:53 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

THURSDAY, DECEMBER 1, 1955

Chamber of the Council of the City of San Diego, California

It had been determined, previously, that no meeting would be held today. No meeting was conducted, and no one appeared, to adjourn.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

Discussion re meeting and functions to be held

REGULAR MEETING

Chamber of the Council of the City of San Diego,
Tuesday, December 6, 1955

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

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

The Mayor presented Reverend L. Jack Fix, of the First Evangelical United Brethren Church, who gave the invocation.

Members of the State College Local Government Classes, under Dr. Leiffer, were welcomed to the meeting by the Mayor. At his request, they stood to receive applause.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 105.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, minutes for last week were approved without reading - after which they were signed by the Mayor.

Petition requesting the naming of the North-South Freeway through San Diego in honor of Junipero Serra, was presented.

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

Communication from E. W. Matson opposing naming of North-South Freeway through San Diego in honor of Junipero Serra, was presented.

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

Report of Purchasing Agent on 4 bids received December 2, 1955, for improvement of Alley Block 281 Pacific Beach, under 1911 Act proceedings, was presented.

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

Report of Purchasing Agent on 6 bids received December 2, 1955, for improvement of Groveland Drive, San Jacinto Drive and Castana Street, under 1911 Act proceedings, was presented.

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

Meeting convened
Invocation
Visitors welcomed
Minutes approved
Reports on 1911 Act bids

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Report of Purchasing Agent, approved by Acting City Manager, reporting on low bid of B. D. K. Corporation for 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 - 5 bids; \$11,056.00, was presented.

RESOLUTION 130006, accepting bid of B. D. K. Corporation for construction of a Storm Drain in University Avenue and in Public Rights of Way Block 23 Fairmount Addition, and Block 2 Resubdivision of Blocks 1 - 12 Fairmount Addition; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by Acting City Manager, reporting on low bid of Cameron Brothers Construction Company for construction of Storm Drain in Reed Avenue from Noyes Street to Olney Street (Thomas Avenue Drain Extension) - 7 bids; \$10,221.10, was presented.

RESOLUTION 130007, accepting bid of Cameron Brothers Construction Company for construction of Storm Drain in Reed Avenue (Thomas Avenue Drain Extension); authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by Acting City Manager, reporting on low bid of Mack Motor Truck Corporation for furnishing 2 - 1,000 gallon Pumps; 4 bids; \$21,098.71 each plus State Sales Tax, less trade-in allowance of \$1,200.00 each on 1929 and 1930 Seagrave fire engines, was presented. There were 4 bids.

RESOLUTION 130008, accepting bid of Mack Motor Truck Corporation for furnishing 2 - Triple Combination 1,000 gallon per minute Fire Engine Pumps, less trade-in allowance; 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 Williams, seconded by Councilman Burgener, adopted.

Councilman Williams asked if on the next item it is a City job.

The City Manager replied that it is an unscheduled Capital Outlay job. He reviewed it, and said what is proposed is the City's share.

Report of Purchasing Agent, approved by Acting City Manager, reporting on low bid of T. B. Penick & Sons for improvement of Ingraham Street between Diamond and Felspar Streets (including grading, paving, surfacing and construction of curb and sidewalk - \$5,595.13; 3 bids, was presented.

RESOLUTION 130009, accepting bid of T. B. Penick & Sons for Improvement of Ingraham Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, 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 Acting City Manager, on low bid of San Diego Pipe & Supply Company for furnishing 10,000 lbs. Caulking Lead @ \$16.16 per cwt., totaling \$1,616.00 plus State Sales Tax - 9 bids, was presented.

RESOLUTION 130010, accepting bid of San Diego Pipe & Supply Co. for furnishing 10,000 lbs. Caulking Lead; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of

R. E. Staite and Roy C. Ek (joint venture) for construction of Storm Drain at Torrey Pines Road and Amalfi Street - \$4,635.00, 2 bids; was presented.

RESOLUTION 130011, accepting bid of R. E. Staite and Roy C. Ek (joint venture); 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 Evenson, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent; approved by Acting City Manager on low bid of A. Steiert & Son, Inc., for furnishing 5 tons Steel Gutter Broom Wire @ \$28.20 per cwt. - \$2,820.00 plus State Sales Tax; 5 bids, was presented.

RESOLUTION 130012, accepting bid of A. Steiert & Sons, Inc. for furnishing 5 tons of Steel Gutter Broom Wire; 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 Williams, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, approved by Acting City Manager, recommending purchase from Southwest Sewer Tool Company (source of supply) of items listed in the resolution, for rodding sewer mains - \$1,338.30 plus State Sales Tax, was presented.

RESOLUTION 130013, authorizing and directing Purchasing Agent to purchase from Southwest Sewer Tool Company 200 - 39" Flexicrome Sewer Rods and parts totaling \$1,338.30 plus State Sales Tax, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

RESOLUTION 130014, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Improvement of Bayside Lane between Balboa Court and San Gabriel Place (including removal and replacement of existing concrete pavement and construction of additional drainage facilities); and construction of Storm Drain in Cohasset Court and Mission Bay Park, Document 525244; 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 130015, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of a Chair and Table Storage Room at Balboa Park Club Building, Balboa Park, Document 525246; 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 130016, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of curbs in La Jolla Shores Drive from Camino Del Oro to Camino Del Collado, Document 525245; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130017, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental

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for furnishing and installation of Northern Hard Maple Floor in the Gymnasium of the Pacific Beach Recreation Building at Diamond and Gresham Streets, Document 525247; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Allied Gardens Unit 7, subject to posting of adequate bond to insure installation of required improvements, and subject to annexation being filed with Secretary of State, was presented.

RESOLUTION 130018, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Bollenbacher & Kelton, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Allied Gardens Unit 7 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 130019, adopting Map of Allied Gardens Unit 7, being subdivision of portion Lot 65 Rancho Mission of San Diego; accepting on behalf of the public, public streets and unnamed easements: 51st Street, Zion Avenue, Rodman Avenue, Chaucer Avenue, Walter Avenue, Winona Avenue and unnamed easements shown for public purposes; declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that the streets and easements are accepted on behalf of the public as stated; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with revised tentative map of Valle Granado, was presented.

RESOLUTION 130020, suspending Sections 102.07-5, 102.11-2, 102.17-c of San Diego Municipal Code in connection with Tentative Map for revision of Valle Granado, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map for revision of Valley Granada, a subdivision of portion Lot 4 Ex-Mission Lands of San Diego, located on southerly side of Home Avenue and bisected by Fairmount Avenue, subject to 12 conditions, was presented.

RESOLUTION 130021, approving tentative map for revision of Valle Granado, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, attaching form of ordinance eliminating necessity of Board of Architectural Review passing upon signs in "C" and "M" Zones, was presented. It says that the Board requested at a conference some months that they be relieved of the responsibility, and that there is not necessity for control.

Councilman Burgener moved to "adopt"; motion was seconded by Councilman Evenson.

RESOLUTION 130022, referring to Council Conference proposed ordinance amending Section 101.0703 of San Diego Municipal Code, pertaining to powers and duties of Board of Architectural Review, re Board of Architectural Review passing upon signs in C and M Zones, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Acting City Manager reporting on request of United Manufacturers Outlet, Inc., 700 Broadway, for 30-day extension of going out of business sale, was presented. It says that Municipal Code limits closing out sale to 60 days,

with provision that an additional 30 days may be granted by resolution of the Council upon evidence of necessity for additional time. It says Police Department records show that on September 30, 1954, Al DeSure, as sole owner of DeSure's Clothing Store, 700 Broadway, requested permission to conduct going out of business sale because he was losing his lease; extension was granted November 30, 1954, and request for extension was also signed by Al DeSure. It states that in February 1955 the store re-opened as United Manufacturers Clothing Outlet, Inc., a corporation, with following officers: Hilda DeSure, president, A. J. DeSure, Vice-President and Treasurer, A. Mereno, Secretary. It says A. J. and Hilda DeSure resided at 4168 Bedford Drive, according to the 1955 City Directory, and were listed as operators of DeSure's Clothing Store, 700 Broadway. The communication states that on the basis of those facts the Police Chief has recommended against granting the extension, and the (City Manager's) office concurs in the Chief's findings and recommends denial of request.

Eli Levenson, attorney, told the Council he understands there is a recommendation for denial.

Mayor Dail said that investigation has been made, and the Council has the report.

The report referred to, above, was read to the Council by the Clerk.

Mr. Levenson said it is well known that Al DeSure operated as DeSure's. He told the Council "he went into Chapter 11 bankruptcy proceedings". He said there was nothing indicated that Mr. DeSure could negotiate a new lease. He stated that the landlord came to Mr. DeSure in 1954 and suggested a new lease. He stated that the new operation "was a new type". Mr. Levenson said that it was the suggestion was that a lease would be given for 1 year, if renewed. He declared that there is a new ownership; that Al DeSure is not the only owner; it is a corporation. He said that is "a different type". He said Mr. DeSure understood he could negotiate on the lease, but the landlord demanded the doubling of the lease. He told the Council that the only thing was to go out of business. Mr. Levenson pointed out that the Police Department had not contacted the landlord, the lessee, the corporation, or the principles. He stated that the sale has been in progress for 60 days, and there would be no damage for continuance. He said it was known there was to be an adverse report, and advertising and signs were taken off. He said that they tried to meet the ordinance, that there was an application on November 10 (communication from United Manufacturers Clothing Outlet, Inc., 700 - 714 Broadway, San Diego 1, signed by Hilda DeSure, president, addressed to the Hon. Mayor and City Council of the City of San Diego, requesting additional 30 days, was dated November 21). He said that it did not get to the police until Nov. 30, and he was finding no fault with that, since he knows these things take time. As a result, Mr. Levenson said that the operators had to close down the sale in 24 hours. He spoke of it having been done in good faith. He told the Council that this is not a continuous "going out of business sale". He declared that the public is not jeopardized, but the City is penalizing the operation. He said the extension should be granted.

Councilman Burgener pointed out that it is still a mens' clothing store.

Mr. Levenson agreed. Answering Councilman Williams, Mr. Levenson outlined the corporation ownership: Mr. DeSure 25%; Mrs. DeSure 25%; DeSure's son 25% (the other 25% was not mentioned).

Councilman Burgener asked if there had been a report from the Better Business Bureau.

Mayor Dail answered that it is a City procedure.

Mr. Levenson told the Council that there was no objection from the Better Business Bureau.

Mayor Dail, answering Councilman Burgener, on the point of protecting the public or merchants, stated that the ordinance is designed "to protect the public".

Answering Councilman Williams, Mr. Levenson said there was "an extension, on a former operation". He said that Mr. DeSure had operated for some 15 years.

Councilman Burgener declared that in effect there had been "2 going out of business sales at Christmas".

Mr. Levenson said that the 2nd lease was beyond Mr. DeSure's control. He said the lease had been attempted, but there were excessive lease terms.

Councilman Williams asked if the corporation would cease to exist.

Mr. Levenson said there would be no reason to desist; the corporation operated at another location, under the name of the store.

Councilman Burgener asked Mr. Levenson about what was out.

Mr. Levenson replied that signs have been taken off, and even though the Council were to give a 30-day extension, all could not be used, because the lease will

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be gone. He said he was talking of 14 or 15 days.

Councilman Williams spoke to Aaron Reese, Deputy City Attorney.

Mr. Reese told him that this comes within the ordinance. He said nothing is needed regarding an affidavit.

Councilman Kerrigan asked if there is need for an inventory.

Mr. Levenson said only at the opening and the closing of the sale. He said the ordinance does not require reasons.

He said that the requirement (of the inventory) is so that additional stocks can't be brought in. (Statement was by Mr. Reese).

Councilman Williams spoke to Mayor Dail about there being no new and different organization.

Mr. Reese said the matter had not been presented to the City Attorney's office. He said that it is a different entity, now. He said there is no legal effect, regarding what place was occupied formerly.

Councilman Williams said the City would not be doing justice if it enters in connection with the past.

Mr. Reese said there would be no legal effect. He said the only issue now is if this organization shall be granted an extension.

Mr. Levenson said that the corporation was not to continue closing out. He said it was for the closing of the business. He said it is a different type. He said there are creditor considerations, Chapter 11 proceedings, credit, supply, taxes, capital by an individual. He said that there could not have been operation, if there had not been re-organization.

Mayor Dail stated that the City Manager and the Police Chief feel that this is a subterfuge.

Mr. Levenson declared that this has not been completely investigated. He said questions could have been answered; there have been assumptions. He said the lease "is gone". He told the Council that the United Manufacturers Corporation has another operation, on a concession in a department store. He stated that the corporation does not operate under the same name.

There was discussion between Councilman Burgener and Mr. Levenson regarding time.

Mayor Dail asked if they are going out.

Mr. Levenson replied that they are going out December 31; there are no negotiations.

Councilman Williams moved to grant the extension, terminable on December 24 (with the 24th included).

Councilman Burgener said he does not feel that is the way; there would be no damage.

Mr. Levenson said there are 2 operations.

Mayor Dail said it was a subterfuge. He said Mr. Levenson generally speaks the truth (which comment drew laughter from the packed Council Chambers).

Mr. Levenson said application was made in good faith.

Councilman Burgener said that he can believe, but he would vote against it, although he would be willing to act on Thursday.

Mr. Levenson pointed out that every day counts.

The Mayor said they would be out of business if the buses did not roll (it was predicted that the buses would be struck this morning, but were not). He asked if this is a subterfuge. He asked what the position of the Council is.

Councilman Kerrigan said the Council should be guided strictly by the law. He said the question is if they have had the sale and extension.

Mr. Levenson told the Council there had been no extension.

Mr. Reese said the Council can grant a 30-day extension on a showing of necessity.

Councilman Kerrigan spoke of having been granted a permit to a corporation, for going out of business sale. He said there may be a defect in the ordinance - the same as others.

Councilman Burgener said he wants to know of the policy for granting 1 extension. He said he can check by Thursday.

Mr. Levenson told the Council that his office has yet to have a request for an extension denied.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the item was continued until Thursday - December 8, 1955.

Notice of Hearing from Public Utilities Commission of The State of California, on Application 37451 from The Western Union Telegraph Company, for revised schedule of rates, amended regulations applicable to intrastate leased facility private wire service within State of California, was presented.

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

Communication from State Board of Public Health, signed by Malcolm H. Merrill, M.D., Director of Public Health, dated November 30, 1955, announcing meeting on December 9 to consider actions to be taken in connection with its responsibilities with relation to public health hazards created by sewage disposal to San Diego Bay, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, referred to the City Manager.

Communication from Victor Befus, 4915 - 35th St., San Diego 16, California, dated December 1, 1955 - headed "How to become a LAW-BREAKER in San Diego" - and relating experiences, regarding parking and damage to his car, ticket for parking in alley, picket fence erected across the alley to prevent getting into garage, etc.

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

Communication from Glen Funcheon, 3404 Kellogg Way, San Diego 6, referring to his recent appearance in connection with application made to the City to subdivide his property on Kellogg Way into 2 parcels, was presented. It relates that request was denied by vote of 5 to 2, but was advised that he might make another attempt through the Planning Commission. It says suggestion was made that it would be advisable to contact his neighbors to see if they were agreeable to making Kellogg Way a public street. The communication asks if it would not be best to have the City decide what it would accept as to street width, improvements. It says that if present improvements are acceptable to the City, or it can be determined what is required, Mr. Funcheon might get the other owners to offer necessary right of way.

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

Communication from David Higbee, M.D., 3245 4th Ave., San Diego 3, dated December 1, 1955, referring to Susan Springer, --- who is hard of hearing, was presented. It asks if some arrangement can be made to keep her pet dog with her (the girl is 3 years old). The letter identifies the girl as the daughter of Mr. and Mrs. Francis A. Springer, 4525 Melisa Way.

The letter was read to the Council by the Clerk.

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

At this time a picture was taken, by request, of the City Council, for the Museum of Man, in connection with juvenile delinquency conference.

Communication from San Diego Symphony Orchestra Association, House of Hospitality, Balboa Park, signed by Wilder D. Baker, Vice President and Chairman, Liaison Committee, dated November 29, 1955, was presented.

It advocates creating increased parking in Balboa Park to benefit the Orchestra performances in Balboa Park Bowl, the Star Light Opera, Old Globe (theatre) and an essential requirement for the Fiesta del Pacifico.

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

Communication from Spanish Village Art Center, Balboa Park, San Diego, dated Nov. 26, 1955, signed by Grace G. Fischner, president; Kay Thomas, Vice President; Dorothy T. Clifford, secretary; Ellen Tratten, treasurer - members of the Spanish Village Art Center signed by occupants of studios, was presented.

Accompanying the letter was a second one, which had been received later. It was added to the file, for information of the Council, although not received in time to be listed on the agenda.

Mrs. Fischner told the Council that the group wants to help, but that the proposal by the Fiesta del Pacifico in July and Aug. 1956 is not in the best interest if granted. (The communication says that to vacate the studios for 1 month would be a decided hardship on most of the artists who have made and installed expensive equipment and made major repairs, etc.) She stated that the Association has been there for several years, and this is the best arrangement. Mrs. Fischner said that if artists are not willing to stay at their studios in the village during the Fiesta, they could sublet. She related a plan. She said that in any event, the patios could be available to the Fiesta Committee, and that Latin fiestas and markets are usually conducted out of doors. She said that the Village group has been there 7 or 8 years, and has kept up the grounds and buildings. Mrs. Fischner said that all is contained in the letter to the Council. She spoke to Councilman Burgener, directly, answering questions put to her.

Mayor Dail told of the City Manager having the request from the committee on the Fiesta, and is studying it. He said this item should be referred to the Manager.

Mrs. Fischner said that heavy and expensive equipment has been installed.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, communications were referred to the City Manager.

At the request of Councilman Williams the next item was taken up at this time, out of order. He said Mrs. Snyder is here.

Harriett Snyder, who identified herself as representing the Balboa Park Citizens Committee, appeared at the microphone. She said that the group has not had time to consider (the proposed resolution, listed on today's agenda, authorizing City Manager to execute amendment to Lease Agreement with Bernard deSelm for automobile parking in triangle lying north of high school practice field at Balboa Stadium, at monthly rental of \$50.00 beginning December 1, 1955). She said there would be damaging commercializing in Balboa Park. She told the Council that they "are already operating, and considering taking out the magnolia tree area". She asked for a "continued hearing". (One had not been set).

Councilman Williams spoke to Mrs. Snyder about the City Manager's report. (The report may have been made in conference, since it was not in the file, and had not been made in meeting).

Mrs. Snyder said there is a desire to discuss the matter.

The City Manager stated that the particular area is already in the parking concession, and this would be for day-time parking for Naval hospital visitors.

On motion of Councilman Williams, seconded by Councilman Burgener, the item was continued 1 week (to December 13).

Mayor Dail apologized to the State College visitors for not being able to hear the proceedings. He pointed out that the City Manager is working on the remodeling of the Council Chamber and the public address system.

RESOLUTION 130023, directing notice of filing assessment and of time and place of hearing thereof, on Street Superintendent's Assessment 2424 made to cover costs and expenses of work done upon paving and otherwise improving Boston Avenue, Resolution of Intention 122301, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130024, directing notice of filing assessment and of time and place of hearing thereof, on Street Superintendent's Assessment 2423 made to cover costs

Communication
Spanish Village Art Center discussion
Balboa Park Parking Concession - out of order
130023 - 130024

and expenses of work done upon paving and otherwise improving 70th Street, Resolution of Intention 122842, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130025, directing notice of filing assessment and of time and place of hearing thereof, on Street Superintendent's Assessment 2425 made to cover costs and expenses of work done upon paving and otherwise improving East and West Alley Block 4, West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta, Resolution of Intention 121774, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130026, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 18 Ocean Beach; approving Plat 2799 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130027, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Celia Vista Drive and Rolando Boulevard; approving Plat 2761 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130028, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, Public Rights of Way in Lots 25 and 26 Block 7, Lots 46, 47, 48 Block 10; Lots 7 and 8 Block 11 Bungalow Park Addition; approving Plat 2749 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The Mayor explained the apparent haste on the part of the Council in going through items on the agenda. He said some are routine, while others have been processed by the administrative departments.

RESOLUTION ORDERING WORK 130029, for installation of sewer mains in 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; 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, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 130030, for paving and otherwise improving Worden Street, Resolution of Intention 129067, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130031, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Rolando Lighting District 1, for 1 year from and including April 1, 1956 to and including March 31, 1957, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130032, for paving and otherwise improving Alley Block M Tract 2 Alta Vista Suburb, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130033, for sewers in Alley Block 8 Clifton Addition to City Heights, Chamouné Avenue, Quince Street and Public Rights of Way, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130034, for paving and otherwise improving Alleys Blocks 49 and 49-1/2 University Heights, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130035, for sidewalks in Alleghany Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130036, for paving and otherwise improving La Jolla Hermosa Avenue, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130037, for paving and otherwise improving Vancouver Avenue and Kalmia Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130038, for furnishing of electric current in University Avenue Lighting District 1, for 1 year from and including March 1, 1956, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130039, for paving and otherwise improving Alley Block 18 Ocean Beach Park, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130040, for paving and otherwise improving Celia Vista Drive and Rolando Boulevard, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130041, for paving and otherwise improving Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street; Public Rights of Way in Lots 25 and 26 Block 7, Lots 46, 47, 48 Block 10, and Lots 7 and 8 Block 11 Bungalow Park Addition, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130042, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving La Jolla Hermosa Avenue, Resolution of Intention 120406, 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 Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130043, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Guy Street, Resolution of Intention 123157, 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130044, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Franklin Avenue, with portion of 28th Street, Resolution of Intention 121775, 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130045, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Calle del Oro, and portion La Jolla Shores Drive, Resolution of Intention 125944, 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130046, granting property owners permission to grade and pave portion of Alley Block 221 Pacific Beach, by private contract, under Document 524805 (Cyril S. Litchmann, et al.), plans etc. under Document 525009, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130047, granting property owner permission to pave and otherwise improve portion of Horizon Way, by private contract, under Document 520283 (Scripps Estates Associates), plans etc. under Document 523056, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130048, granting property owner to pave and otherwise improve portion of Yonge Street by private contract, Document 524844 (David B. Coleman), plans etc. under Document 525007, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130049 (To Accompany Application and Agreement), authorizing application and agreement (copy attached) and incorporated by reference, to be executed on behalf of the City of San Diego by the City Manager and submitted to the Board on the federal Social Security Act as defined in Section 22004 of the Government Code, embodied in Title II of Social Security Act; authorizing and directing negotiations to conclude all arrangements and sign agreements and instruments which may be necessary to carry out letter and intent of the application and agreement and in conformity with all applicable Federal and State laws, rules and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130050, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays, excepted:
Both sides of Columbia Street, between Cedar and Date Streets;

establishing parking meter zone; authorizing installation of parking meters and designation of parking meter spaces; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130051, declaring one-way street:

Meade Avenue between 47th Street and Menlo Avenue, for eastbound traffic; authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130052, prohibiting parking of automobiles between 6:00 a.m. and 8:00 a.m., Sundays excepted:

West side of Pacific Highway between Market Street and Harbor Drive; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130053, fixing time for receiving bids and providing for and directing publication of notice inviting bids on \$9,460,000 bonds of The City of San Diego (Tenth Avenue Shipping Terminal in Bay of San Diego, and appurtenances - 10 o'clock a.m. Pacific Standard Time, January 17, 1956, in the Chambers of the City Council in the City and County Administration Building, Civic Center, San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The Resolution also gives instructions for addressing mailed bids, sets forth the opening, describes the bonds, payment, the fact that bonds are not callable before maturity, setting out the purpose of the issue, the security, registration, interest, terms of sale, interest rate, award, right of rejection, prompt award, form of bid, bid check, change in tax exempt status, legal opinion, information available, no litigation certificate.

RESOLUTION 130054, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Villas Unit 2 Subdivision and execute Notice of Completion and have it recorded - contract agreement Document 503749 - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130055, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Villas Unit 1 Subdivision and execute Notice of Completion and have it recorded - contract agreement Document 499978 - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130056, authorizing City Manager to accept work on behalf of The City of San Diego in Linda Manor Subdivision and execute Notice of Completion and have it recorded - contract agreement Document 510179 - was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130057, approving filing of Record of Survey Map in lieu of Final Subdivision Map - Record of Survey of Lot 62 Del Norte Addition to Encanto Heights - under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130058, extending time of contract between The City of San Diego and Morris S. Van Meter, Document 504579, which provided that all improvements in La Jolla Valley Vista Unit 1 subdivision be completed on or before December 15, 1955; stating that by Resolution 129485 adopted November 1, 1955, the Council found Morris S. Van Meter to be in default of contract for completion of improvements, and directed City Manager to notify Phoenix Insurance Company of default and demand performance of its obligation under its bond; that Phoenix Insurance Company has informed the City that the Company has arranged for completion of installation of the public improvements as required and has requested a 60 day extension from December 15, 1955 within which to complete the work, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130059, authorizing City Manager to execute and forward to Division of Public Works of State of California maintenance agreement entitled "Amendment No. 2, Date November 1, 1955", was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Resolution states that in accordance with provisions of Section 130 of Streets and Highways Code the Department of Public Works of State of California and City of San Diego have agreed on method of maintenance of certain State highway routes in the City of San Diego and have executed an agreement therefor, and that it is desirous to amend agreement.

RESOLUTION 130060, directing 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 of Lots 26, 27, 28 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 Burgener, adopted.

RESOLUTION 130061, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 55 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 Burgener, adopted.

RESOLUTION 130062, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 19 and 20 Block 45 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 Burgener, adopted.

RESOLUTION 130063, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 8, 9, 10, 11 Block 43 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 Burgener, adopted.

RESOLUTION 130064, 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 7 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 Burgener, adopted.

RESOLUTION 130065, 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 4 to 18 inclusive Block 45 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 Burgener, adopted.

RESOLUTION 130066, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 1, 2, 3 Block 45 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 Burgener, adopted.

RESOLUTION 130067, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 23 Block 52 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 Burgener, adopted.

RESOLUTION 130068, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 8 Block 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 Burgener, adopted.

RESOLUTION 130069, 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 43 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 Burgener, adopted.

RESOLUTION 130070, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 1 Block 57 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 Burgener, adopted.

RESOLUTION 130071, 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 43 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 Burgener, adopted.

RESOLUTION 130072, 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 Quarter Section 101 Rancho de la Nacion, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Burgener, adopted.

RESOLUTION 130073, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a license from The Atchison, Topeka and Santa Fe Railway Company, in favor of The City of San Diego, for installation of storm drains on Santa Fe property, outside of California Street, in vicinity of Vine Street and Thorn Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130074, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, agreement with The Atchison, Topeka and Santa Fe Railway Company regarding automatic protection at Rosecrans Street, Fifth Avenue and Twenty-Eighth Street, copy of agreement on file with City Clerk as Document 525843; rescinding Resolution 128810, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution accepting offer of Theatrical Enterprises Corporation for Plan A to lease ground upon de Anza Point in Mission Bay for motion picture theater, and authorizing City Manager to execute lease, was presented.

Councilman Kerrigan moved to "continue to Conference".

The City Manager asked if there was a need to do that. He said that everyone is agreed that Plan A should be approved. He stated that Plan B was submitted by the bidder, regarding construction and operation of drive-in theatre coupled with a Kiddyland operation. He told the Council that the kiddyland was not included in the specifications (upon which bid was based) or in the variance. He said that point could be decided later. He stated that the Council can adopt Plan A now, and consider Plan B later. The City Manager said that the Mission Bay Advisory Committee recommended Plan B - but that other steps would be needed. He stated that there was only 1 bid, and then reviewed the proposed rent.

Councilman Kerrigan pointed out that the Council did not have the opportunity to discuss this item (preceding this meeting) in conference.

Answering Councilman Williams, the City Manager said the proposal is quite favorable. He said it has been worked on for several years. He stated that a percentage lease alone, would not be lucrative.

Councilman Williams said that the City should not enter into a favorable

lease, subject to criticism from private enterprises.

The City Manager said that area is less than 20 acres; there is more land in DeAnza Trailer Park.

Councilman Burgener said there is a vast difference in the lease.

Mayor Dail read to the Council regarding lease and options.

The City Manager pointed out that for the trailer lease, the land was not ready. He said it was taken during development. Answering Councilman Evenson, the City Manager said that value would be in excess of \$10,000 - if private. He said it is about 18 acres. He told the Council that operators tend to go on cheaper land for this type of enterprise. The City Manager told the Council about the successful operations of the bidder: Spreckels Theater, Tower Theater, Broadway Theater.

Mayor Dail said that is evidence that the venture is not going to flop.

Howard Ogden, Property Supervisor, stated that lease is for 10 years, with 3 5-year options.

Mayor Dail said recommendation had come from a bank and from Ed Hall.

Councilman Kerrigan said it would be \$750. per month for 10 years, minimum. He carried on a discussion with Mr. Ogden.

The City Manager, in discussion with Mr. Kerrigan, pointed out that there is not Kiddyland approval here.

Councilman Kerrigan said that no one can go in - on account of the lease. He said he wanted to know about these things so he could answer questions, when asked.

The City Manager said that there is room for only this lease.

Councilman Burgener asked if it is exclusive.

Mr. Ogden said "no; there is other land".

Councilman Williams asked about City obligation.

Mr. Ogden said they (presumed to be the lessee) will carry the utilities.

Councilman Kerrigan asked if no fill would be necessary.

Mr. Ogden replied that is the lessee's responsibility. He said the bid was here (it is in the Clerk's file).

The City Manager read it.

Councilman Kerrigan said it is an estimate.

Mr. Ogden said lessee has to install 1,400 stalls.

Councilman Kerrigan asked if there is an architectural plan.

Mr. Ogden said the plan is in the bid; it is part of the bid.

Councilman Burgener and Mr. Ogden carried on a discussion about lights from the driving range.

Mr. Ogden told the Council that would be no problem; they could adjust the lights.

Councilman Burgener said this is really a 25-year lease.

The City Manager stated that the extension would have to be mutually agreed. He pointed out that there could be no assignment without the consent of the City. He said the main urgency in getting this project under way is regarding others that are contemplated, and the rainy season.

RESOLUTION 130075, accepting offer of Theatrical Enterprises Corporation in writing, dated November 30, 1955, designated "Plan A", to lease certain ground upon de Anza Point in Mission Bay, and construct and operate thereon a motion picture theater, on terms and conditions set forth in Notice to Bidders, Document 525089; authorizing and directing City Manager to execute, on behalf of The City of San Diego, a lease as set forth and described in the Document, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130076, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with First National Trust and Savings Bank, owner and operator of the College Center Branch - 6011 El Cajon Boulevard, San Diego, for collection of water bills of the City of San Diego, wherein and whereby collection agency agrees to collect and receive payment of City water bills in behalf of the City and to issue receipts for such payments, and the City agrees to pay said collection agency 6.8¢ per bill collected; agreement to take effect as of first day of December, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

In connection with the next 2 items, the City Manager told the Council that it is a new lease, which is terminable if the air field is abandoned. He said there would be no damages allowed.

RESOLUTION 130077, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a Lease Agreement with Crown Air Charter, Incorporated, address: Montgomery Airport, San Diego 11, California, Lessee, for leasing of Buildings Numbers 114 and 120 of City Inventory of buildings at Montgomery Airport and 9,900 square feet of adjacent land, for purpose of engaging in business of aeronautics, for 5 years, at monthly rental of \$211.84, payable monthly in advance, set out in Document 525844; property has value of \$15,000.00 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 Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130078, authorizing and directing City Manager to execute, for and on behalf of City of San Diego, Lease Agreement with Crown Air Charter, Incorporated, address: Montgomery Airport, San Diego 11, California, Lessee, for leasing Building Number 119 of City Inventory of buildings at Montgomery Airport and 4,000 square feet of adjacent land, for engaging in business of aeronautics, for 5 years beginning December 1, 1955, and terminating November 30, 1960, with option to extend once for period of 5 years, at monthly rental of \$210.00, payable monthly in advance, set out in Document 525845; property has value of \$10,000.00 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 Kerrigan, seconded by Councilman Williams, adopted.

At this point on the agenda there was listed a resolution authorizing City Manager to execute amendment to lease agreement with Bernard deSelm for automobile parking in vicinity of Balboa Stadium. The item was brought up earlier, out of order, and continued to the meeting of December 13.

RESOLUTION 130079, approving Water District of Marcellena area, together with Water Department Director's report thereon; approved by City Manager, both filed as Document 524985; setting share of construction cost to each family unit; authorizing and directing Water Department to permit property owners within Marcellena Water District to connect to the Marcellena Area Water System, upon payment to City of sum of \$48.00 per family unit or its equivalent, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130080, granting permission to William Lumpkins, architect, La Jolla, California, to install a 1-1/2" copper vent in lieu of cast iron on the lavatory in order that glass windows may be used over lavatory to preserve view, in construction at 1723 Castellena, La Jolla, California (Lot 43 Ludington Heights), was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130081, granting revocable permit to Marie Anderson, 2441 Seabreeze Drive, San Diego, to install and maintain a 1-inch copper water service for use and benefit of owner's property over, under and across Edgewater Street, (Legal description: Lot 3 Block 1 La Huerta), was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130082, granting revocable permit to I. E. Bramlett, 1106 Felspar, San Diego, to install and maintain private sewer lateral for use and benefit of owner's property over, under and across Froude Street, Lots 1, 2, 3, 4, 5 Block 7 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130083, granting revocable permit to Keith R. and Mary E.

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12/6/55

Harrington, 1864 Clove Street, to install and maintain steps from front walk to pavement for use and benefit of owner over embankment: Lot 23 Block 11 Point Loma Heights, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130084, granting revocable permit to Mary Lula Jones, 1878 Coolidge Street, San Diego, to install and maintain retaining wall for use and benefit of owner's property over, under and across Coolidge Street and Otis Street; Lot 24 Block 68 Linda Vista Unit 3, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130085, granting revocable permit to Clarence T. Swartz, 1207 Rosecrans, San Diego, to install and maintain wall and driveway for use and benefit of owner's property at 1555 Clove Street: Lot 1 Block 84 Roseville, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130086, granting revocable permit to James Willis and Mabel Willis, 1337 Rigel Street, San Diego, to install and maintain 4-inch cast iron sewer line to serve structure at Rigel and Birch Streets: Lots 1 and 2 Block 305 San Diego Land & Town, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130087, granting revocable permit to Anna M. Wolfer, 4759 Hamilton Street, San Diego, to install and maintain yard drain for use and benefit of owner, over, under and across sidewalk and parkway at 4759 Hamilton Street: Lots 9 and 10 Block E University Heights, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130088, denying claim of Drug Mart, Inc., Document 520805, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130089, denying claim of Golden State Fabrics, Document 520808, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130090, denying claim of N.K.P., Inc., Document 520807, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130091, denying claim of Chris Roden, Document 524031, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130092, 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 all its right, title and interest in and to Lots 19, 20, 21, 22, 23, 24 Block "B" Swan's Second Addition, to Robert Ponce and Rose Ponce, as joint tenants, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says that The City is desirous of acquiring portions of Lots 23, 24, 25 Block 22 Lexington Park for street purposes; Robert Ponce, owner, is willing to deed property to The City in exchange for deed from The City conveying Lots 19 to 24 Block "B" Swan's Second Addition; values of respective properties are equal, being \$400.00, as deter-

mined by last report of City Auditor and Comptroller and a qualified real estate appraiser, and City Manager has recommended the exchange.

Resolution directs City Clerk to deliver the quitclaim deed to Property Supervisor, with instructions that it be delivered to grantees when Property Supervisor has in his possession a deed conveying property required by the City.

On motion of Councilman Burgener, 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 written or printed copy.

ORDINANCE 6760 (New Series), changing name of East Tecolote Road to Artillery Drive, repealing all ordinances or parts of ordinances in conflict, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Schneider, Curran.

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

ORDINANCE 6761 (New Series), setting aside and dedicating portion of Pueblo Lot 264 as and for public street, and naming it Dorcas Street; repealing Ordinance 6739 (New Series), was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

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

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

ORDINANCE 6762 (New Series), appropriating \$11,800.00 out of Capital Outlay Fund, for providing funds for 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 to 12 Fairmount Addition, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

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 6763 (New Series), appropriating \$11,500.00 from Capital Outlay Fund for construction of Storm Drain in Reed Avenue, from Noyes Street to Olney Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

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

On motion of Councilman Evenson, seconded by Councilman Kerrigan, 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 6764 (New Series), appropriating \$6,200.00 from Capital Outlay Fund, for improvement of Ingraham Street, between Diamond and Garnet Streets, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

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 6765 (New Series), appropriating \$5,100.00 from Capital Outlay Fund, for construction of storm drain in Torrey Pines Road and Amalfi Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

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 6766 (New Series), appropriating \$550.00 from Unappropriated Balance Fund, for purchase of Fire Extinguishers to be installed on certain pieces of Automotive Equipment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance creating position of Assistant Director of Social Service in the Classified Service of the City of San Diego, and establishing schedule of compensation, was introduced, by the vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Schneider, Curran.

Ordinance authorizing execution of lease of portion of Pueblo Lot 1324 with Associated Glider Clubs of Southern California, Ltd., Lessee, was presented.

The City Manager said the Council could hold it up, and check in connection with the golf courses (it is in the Torrey Pines area, in which general area the golf courses are to be built).

RESOLUTION 130093, referring to Council Conference proposed ordinance authorizing execution of lease of portion of Pueblo Lot 1324 with Associated Glider Clubs of Southern California, Ltd., was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Ordinance amending Chapter X, Article 2 of San Diego Municipal Code, by amending Section 102.08.1 thereof, relating to street name signs in subdivisions, was presented.

Councilman Burgener asked what is required.

The City Manager replied "you may not want to act on this".

RESOLUTION 130094, referring to Council Conference proposed ordinance amending Chapter X Article 2 of San Diego Municipal Code, by amending Section 102.08.1 relating to Subdivisions, Street Name Sign Requirement, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance incorporating portions of Lots 498, 499, 500 and 501 Allied Gardens Unit 4 into "C" Zone, as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance 6395 (New Series) adopted February 3, 1955, insofar as it conflicts, was introduced, by the following vote: Yeas—Councilmen Burgener, Williams, Kerrigan, Evenson, Dail. Nays—None. Absent—Councilmen Schneider, Curran.

Councilman Burgener asked what happened to the Mission Valley (subdivision) item .

The City Manager replied that the developer wanted to get a building permit before the first of the year, but it can't be granted without a variance. He said the recommendation is to go before the Planning Commission (Board of Zoning Adjustment) tomorrow.

Councilman Kerrigan pointed out that, in addition to action, there is the right of a 10-day wait on an appeal. He said if an appeal is made, the Council has to hold a hearing.

Harry C. Haelsig, Planning Director, told the Council that it has been in the zoning docket several times, but had been held because of insufficiency of plans. He said he has been told that plans are virtually completed. He said that it is up to their (the developer's) engineer to get on the ball, and stay there.

There was no action.

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

RESOLUTION 130095, granting, pursuant to application therefor, and recommendation of City Manager on file in office of City Clerk, the San Diego Racing Association, sponsored by U.S. Marine Corps and Salvation Army, permission to use Balboa Stadium on Sunday afternoon, December 18, 1955, for purpose of holding jalopy race, on rent-free basis; event to be held for purpose of collecting toys for underprivileged children, subject to the conditions of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

The resolution waives rental fee, and repeals Resolution 126132 adopted May 5, 1955.

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

Roseville Lighting District No. 1;
Pacific Highway Lighting District No. 1;
Adams Avenue Lighting District No. 1.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:22 o'clock A.M. He announced that the Council should go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

James M. Hadstrom
Deputy

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

Lighting Contracts
signed
Meeting adjourned

130094 - Ord to Conf
Ords introduced
Discussion re Mission Valley
Inn

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REGULAR MEETING

Chamber of the Council of The Council of The City of
San Diego, California

Thursday, December 8, 1955

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

Vice Mayor Claire W. Burgener called the meeting to order at 10:25 o'clock A.M. He apologized to people present on items concerning them, for the late hour of starting inasmuch as there was not a quorum present, and for being unable to act on some of the items due to there being only 4 members of the Council in attendance after meeting was convened.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance incorporating portion Pueblo Lot 1214 into R-2 Zone, and repealing Ordinance 13457, the Clerk reported no protests.

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

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

On motion of Councilman Kerrigan, seconded by Councilman Williams, Ordinance incorporating portion of Pueblo Lot 1214 into R-2 Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance 13457 approved February 15, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Evenson. Absent--Councilmen Schneider, Curran, Mayor Dail. Nays--None.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance incorporating portions Lots 25 and 33 Seaman's Subdivision, all Lots 1 to 11 Ocean View Gardens into R-2 Zone, and repealing Ordinances 13559 and 184 (New Series) insofar as they conflict, the Clerk reported no protests.

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

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

On motion of Councilman Kerrigan, seconded by Councilman Williams, Ordinance incorporating portions of Lots 25 and 33 Seaman's Subdivision, all of Lots 10 and 19 Lemon Villa and portions of Lots 1 to 11 inclusive, Ocean View Gardens, into R-2 Zone; repealing Ordinances 13559 and 184 (New Series), insofar as they conflict, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Kerrigan, Evenson. Absent--Councilmen Schneider, Curran, Mayor Dail. Nays--None.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of Albert H. Kessling and Noma Kessling from decision of Board of Zoning Adjustment in denying request to convert existing residence structure having 6 kitchens to a 4-family apartment building, on West 80 feet of Lots 11 and 12 Block 13 Cleveland Heights, at 3501 Front Street, Councilman Kerrigan stated that item should be continued, in that the Council might not be able to take positive action.

Councilman Burgener, as Vice Mayor, pointed out that there are only 4 members of the Council present.

Mr. Graves, for Mr. Kessling, said he was in favor of continuance.

An unidentified man said he wants the decision made now.

The Vice Mayor stated that either side can ask for 1 continuance.

Meeting convened
Hearings
Ords. introduced

Councilman Williams moved to continue the hearing.

Mrs. Kendall said she would rather have the hearing Tuesday, than Thursday which would be 1 week.

Councilman Evenson said it is "delaying these people".

The Vice Mayor, after having consulted the date book with the Clerk, announced that the Tuesday docket is crowded.

On motion of Councilman Williams, seconded by Councilman Kerrigan, hearing was continued 1 week - to 10:00 o'clock A.M. of Thursday, December 15, 1955.

The Clerk was directed to place the hearing first on the agenda.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of Mrs. Myrna M. Magill and Donna Lou Magill from decision of Board of Zoning Adjustment denying permit for newspaper stand in front porch of existing residence at 3784 - 31st Street, Mrs. Magill was present, but did not speak.

The Vice Mayor stated that the item could not be acted on in her favor today. He said it should be continued 1 week.

Mr. Magill told the Council that he had been refused a hearing by Planning.

The Vice Mayor said a hearing will be held by the Council.

On motion of Councilman Williams, seconded by Councilman Kerrigan, hearing was continued 1 week - to 10:00 o'clock A.M. of Thursday, December 15, 1955.

The Clerk was directed to place the hearing second on the agenda.

Hearing was listed on the agenda for 2:00 P.M., today, in connection with Mission Beach Amusement Center matter, including a report from the City Attorney on investigations relative to lease.

On motion of Councilman Williams, seconded by Councilman Evenson, hearing was continued 1 week - to 2:00 o'clock P.M. of Tuesday, December 13, 1955.

Communication from Al F. O'Donnell, 5935 La Jolla Boulevard, La Jolla, dated December 3, 1955, accompanied by a petition, opposing the opening of La Jolla Hermosa Avenue, removal of Electric Avenue, removal of old abandoned street car railway right of way from master plan, etc., were presented.

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

Petitions for naming the North-South Freeway in San Diego in honor of Junipero Serra, was presented.

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

RESOLUTION 130096, approving brochure in connection with bonded indebtedness of \$9,460,000. for constructing improvements to San Diego Harbor, etc., was introduced at the end of the meeting, but numbered at this point by request. It will be found listed, later.

Communication from Purchasing Agent, approved by City Manager, reporting on low bid of Air Conditioning, Inc., of San Diego for furnishing and installing air conditioning equipment at Police Courtroom No. 2, at price of \$1,540.00 plus State Sales Tax - 5 bids, was presented.

RESOLUTION 130097, accepting bid of Air Conditioning, Inc. for furnishing and installing Air Conditioning Equipment at Police Courtroom No. 2; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of

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Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on low bid of California Electric Works for installation of overhead wiring, luminaires, wooden cabinet containing time switch, externally operated switch on pole together with necessary conductors in connection with existing system at Frontier Housing Project - 2 bids; \$1,397.00, was presented.

RESOLUTION 130098, accepting bid of California Electric Works for Installation of overhead wiring, etc., at Frontier Housing Project; 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 Williams, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on low bid of Pace Construction Company for construction of Storm Drain in Lot 29 Ex-Mission Lands of San Diego (Horton's Purchase) - 4 bids; \$1,495.00, was presented.

RESOLUTION 130099, accepting bid of Pace Construction Company for construction of Storm Drain in Lot 29 Ex-Mission Lands of San Diego (Horton's Purchase); awarding contract, authorizing and instructing City Manager of The City of San Diego to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on identical bids of Mission Pipe and Supply Company and Crane Company, of San Diego, for furnishing 1 30" Plug Valve for Water Department for \$2,626.56 terms net, plus State Sales Tax - 3 bids, was presented.

RESOLUTION 130100, accepting bid of Crane Company for furnishing 1 30" Plug Valve; 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 Williams, adopted.

(Award was determined by lot).

Communication from Purchasing Agent, approved by City Manager, reporting on co-low bids of W. G. Ehmcke Sheet Metal Works and San Diego Sheet Metal Works, for furnishing and installing Ductwork at Police Court No. 2 - \$1,069.00; 6 bids, was presented. It states that award was determined by lot.

RESOLUTION 130101, accepting bid of W. G. Ehmcke Sheet Metal Works for furnishing and installing Ductwork at Police Courtroom No. 2; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant specifications on file in office of Purchasing Agent, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, approved by City Manager, reporting on 4 bids received for construction of storm drain in Crown Point Drive northerly of Fortuna Avenue, was presented. It says that by communication dated December 1, 1955, City Engineer advised that low bid of \$3,980.00 is 59.2% above estimate - and it recommends that all bids be rejected.

RESOLUTION 130102, rejecting all bids received October 28, 1955, for construction of Storm Drain in Crown Point Drive northerly of Fortuna Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130103, authorizing Purchasing Agent to advertise for sale and sell pelletizing equipment at the Sewage Treatment Plant, used in conjunction with heat drying facilities - which Director of Public Works reports has not been operated for over a year, due to excess cost in operation - equipment no longer desirable for use or retention by the City, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of 1-lot subdivision of portion Pueblo Lot 220, located on southwesterly side of Midway Drive and northeasterly of Kemper Street, being portion of land used for Frontier Housing, recently dismantled, was presented. It states that owner of property has filed application for conditional use permit, to permit construction of a drive-in theater. The recommendation for approval, is subject to 10 conditions.

RESOLUTION 130104, approving tentative map of Bayview Drive-Theater Tract, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending adoption of Final Map of Chester Square Addition, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 130105, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Russell Segel and Stephanie Segel for installation and completion of required monuments to be set in positions specified on map of Chester Square Addition (contract executed and \$1320.00 has been deposited to guarantee satisfactory completion of work and improvement); directing City Manager contract for installation and completion of unfinished improvements; 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 130106, adopting Map of Chester Square Addition, being portion of Lot 16 Horton's Purchase in Ex-Mission Lands of San Diego; accepting on behalf of the public Federal Boulevard and unnamed easements; declaring them to be portion of public street and unnamed easements and dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion Municipal Code in connection with tentative map of Del Cerro Units 4, 5, 6, 7, 8, was presented.

RESOLUTION 130107, suspending Sections 102.09-1&2, 102.07-5, 102.11-2, 102.11-1, 102.12-5, 102.12-8, 102.17-c of the Municipal Code in connection with tentative map of Del Cerro Units 4, 5, 6, 7, 8, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Tentative Map of Del Cerro Units 4 through 8, a 300-lot subdivision of portion Lot 67 Rancho Mission, located northerly of Alvarado Freeway, adjacent to Del Cerro Units 1, 2, 3, subject to 15 conditions, was presented.

RESOLUTION 130108, approving tentative map of Del Cerro Units 4 through 8, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending suspension of portion of Municipal Code in connection with revised tentative map of La Jolla Mesa Unit, a 68-lot subdivision of portion of Pueblo Lot 1782, was presented.

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RESOLUTION 130109, suspending Sections 102.09-1&2, 102.11-2, 102.11-1, 102.17-c of the Municipal Code, in connection with revised tentative map of La Jolla Mesa Unit 1, 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 La Jolla Mesa Unit 1, for 68-lot subdivision of property within portion of Pueblo Lot 1782, located northerly of Pacific Beach along easterly side of La Jolla Mesa Drive, subject to 14 conditions, was presented.

RESOLUTION 130110, approving revised tentative map of La Jolla Mesa Unit 1, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, reporting on tentative map of Poma Subdivision, for 2-lot resubdivision of Lot 2 Block C Russell Heights Tract 1, located at southeasterly corner of Carling Drive and Lorca Drive, was presented. It says owner proposes to divide lot into 2: 57.92 ft x approximately 90 ft. and other being corner lot of approximately 70 ft. x 60 ft. It says easterly lot would be over minimum requirement of 5000 sq. ft., but corner lot would be approximately 4200 square feet. It says that inasmuch as subdivision would not be in conformity with lot sizes in the area, and since 1 would be less than 5000 square feet required by Municipal Code, the Planning Commission recommended denial of tentative map.

RESOLUTION 130111, denying tentative map for resubdivision of Lot 2 Block C Russell Heights Tract 1, Poma Subdivision, in that it does not conform to development of the area, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Planning Commission by Harry C. Haelsig, reporting on tentative map for resubdivision of Lots 6 & 7 Block 14 University Heights, located on Idaho Street, in University Heights, within R-4 zone, was presented. It says the subdivider is owner of 15 feet of Lot 3, all Lots 4 and 5 which comprises total of 65 feet on frontage on Idaho and extends 145 feet to an alley. It tells of existing duplex and triplex on the parcel, and that owner proposes to purchase back 50 feet of Lots 6 and 7 and erect triplex on that portion. The report says that would create an "L" shaped lot and the back 50 feet of Lots 6 and 7 would have no frontage to Idaho Street excepting through adjacent lots; also front 90 feet of Lots 6 and 7 which would remain as separate parcel, would not have access to the alley. It recommends denial, in view of deficiencies and since tentative map is not in conformity with Municipal Code or development of the area.

RESOLUTION 130112, denying tentative map for resubdivision of Lots 6 and 7 Block 14 University Heights, in that it does not conform to requirements of subdivision ordinance, 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 Weertz Tract, a 1-lot subdivision of portion Pueblo Lot 239, was presented.

RESOLUTION 130113, suspending Sections 102.07-5, 102.11-1, 102.17-c of the Municipal Code, in connection with tentative map of Weertz Tract, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of tentative map of Weertz Tract, a 1-lot subdivision of portion Pueblo Lot 239, located at northwesterly corner of Rosecrans and Midway Drives, subject to 3 conditions, was presented.

RESOLUTION 130114, approving tentative map of Weertz Tract, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting on petitions offering the city a 50-foot strip of land to be dedicated for street purposes; extending southeasterly from Torrey Pines Road for about 300 feet to edge of Scripps Elementary School site, was presented. It reports the property as a private road, and has been for several years, serving 4 parcels of land without street frontage, in addition to serving as auxiliary access to school site. It says that 2 parcels fronting on Torrey Pines Road use the proposed street for garage access.

It says "this office believes that all persons owning land on this easement have signed the offer of dedication, except the San Diego Unified School District". It reports that a member of the School Board staff states that their office has no objection to the dedication and, further, that any rights they now have would be abandoned automatically, under terms of their grant deed, when strip is dedicated for street purposes. It says that Water and Public Works Departments have no objection to the proposed dedication; City Engineer's office recommends acceptance of dedication, without improvement and without further dedication at this time. Communication reports that Planning Commission voted 7-0 that it is their recommendation that City adhere to policy of requiring minimum street improvements on any land proposed to be dedicated for street purposes and that proposed street dedication should only be accepted after it has been improved by grading, paving and curbs and by dedication of additional land for a 70-foot diameter banjo at or near end of proposed street.

Vice Mayor Burgener stated that the item had been discussed in conference.

Harry C. Haelsig, Planning Director, said that Planning recommends the acceptance; the policy is of requiring land to be up to standard. He said it is now a private easement, to be dedicated as a street. He pointed out that there is a light asphalt surfacing. He said "the question is if the Council wants to adhere to specifications".

Councilman Kerrigan declared that it is "a bad problem".

Mr. Haelsig said there is the question of City maintenance, and that the Council has been approving - under a 1911 improvement act proceeding.

The Vice Mayor said property owners will have to improve and pay for it.

Councilman Kerrigan asked if there is to be an agreement (to that effect).

Councilman Burgener read the Planning report and recommendation, to the Council.

Mr. Haelsig said that the Commission had discussed if there should be higher type improvement, or be accepted as is. He stated that the Commission did not want to establish a policy for the Council.

The Clerk then read the letter of recommendation, except for the last portion, which had been read by Vice Mayor Burgener.

The Vice Mayor said "there is no danger in accepting the land".

Mr. Haelsig pointed out that the owners may sell, and that new owners assume that the street is "paved".

Vice Mayor Burgener said that it should be accepted as an improved street - to be maintained as a dirt street, only.

Mr. Haelsig said that the Commission did not want to go back of Council policy.

Asked about the issue, Aaron Reese, Deputy City Attorney, said that the legal effect would be serve notice on the property owners.

RESOLUTION 130115, referring to the City Attorney the acceptance of offer of a 50-foot strip of land in Pueblo Lot 1286 from George Clarke Rose et al; requesting that necessary resolution be prepared to accept the parcel of land for street purposes to be "maintained as a dirt street, only", was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

The next item had been continued from the meeting of December 6, 1955. It was recommendation from the Acting City Manager, Document 525291, that request of United Manufacturers Outlet, Inc., 700 Broadway, for a 30-day extension of going out of business sale, be denied. A lengthy hearing had been held that day, resulting in the continuance until today.

The Vice Mayor said that the item has been reviewed, and there is no objection.

Communication, Discussion
of dedication acceptance
130115
Cont. item re extension
of United Mfg. Outlet, Inc.
sale permit

Aaron Reese, Deputy City Attorney, told the Council that it would require an affirmative vote to adopt the extension.

An informal poll of the Council was taken as an expression of views.

Councilman Kerrigan pointed out that the applicant is complying with the law, in making the request.

RESOLUTION 130116, granting permission to United Manufacturers Clothing Outlet, Inc., 700-714 Broadway, to continuing the "going out of business" sale, until midnight of December 24, 1955, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Mrs. Charles E. Kohler, dated December 3, 1955, objecting to construction of a new church on Allied Gardens Lots Nos. 1012 through 1016, and stating that there are better locations, was read to the Council by the Clerk.

The Vice Mayor asked in what zone the property is located.

Councilman Williams spoke of the item having come to him. He said it is in R-1 zone. He said that there has been application for zone variance. He stated that variance had been before the Board of Zoning Adjustment (and granted), and that it had been appealed.

Harry C. Haelsig, Planning Director, said it could be by variance.

The Clerk, after checking the date book, said hearing had been set for December 15, 1955.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, the letter was referred to the "hearing file".

Communication from John McQuilken, dated December 6, 1955, stating that the Board of Directors of the League of California Cities has authorized appointment of committee on assessing and tax problems. It tells of activities of the committee, and said he has been invited by O. W. Campbell (City Manager), president of the League, to serve as a member of the committee. It states he is advised that there will be relatively few meetings and limited travel expense. It asks for an expression of the Council's sentiment prior to committing himself as to availability of service. The letter was read to the Council by the Clerk, at Mr. McQuilken's request.

Councilman Kerrigan moved to approve, and direct the City Attorney to prepare resolution to approve travel expense. Motion was seconded by Councilman Williams.

The item was then filed.

The Vice Mayor said there will be action "each time".

RESOLUTION 130117, approving the serving on a committee on assessing and tax problems of the League of California Cities by John McQuilken, City Auditor & Comptroller; authorizing City Attorney to present a resolution authorizing expense for each time needed, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Border Cities Conference, 530 Broadway, Suite 1110, San Diego 1, dated December 5, 1955, by Verne O. Warner, president, was presented. It states that a Goodwill Tour to Mexico City and Acapulco is planned for latter part of January. It encloses program, etc., and says "This will be the first time in history that representatives of cities in the two Californias have demonstrated solidarity by traveling together to the Mexican Capital". It expresses hope that delegation from San Diego including the Mayor and as many representatives of the Council will be included.

RESOLUTION 130118, referring to Council Conference communication from Border Cities Conference, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Wilfred J. McConkey, Advance Representative, General Motors Parade of Progress, dated December 2, 1955, requesting portion of portion of Zoo Parking Lot for showing, between February 14 and 22, 1956, was presented.

RESOLUTION 130119, referring to Conference communication from Wilfred J.

McConkey, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Convention and Tourist Bureau, 924 - 2nd Avenue, dated December 6, 1955, signed by Mitch Angus, Executive Manager, was presented. It recites that following resolution was adopted by the Board of Directors of the Bureau on November 25, 1955: "The San Diego Convention and Tourist Bureau has previously expressed its support of the Stanford Research report on public assembly facilities for San Diego. The report stresses the reasons why the facilities should be combined in a central location and supports its recommendations with substantial factual data. The Bureau concludes that any division of the buildings suggested by the Stanford Research report would endanger the entire project and therefore urges that the City Council include in the convention facilities suggested by the Stanford Research Institute a 3,000 seat theatre".

On motion of Councilman Williams, seconded by Councilman Kerrigan, it was referred to the hearing file.

Communication from Evelyn Shaw, 8211 Paseo del Ocaso, La Jolla, dated December 2, 1955, telling about experiences with dogs, calls made to the City Pound, was presented. It concludes with: "Either curtail the activities of Animal Control (and let us know and understand about it) or provide more personnel: give those people a job they can do. But I hope you'll decide to increase their numbers. Their work has continually benefitted our neighborhood until the last few weeks. If they had to leave us to attend to inoculations, all I can say is we certainly need their constant attention. We noticed the difference right away."

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

Communication from San Diego Yellow Cabs, Inc., 639 - 13th Street, San Diego, dated December 5, 1955, signed by Rex Taylor, president, was presented.

It quotes, in accordance with Section 72.02 of the Municipal Code, Taxicab Rates of Fare, paragraph (f), the following rates of fare:

"Forty cents (40¢) first one-third (1/3) mile and ten cents (10¢) each additional one-third (1/3) mile".

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

RESOLUTION 130120, declaring intersection stop:

Ivanhoe Street and Silverado Street, affecting eastbound traffic on Silverado Street;

declaring through highways:

Silverado Street from west line of Draper Avenue to west line of Ivanhoe Avenue except at intersection with Girard Avenue;

Moraga Avenue from north line of Balboa Avenue to the south line of Clairemont Mesa Boulevard;

Alleghany Street from the center line of Rachael Street to its easterly terminus;

authorizing installation of necessary signs and markings to be made, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130121, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Union Street, between Ash and Beech Streets; establishing Parking Meter Zone; directing City Manager to cause parking meters to be

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installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings to be made, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130122, authorizing and directing installation of 12 overhead 6000 lumen street lights, by San Diego Gas & Electric Company, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission (dated July 21, 1955) by Harry C. Haelsig, recommending approval and acceptance of Record of Survey map of Paradise Hills Unit 3, was presented.

RESOLUTION 130123, 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 Block 44 Paradise Hills Unit 3 - was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Record of Survey map of Lot 22 Block 22 Sunset Cliffs, was presented.

RESOLUTION 130124, approving filing of Record of Survey Map in lieu of final subdivision map, under Section 102.02.1 of San Diego Municipal Code - Lot 22 Block 22 Sunset Cliffs - was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

In connection with the next resolution, the City Manager said "there is a new gimmick to kill off carp.

RESOLUTION 130125, cancelling contract between The City of San Diego, June 1, 1955, and L. L. Black and Fred F. Koehler, for removal of carp from Hodges Reservoir for period beginning on day of execution of contract and ending June 30, 1957, unless sooner terminated; authorizing and directing City Manager to give notice of action pursuant to provisions of the contract, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Resolution says Messrs. Black and Koehler have failed to file with the City insurance policies protecting City against public liability and property damage, Director of Water Department has advised that project has been abandoned as not economically feasible, and that it is recommended that contract be cancelled.

RESOLUTION 130126, authorizing City Manager to employ M. H. Golden Construction to excavate and remove retaining wall and driveway to street grade on portion Lot 29 La Mesa Colony, on easterly side of La Dorna Street northerly of Montezuma Road, cost of work not to exceed \$148.00, payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Resolution says that The City of San Diego has entered into contract under 1911 Street Improvement Act proceeding, and that in addition to work provided in proceeding, it will be necessary to do the work specified, and that the contractor has offered to do work for sum stated and City Manager has recommended acceptance and work to be done.

RESOLUTION 130127, authorizing City Manager to employ Griffith Company to construct 1,434 square feet of surfacing in Roosevelt Avenue westerly of portion now being improved, to meet existing paving to the west; cost of work not to exceed \$143.40, to be payable from Ordinance 5341 (New Series), was on motion of Councilman Evenson, seconded by

Councilman Kerrigan, adopted.

Resolution says that The City has entered into contract under 1911 Street Improvement Act proceeding, and that in addition to work provided in proceeding, it will be necessary to do work specified, and contractor has offered to do work for sum stated and City Manager has recommended acceptance and work to be done.

RESOLUTION 130128, authorizing and empowering City Manager to do all work in connection with replacement of water main in Dickinson Street, 285 feet west of Front Street to its western terminus, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130129, approving Change Order 2, Document 525894, issued in connection with contract between The City of San Diego and Griffith Company for widening Ash Street between Kettner Boulevard and Pacific Highway, Document 518040; approving changes amounting to increase in contract price of approximately \$328.95, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

In connection with the next item, Councilman Williams said "it is the same as Harbor Drive.

The City Manager stated that it is the same contract.

RESOLUTION 130130, approving Change Order 1 dated November 17, 1955, Document 525896, issued in connection with contract between The City of San Diego and Johnson-Western Constructors for construction of Los Penasquitos Creek Bridge, contract Document 519700; changes amounting to increase in contract price of approximately \$700.00; approving request in Change Order 1 for extension of 45 days to and including January 22, 1956, in which to complete contract; extending time of completion to January 22, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130131, approving Change Order 1, November 29, 1955, Document 525898, issued in connection with contract between The City of San Diego and Taylor and Sloan, Inc., for installation of Kearny Mesa Sewer, contract Document 524396; changes amounting to increase in contract price of \$873.00, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130132, authorizing and directing City Manager, for and on behalf of the City, to make application to Board of Supervisors of County of San Diego, State of California, and take all necessary steps to acquire from State of California land in Assessor's Map 33: Lot B-1, also known as Parcel 1-102-27, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130133, 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 4 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 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 Evenson, adopted.

RESOLUTION 130134, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes

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against Lots 8, 9, 10 Block "B" Weeks Addition, together with 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 Evenson, adopted.

RESOLUTION 130135, approving trip made by City Manager O. W. Campbell, from Miami, Florida, to Washington, D.C. for purpose of conferring with Department of Navy with respect to use of Miramar Airport; authorizing City Auditor and Comptroller to approve reimbursement of any expenses incurred by Mr. Campbell on trip to Washington, D.C., was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130136, denying claim of Donald Earl Bruce, Document 523250, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130137, determining and declaring that public interest, convenience and necessity of City of San Diego and inhabitants thereof require construction, operation and maintenance of public street across portions of Lots 24, 25, 26 Block 32, and portion of Valeta Street as vacated and closed to public use, all in Loma Alta 2; and that public interest, convenience and necessity demand acquisition of property to be used by the City; declaring intention of The City of San Diego to acquire property under Eminent Domain proceedings; directing City Attorney of The City of San Diego to commence action in Superior Court of State of California, in and for County of San Diego, for purpose of condemning the property, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130138, accepting quitclaim deed, November 28, 1955, executed by Walk Corporation, a corporation, P.O. Box 476 Route 1 San Diego 10, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named "Allied Gardens Addition", being subdivision of all Lot 131 and all those portions Lot 105 Allied Gardens Unit 1; 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 130139, accepting quitclaim deed, November 28, 1955, executed by Hobart Enterprises, a co-partnership composed of E. H. Johnson, R. E. Tyson and A. L. Lynds, 1150 Silverado, La Jolla, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named "Clairemont Manor Unit 6"; 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 Kerrigan, adopted.

RESOLUTION 130140, accepting quitclaim deed, November 23, 1955, executed by Marquette Construction Co., 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 4"; 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 130141, accepting deed of Clarence E. King and Maude S. King, November 9, 1955, conveying easement for right of way for public street and incidents in portion of Lot 62 Del Norte Addition to Encanto Heights; naming easement Paradise 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 Evenson, adopted.

RESOLUTION 130142, accepting deed of Clarence E. King and Maude S. King, November 9, 1955, conveying public easement and right of way in southwesterly 4.00 feet and southeasterly 4.00 feet Lot 62 Del Norte 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130143, accepting subordination agreement, executed by Guy L. Miller and Muriel E. Miller, beneficiaries, and Land Title Insurance Company, a corporation, trustee, November 28, 1955, subordinating all right, title and interest in and to public easement and right of way in southwesterly 4.00 feet and southeasterly 4.00 feet Lot 62 Del Norte 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130144, accepting subordination agreement, executed by Guy L. Miller and Muriel E. Miller, beneficiaries, and Land Title Insurance Company, a corporation, trustee, November 28, 1955, subordinating all right, title and interest in and to easement for right of way for public street and incidents in portion Lot 62 Del Norte 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130145, accepting deed of Lee J. Morgan and Nellie E. Morgan, November 15, 1955, conveying easement for right of way for storm drain, or drains, and appurtenances, in portion Lot 36 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130146, accepting subordination agreement, executed by Armistead B. Carter and Mary Delafield Carter, beneficiaries and Security Title Insurance Company, a corporation, trustee, November 17, 1955, subordinating all right, title and interest in portion Lot 36 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 Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130147, accepting easement for right of way for public sewer and appurtenances, being strip of land 10.0 feet wide in Pueblo Lot 1785; directing City Clerk to file certified copy of resolution in Office of County Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

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RESOLUTION 130148, accepting deed of Allied Farms, Incorporated, a corporation, and Heron Corporation, a corporation, November 23, 1955, conveying easement for right of way for public street and incidents, in portion Lot 67 Rancho Mission; naming easement 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 Evenson, adopted.

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 a written or printed copy.

ORDINANCE 6767 (New Series), appropriating \$7,450.00 out of Capital Outlay Fund for funds to pay one-half of estimated cost of constructing storm drain in 52nd Street, between El Cajon Boulevard and Trojan Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, 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 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 6768 (New Series), establishing grade of Alley Northerly of and contiguous to Lots 21 to 40 inclusive, Block 187, Pacific Beach, between westerly line of Fanuel Street and easterly line of Everts Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, 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 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 6769 (New Series), establishing grade of Northerly and Southerly Alley Block 192 Pacific Beach, between northerly line of Felspar Street and southerly line of Emerald Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, 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 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 6770 (New Series), establishing grade of "A" Street, between southerly prolongation of easterly line of Lot 47 Block 121 Choate's Addition, and line parallel to and distant 313.78 feet westerly therefrom, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, 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 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 6771 (New Series), establishing grade of Ash Street, between easterly line of Bancroft Street and westerly line of Bancroft Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen ~~Councilmen~~ Schneider, Curran, 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 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 6772 (New Series), establishing grade of Talbot Street, between line parallel to and distant 99.86 feet easterly from easterly line of Catalina Boulevard and northwesterly line of Canon Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, 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 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 6773 (New Series), establishing grade of 33rd Street, between northerly line of Block 121 Choate's Addition and northerly line of "A" Street, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, 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 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 6774 (New Series), establishing grade of Valeta Street, between southwesterly prolongation of southeasterly line of Famosa Boulevard and southeasterly line of West Point Loma Boulevard, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, Mayor Dail.

On motion of Councilman Evenson, seconded by Councilman Kerrigan, Ordinance creating position of Retirement Officer in Classified Service, and establishing schedule of compensation therefor, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson. Nays-None. Absent-Councilmen Schneider, Curran, Mayor Dail.

The City Manager requested, and was granted, unanimous consent, to present the next item, not listed on the agenda. While it was numbered at the beginning of the meeting, by request, it is shown here, where it was acted upon.

Comments on the next resolution are shown on the preceding page.

RESOLUTION 130096, approving information and statistical data contained in brochure filed with City Clerk under Document 525952 - bonded indebtedness of \$9,460,000 incurred for purpose of constructing improvements to San Diego Harbor - authorizing officers of the City charged with responsibility of carrying on sale of the bonds to use such information in connection with the sale of bonds, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 130149, granting permission to The American Veterans of World War II Post #5 to conduct annual white clover sale on public sidewalks in downtown area of San Diego - as listed in the Resolution - for raising funds to be used to continue welfare work of the organization and to help defray expenses of Children's Hospital, on December 9 to and including December 15, 1955, between 7:00 A.M. and 6:00 P.M. daily, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

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

The City Manager told the Council that the Poinsettia Bowl Games in the past have "been with no revenue, really". He said that it had not been possible to guarantee a portion over the minimum, for use of the Bowl. He said the U.S. Marines, the Junior Chamber of Commerce - with the City - should co-sponsor the event. He said that otherwise the Council would have to revise the ordinance, and set a policy.

Councilman Williams said that this is a proper thing, in connection with inducing people to come to San Diego.

The City Manager pointed out that the City contributes to the Junior Chamber of Commerce.

Councilman Williams said that the "Junior Chamber of Commerce gets the big play on the publicity". He said it should be in all the way.

The Vice Mayor read a portion of the letter from C. C. Hartman, Rear Admiral, U.S. Navy, Commandant, Eleventh Naval District, dated 5 Dec 1955, addressed to the City Manager.

Councilman Kerrigan said that if the City is co-sponsor there will be no fees.

The City Manager told the Council that the game is scheduled for December 17.

The Vice Mayor said that it is to be played by the 2 top service teams.

The City Manager stated that it is his recommendation that the event be by co-sponsorship.

RESOLUTION 130150, granting permission to the Commandant, Eleventh Naval District, and the San Diego Junior Chamber of Commerce, co-sponsors, to use the Balboa Stadium on Saturday, December 17, 1955, for purpose of holding a football game, featuring 2 of the nation's top service football teams, playing for purpose of providing members of the community and the Armed Forces personnel in the area an event of entertaining recreational interest, climaxing San Diego's Poinsettia Week; and any and all profits realized from the game to be donated to the local United Success Drive, and waiving rental - City of San Diego will act as co-sponsor - was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

The Vice Mayor announced that there were plans for 3 members of the Council to attend a previously-scheduled meeting tonight.

Councilman Williams moved to recess to 7:30 o'clock P.M.

Aaron Reese, Deputy City Attorney, said that the Council can't do any business at that meeting, if there is no quorum. He said the Council should set up a time to which to recess.

Councilman Williams moved to recess this meeting to 7:30 - to be recessed at 8:00 o'clock A.M.

Councilman Burgener, acting as Chairman, said he favored staying until 12:00 if necessary.

Councilman Kerrigan said that the Council would not be doing any business.

130096 - numbered out of order

130149 - 130150

Discussion re recess for a night meeting.

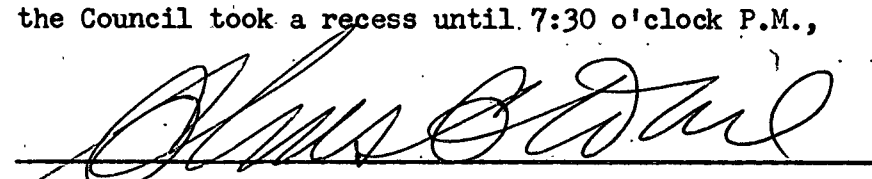
Mr. Reese said that the Council can, if necessary, set the clock back as other legislative bodies do.

Motion was seconded by Councilman Evenson.

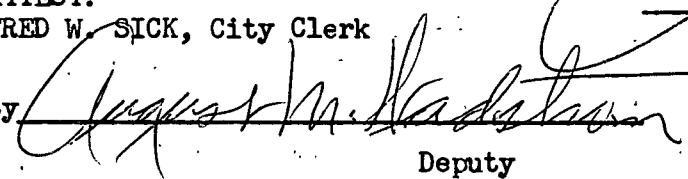
The roll was called, and the Council took a recess until 7:30 o'clock P.M., at 11:08 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By


Deputy

ADJOURNED REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday,
December 8, 1955

Present—Councilmen Burgener, Williams, Evenson
Absent—Councilmen Schneider, Kerrigan, Curran, Mayor Dail
Clerk—Clark M. Foote, Jr.

Vice Mayor called the meeting to order at 7:37 o'clock P.M., in the absence of the Mayor.

Prior to the meeting the Assistant to the Mayor had registered the names and addresses, together with proposed subjects for discussion, of many of the individuals who expected to be heard.

The Vice Mayor welcomed those present to the first evening session of the Council. He stated that the Council found itself with only 3 present, and related the reasons for the absences. As a result, he announced that those present would act as a committee of 3, and report to the Council next Tuesday. He said speakers would be called in the order of their registration. The Vice Mayor stated that the rules would cover meeting from 7:30 P.M. to 9:00, limiting each speaker to 5 minutes. He then invited speakers to be heard.

M. E. Fisher, 1282 Upas Street, asked if members of the press were present. When he learned they were, he presented to them 2 pictures. The speaker identified himself as a Lieutenant Commander, retired. He said he banks on a Metropolitan Forum, and related officers and members. Comdr. Fisher told the Council that the Balboa Group did not disintegrate after "beating the ex-mayor" (relative to putting a baseball field in the Park). He referred to the ex-mayor as "Butler and his crowd". He stated that he felt the newspapers are not printing all the news. He then outlined the following points: 1. Smog; 2 Balboa

Meeting recessed
Meeting (evening) convened
Speakers at the meeting

Park diminishing size; 3. Lease to private group. At this point, he said there is no protection of the public. 4. Proposal to give more Balboa Park away; 5. Appearance in "bilious park" of Balboa Park parking lot. He passed around pictures of a board announcing parking 25¢ 2 Hrs.; 1¢ Each Add. Hr.; 50¢ All Day; Weekly and Monthly Rates, with a view of the U.S. Naval Hospital in the background. He said that is what the City presents to mothers and fathers who come to visit their sons in Balboa Park hospital. He told of having learned that in Mexico 200 retired officers live in 1 area. He said that is a loss of \$1,000,000, and the City is driving them away. He expressed the view he suspected the City is interested only in making the almighty dollar. Comdr. Fisher charged that the beautiful park is of not much concern to City officials. He said in connection with smog, the Mayor has appointed a committee. He spoke of coming over the hill and seeing a blanket of smog. He said that the Stanford Group (investigating site for proposed convention hall-auditorium-theatre), admitted being not experts. He said that news articles had said that "smog is every citizen's problem".

The Vice Mayor asked Comdr. Fisher if he would present his comments in writing.

Comdr. Fisher's reply was that the Balboa Group sent a representative to the Bay Shore Laundry, which offered cooperation. He said that the Southern Laundry had said that the Group should call up, if similar conditions were found there. He said San Diego Gas & Electric Co. is the first violator. He stated that the Group does not feel strong enough to attack the company. He asked the Mayor to attack it.

Vice Mayor Burgener pointed out that the Board of Supervisors has activated a smog committee.

Comdr. Fisher spoke of situation being stopped at request of citizens.

Robert McPherson told the Council that he is president of San Diego Industrial Council. He said there has been submitted a solution to the sewage disposal. He said if that were put in a bond issue election it would have a better chance of passing. Asked about that, he said the report has been given to the City Manager. Mr. McPherson said there has to be a solution to waste reclamation. He read figures that had been prepared by Col. Drake. He said Chicago and Pasadena are producing fertilizer (from sewage reclamation). He said the City sells fertilizer; told of cost and of sale cost. He charged that it is hauled to Los Angeles, hauled back to San Diego, and sold for the same price. He said many minerals could be saved. He said a lot is going into the bay and being wasted. He said there is danger of the bay being tied up (by State health authorities). He said there should be waste reclamation.

**** Councilman Schneider entered the meeting, and stated that he was sorry for being late, but he had just arrived.

Mr. McPherson asked the Council to consider the waste reclamation project. He asked why the committee (the Mayor's committee on the sewer situation) keeps quiet (on the waste reclamation). Mr. McPherson told the Council that he insists on bringing that point in public. He said \$3,000,000 recovery will pay in 10 years.

The Vice Mayor stated that the Council has studied the proposal, and found it to be a losing proposition.

Mr. Pherson said there is not a word in the press on the point.

An unidentified man rose from the audience and spoke about the price of fertilizer.

J.F. McGee, spoke for Linda Vista Citizens Action Committee, spoke of deficiencies/ He said sidewalks are wanted. He said that the Administration entered into agreement with the City, and listed items in the agreement. He stated there was an approved price of \$1,553,752. He told the Council that was prorated \$511., to be added to each unit. He said the property owners are not receiving the improvements called for in the agreements. He spoke of statement by Mrs. Hartman, and of the City having deleted sidewalks, saving funds - and of there being other deletions. He said PHA made a gain of \$52,000. According to Mr. McGee, there must be \$22,000 still available, which should be used for sidewalks. He spoke of deduction of \$102,185 requests. Mr. McGee said property owners have no alternative but to believe funds have gone into Federal coffers, and that there is misfeasance locally. He related previous appearances and actions. He said meeting has not been held, and he asked the Council to reconsider, and restore the sidewalk. He asked the Council to go back to Resolution 117175.

The Vice Mayor spoke to Mr. McGee regarding his views.

Mr. McGee said the City should require use of the funds.

Councilman Schneider spoke to Mr. McGee.

Mr. McGee spoke to the Council, answering Mr. Schneider, and said he had not gone through the local PHA to see what happened to the money. He said he is "not satisfied with the answers".

Vice Mayor Burgener spoke to Mr. McGee about what improvements to expect. Mr. McGee discussed them with the Vice Mayor. He said he is not informed. He told the Council he has lived in Linda Vista 5 or 6 years. He spoke of having sidewalk; it was deleted; there is sidewalk on the other side; now there is a 6" curb, and now there is need for retaining walls. He referred to "the contract".

The City Manager knowledge on the Linda Vista sale that the City did reduce standards - largely on the insistence of the purchasers. He stated that it was a question of sale, or reduced standards. He said that now the sales have been made, attitudes have changed. He stated that he did not like to reduce the standards.

The Vice Mayor said fear was expressed that if the Council did not cooperate, it (the housing project) would be sold off to private investors.

The Vice Mayor said he can't speak for PHA, but the property owners should have an accounting.

Councilman Evenson asked if the Council is in a position to dictate to PHA.

The City Manager said it amounts to funds appropriated from Congress. He said that if funds are not appropriated, they go into a fund, and are used.

The Vice Mayor spoke to Mr. McGee regarding appropriation, and the higher cost.

Mr. McGee stated that he "would not mind \$200 or \$300."

L. N. Cushing, 3475 Valemont, told the Council that he is a property owner in Point Loma. He expressed interest in specifications for repaving streets, and asked who inspects them. He said he just had a street repaved, and that it was inferior. Asked, specifically, Mr. Cushing said it was resurfacing on a paved street - at City expense. He said there are dips, and water stands there. He said material was delivered the day before it was spread. He declared that it was "a light job". He said there was not enough surface for roller to touch, on the outer sides of the street. He said he called the Public Works Department, and was told to tend to his business; they had theirs. Asked for location, he said Concord Street, and it is Valemont where he lives.

The City Manager said he would have the gentleman called. He said it is at Almond & Concord where the water stands.

On motion of Councilman Williams, seconded by Councilman Evenson, it was referred to the City Manager. (A check with Ken Williams disclosed that the matter is in the course of investigation).

Mrs. R. Smith, 2037 Thomas Street, spoke in behalf of City Beautiful, and thanked the Council for the resolution about City Beautiful. She said the organization has 42 members. She stated that they would like to carry on more fully, and passed around brochures consisting of "City Beautiful" (A Chapter of National Conference of City Beautiful Commissions), consisting of creed and year-round monthly program; By-Laws of City Beautiful, San Diego, California, adopted July 11, 1955; "San Diego Municipal Code, As It Pertains to Street Trees"; "City of San Diego Department of Public Works Division of Sanitation"; "Trees for General Use in San Diego, California"; a service publication of San Diego Gas & Electric Company entitled "Trees". Mrs. Smith said that the organization has something to contribute. She pointed out that all are volunteers, and repeated that they have something to offer. She said many want to come to San Diego, the "Heaven on Earth", but that it "looks like the devil". She stated that publicity has reached New York, and other areas adjoining. Mrs. Smith told the Council that National City has a good set up; the City Manager and the Chamber of Commerce are present. She said they want to continue working, but need financial backing from the City. She advocated setting aside an area for trees, as a memorial. Included with the material was a window sticker which reads "We are cooperating Clean Up Paint Up Fix up For Home and City Beautiful". She spoke of having had the help of Scouts to clean up. She said the organization is going to work with the Junior Chamber of Commerce regarding clean up-paint up. She said it can be set up here as on the national basis. She asked the Council to set up a little budget, to see what can be done. She said that every \$1. invested bring \$3. She told of meeting places and dates and activities.

Councilman Burgener, as Vice Mayor, congratulated the group.

Dale Brownell, 2314 West Jewett, stated that this was his second appearance before the Council. He said that Linda Vista has been a thorn in the side, and that the problems have been discussed. He stated that Mr. Haelsig (Planning Director) had said that improvements could have been met by \$200. He said the amount was cut down from \$3,000. to \$1,500,000.

Mr. Haelsig said he does not recall the \$3,000,000.

Mr. Brownell quoted from a Haelsig letter regarding relocating utility poles. He said Burton Street has a 7-foot drop, and residents are denied access. He declared that it is not fair to the people to be denied access. He asked the Council to come out and look at the area.

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The Vice Mayor said the Council would be happy to go out and look at it.

M. N. Schaffer spoke to the press, and said to the reporters that they should come and visit the slum in the new subdivision. He said the Councilmen should come tomorrow and see the foxholes without roofs, and the little fox holes with hills. He shouted at the Council that if children are killed, it will "rest on you". He said there are no sidewalks, and they are afraid to walk on the grass, so walk in the street. Again, he said do not make a slum of Linda Vista. He said that he is willing to give as much (ground) as 6 feet for side walks. Then, he spoke of not being given a chance. He said there is need for sidewalks, and they are entitled to them. He said they paid \$1,000, but got no improvements.

Councilman Williams pointed out that it was a deal between property owners and the Federal government. He said he was sorry that the standards had been lowered. Mr. Williams said the room was full of people who asked to cut down the standards - so they could buy (the Linda Vista houses in which they had lived).

Councilman Schneider spoke to Mr. Schaffer, and stated that Mrs. Hartman had said that she was limited in funds, and that she could not get more appropriated. He said the Federal government could have sold to a private corporation, but people asked to buy their homes. He said Korea came along and blew it up. He said it was his recollection that they were getting ready for sale. He stated that Mr. Haelsig disagreed with the proposal. He said the City took Mrs. Hartman's word. He said contracts have been completed, but if the neighborhood feels the same way as Mr. McGee, they can do the work.

Mr. Schaffer spoke to Councilman Schneider about why some work had been done, while other work had not.

Mr. Haelsig said there is one thing of importance: Fulton is to be brought back into a local street. He said sidewalks were recommended on feeder streets, and streets to schools; there was no insistence on local streets.

Councilman Williams spoke to Mr. Haelsig regarding funds.

The Vice Mayor said the City set the funds.

The City Manager said that funds were appropriated by Congress - not taken out of the sales funds.

The Vice Mayor pointed out that it is not the business of the Council regarding Federal Government profit. He said Mrs. Hartman came to the City regarding funds. He spoke of proposal being accepted, but having run out of funds, and there were deletions. He said plans were tailored to suit the funds.

Councilman Schneider spoke to Mr. Brownell, and said the City could not tell what a proceeding under a 1911 Act bid would cost.

There was discussion between Mr. Brownell and Councilman Schneider on that point.

The Vice Mayor said that there was small difference, percentage-wise.

Councilman Schneider said it was 2%.

The Vice Mayor stated that the Council rejects bids on 1911 Act proceedings, where they are off (over the estimate) 10%.

Mr. McGee said it was missed by over \$100,000. He told of having approached PHA for a copy of the contract (for the improvement), but request was denied.

W. W. Frey identified himself as a home owner at 7345 Fulton. He said units were included in the price quoted. He said he heard nothing of lowering standards to go into his home. He said sidewalks were deleted; there are no curbs; autos turn up into the yard; children make a trail through his yard. Mr. Frey declared that it is a safety hazard. He told the Council, upon being asked for information, that he bought the house he formerly occupied. He answered questions put by Councilman Schneider regarding the map. He said he was told they would not put sidewalks on his street. He said when they put in water meters it was "humped". He said they did not back-fill for water main on his side; there is a deep drain. He said a "kid will get hit".

Councilman Schneider spoke to Mr. Frey, and asked he he would join with neighbors to do something on his own.

Mr. Frey replied that the price is great; \$1,000 has already been put in.

Councilman Williams asked if a committee had requested information through Congressman Wilson.

Mr. McGee said reports have been requested from several; but no reports.

Councilman Williams asked if the Council should ask for a report from Representative Wilson.

Councilman Schneider asked "why not ask here?"

Councilman Williams moved that "this Council adopt a Resolution, to inform Congressman Wilson of said request for report and breakdown for improvement".

Mr. Schaffer maintained that the complaint is justified.

Councilman Schneider seconded Councilman Williams' motion.

Mr. Schaffer said that if it is necessary, he would go in and put in the sidewalk.

Councilman Schneider said that the City can't spend funds. If there is no Federal project for the work, property owners may go to a 1911 Act, 10-year bond proceeding.

Mr. Cushing spoke again to the Vice Mayor and to Councilman Schneider, regarding specifications.

Mr. McGee said he understands that the motion is to get facts and figures.

Councilman Williams said he wanted to know why there were insufficient funds, and find out where the money went.

Mr. McGee said there is a great deal of material on file in the City Clerk's office, and in Mrs. Hartman's office.

Vice Mayor Burgener said that Mrs. Hartman (Special Field Representative for the PHA) has been cooperative.

Councilman Schneider asked Mr. McGee if he would be satisfied if there were sufficient funds.

Councilman Evenson said that basically contract is with PHA; the City has no legal recourse.

The City Manager and the Vice Mayor agreed.

Councilman Evenson said that the City is not in the subdivision business.

The Vice Mayor said that the motion is for the purpose of securing information.

Councilman Evenson said that he is not in favor of the Council being a policy body; the City cannot dictate to PHA.

The Vice Mayor repeated that it is for information.

RESOLUTION 130151, informing Congressman Bob Wilson of a request which has been made by property owners in Linda Vista for a report and breakdown on improvements, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Mrs. D. Shelburne, 7440 Fulton Street, said she had heard figures (re Linda Vista improvements). She told the Council that she is here as a home owner, and that "there are very few feet which are not patched". She said that average automobile speed is 50 miles per hour. She said it was bad before; now it is a mess. She told of having requested a City inspector to inspect the area, and report in writing. Mrs. Shelburne stated that people who said that if improved at any price, are now satisfied. She spoke of not having seen improvements and maps, but took the word that improvements would be up to City standards. She said that the asphalt sidewalk is messed up.

Councilman Schneider spoke to Mr. Haelsig regarding asphalt sidewalks.

Mr. Haelsig told the Council that asphalt sidewalks were approved.

The City Manager stated that he will have them inspected.

Mrs. Shelburne recommended starting at the westerly end, then going to the easterly end of Linda Vista and make comparison. She declared that Linda Vista will be a prominent section of San Diego on Kearny Mesa. She said she does not want a sum, and that she expects the City to protect rights of the owners.

Councilman Schneider spoke to Mr. Haelsig regarding Fulton Street, and then to Mrs. Shelburne.

Mrs. Shelburne said that they are will working; apparently going to resurface. She said she hopes that will help. She questioned "why some got so much; they so little". Mrs. Shelburne told the Council that some got only copper pipe as improvement under the sidewalk. She said the sidewalks were cut into for the lines.

Councilman Schneider said the City puts in copper line.

The City Manager stated that individual meters had to be put in.

Adele Rosenfield, 7470 Fulton Street, said she went into the Housing Office yesterday. She expressed infuriation at the condition of the street. She said she assumed that sidewalk would not be paved. She said that in the office they would not let her see Mrs. Hartman, but she did see a courteous man. She told of his answers regarding appropriation proration. She stated that she was told that the "City inspector would say who got what". She related having had a discussion with the inspector about who would get what. She told of complaints of people regarding cutting off property. She said she had asked who had the final say, and told of City inspector who said "no".

Vice Mayor Burgener spoke to Mrs. Rosenfield regarding the action tonight, which he declared "will be helpful".

Mrs. Rosenfield said no one asked if she would accept substandard work, just to buy.

Councilman Schneider spoke to Mr. Haelsig regarding Fulton Street.

Mr. Haelsig said this has been through the mill so many times that he is foggy on details. He said he thinks sidewalks are on 1 side. He stated that it is all in the Resolution on file in the Clerk's office on Unit 8.

Mrs. Rosenfield complained about condition of the walks. She said "some-

one came out this morning" (but did not identify who it was, or for what).

Arthur Wood, 2247 West Jewett, who had not registered, read from the resolution on the Linda Vista subdivision.

Councilman Evenson asked if it is the City Engineer who accepts the final work.

The City Manager replied that the City Engineer is in accordance "with the approved plans".

Mrs. Rosenfield said it is going to be repatched.

Gladys I. Goldstein, 7359 Fulton Street, showed a map on Fulton. She said she went along, thinking that the street was going to come up to City standard; now it is 35 feet. She had not registered to speak.

The Vice Mayor said that the sidewalk would be in the 50-foot right of way.

Mr. Cushing spoke again, and said "there must be some recourse".

The Vice Mayor said that none knows if there had been misstated facts.

Councilman Schneider said location and amounts on maps had been approved by the Council.

Councilman Evenson and the Vice Mayor both said that improvement has to be up to the specifications.

Councilman Williams stated that the Council has been pretty well advised.

A man, identified later as Henry A. Smith, 7471 Fulton Street, spoke of running out of polish and shining 1 shoe for the price of 2, who would have to go for more polish.

Councilman Schneider told the group in the Council Chambers that there is no lack of sympathy. He said he does not know how Mrs. Hartman accounts for the money. He said she had only so much money to do work in Linda Vista, and had asked for more. He told of procedure going through Washington, and of estimates. He said there is 1 picture...the statement regarding places in the west end, with the east end of Linda Vista having been short changed. He said the City can investigate that.

Leonard Lafferty, who had not registered to speak, was heard. He told about there being a drive for funds in connection with a tourist group. He said the last request was for \$50,000. by Fiesta del Pacifico, which was referred to the City Manager. He said Mission Bay is being developed to attract tourists, and that he would be called on for convention hall. Mr. Lafferty stated that the Tourist and Convention Bureau has a small membership; only 7% who should belong, do. He said the Council should take a long, hard look at appropriations for tourist attractions. He contended that more help should not be given. Mr. Lafferty told of there being \$50,000 this year, that it would build and become big business.

Vice Mayor Burgener thanked the people who had appeared at the hearing, and those who had spoken.

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 Evenson, at 9:27 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

August H. Skadison
Deputy

Philip Chou
Mayor of The City of San Diego, California

REGULAR MEETING

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

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

The Mayor called the meeting to order at 10:07 o'clock A.M.

Rev. John C. Mecker, of St. Brigid's Church, was presented by the Mayor.
Father Mecker gave the invocation.

Ordinances and Resolutions are recorded on Microfilm Roll 105

The Mayor presented service awards to the following employees, honoring their long-time service with the City of San Diego:

Leon F. Lewis, Street Division, was to have received a 30-year pin and scroll, but was not present because of vacation. The Mayor stated that award will be presented at a later date;

Orville B. Usher, Equipment Repairman I, Parking Meter Shop, Division of Equipment, Public Works Department - 30 years & scroll;

** Arthur A. Ashlock, Sanitation Foreman, Division of Sanitation, Public Works - 25 years.

Councilmen Burgener entered

Councilman Kerrigan entered

The Minutes of the Regular Council Meetings of Tuesday, December 6, 1955, Thursday, December 8, 1955, and Adjourned Regular Meeting (night session) of Thursday, December 8, 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 opening bids for electric current in Pacific Beach Lighting District 2, the Clerk reported 1 bid.

On motion made and seconded, bid was publicly opened and declared. It was bid of San Diego Gas & Electric Co., accompanied by certified check in sum of \$14.40 written by San Diego Trust and Savings Bank.

On motion of Councilman Schneider, seconded by Councilman Williams, 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 opening bids for electric current in El Cajon Boulevard Lighting District 1, the Clerk reported 1 bid.

On motion made and seconded, bid was publicly opened and declared. It was bid of San Diego Gas & Electric Co., accompanied by check in sum of \$262.00 written by San Diego Trust & Savings Bank.

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

Meeting convened
Invocation
Service awards
Minutes approved & signed
Bids for lighting

The hour of 10:00 o'clock A.M. having arrived, time set for opening bids for electric current in Logan Avenue Lighting District 1, the Clerk reported 1 bid.

On motion made and seconded, bid was publicly opened and declared. It was bid of San Diego Gas & Electric Co., accompanied by certified check in sum of \$37.49 written by San Diego Trust and Savings Bank.

On motion of Councilman Schneider, seconded by Councilman Evenson, 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 opening bids for electric current in Montemar Lighting District 1, the Clerk reported 1 bid.

On motion made and seconded, bid was publicly opened and declared. It was bid of San Diego Gas & Electric Co., accompanied by certified check in sum of \$76.01 written by San Diego Trust and Savings Bank.

On motion of Councilman Schneider, seconded by Councilman Evenson, 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 129452, for paving and otherwise improving Alley Block K Montecello, the Clerk reported written protest from Albert Gayton.

The City Engineer, asked for a report, said it is a 3.3% protest, with no reason given.

RESOLUTION 130152, overruling and denying protest of Albert Gayton, against proposed improvement of Alley Block K Montecello, Resolution of Intention 129452, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

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 129453, for installation of sewers in portions of Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, Public Rights of Way in Block G La Jolla Country Club Heights Unit 2, Public Rights of Way in Pueblo Lot 1263, and Lanes between Lots 3 & 4 and 6 & 7 in La Jolla Country Club Estates, the Clerk reported written protests.

Thomas E. Whitlock told the Council that he had appeared earlier and had asked for information. He stated that, as a result, the City Engineer gave the information, based on a motion of Councilman Burgener. He told the Council that there is a nominal assessment of \$1.00 against the La Jolla Country Club. He said that when others build, there "will be a free ride on their backs". He declared that there should be full assessment, or the City pay and later get paid for sewers where future owners join. He said that if the Club were assessed on a proportionate basis, objection might be withdrawn. He said he had a petition of protest.

Councilman Burgener spoke to Mr. Whitlock regarding areas served.

Mr. Whitlock said if there would be a subdivision, the sewer would serve the area.

Mayor Dail asked if assessment would be proportionate to the benefit of the golf club.

Mr. Whitlock said that in the future they will sell the beautiful land. He said they have been discussing the selling. He asked why he should pay for others. He said it can be negotiated. He said he won't file the protest, if the matter is negotiated.

Mayor Dail read a La Jolla Country Club protest.

Mr. Whitlock said that half the lots are vacant, with no plans to build at the present time.

The Mayor asked about the percentage on the protest.

The City Engineer replied that he had no report the protest referred to had not been filed (although others had).

Councilman Schneider told Mr. Whitlock that the City Attorney says the City cannot pay a part of the cost on a 1911 Act proceeding.

Harry Holt, president of La Jolla Country Club, told the Council that he is

familiar with the discussion. He told of the Club having given the easement for the sewer line. He stated that as far as development is concerned, back of hole 5, there is no intention to develop. He said the Club was happy to give the easement, but has no use for it (the sewer). Mr. Holt said that the Club should not be made available to a large assessment. Mr. Holt stated that he cannot see at any time in the future when the La Jolla Country Club would sell, unless it goes broke, which is unlikely. He said that it is a corporation, answering a question, and that every member has a share.

Thomas C. Ackerman, attorney for James Copley, spoke of 73% present protest, not signed by a big majority on an area basis. He pointed out that this hearing is on a Resolution of Intention, and that the 2 protests today are on the work and the assessment levy. He said there will be a time, under State law, for further objections. Mr. Ackerman declared that it would defeat the purpose of the hearing, if that were discussed (the assessment) today. He maintained that nothing can be done now. He conceded that future objections can't be prevented.

Mayor Dail said that allowing protests, at this time on a future assessments, is as a courtesy to property owners. He said that the district (for assessment) has to be set out.

Mr. Whitlock stated that he was not familiar that assessment was based on property, rather than people. He spoke of unfairness regarding there being no representation. He said it is unfair to give an outsider a 20% vote; it is inequitable.

Robert L. Eller said it was set up on a formula, and is inequitable because of the way it is set up. He said when he bought, he was given a choice of sites. He stated that the next property pays 1% more than he, but can't use. Mr. Eller said it is not an equitable spread of formula; a square footage basis.

Mayor Dail asked about the proceedings, and expressed the view that this is not the assessment.

The City Engineer referred to a "tentative estimate of 100%". He said that on sewer assessments it is usually on a frontage basis, but this was set up for an area basis. He told of there being peculiar lots in this district, and said he thought it would be better to figure the assessment on an area basis - but that the other method might be better.

Councilman Burgener said that to try to guess what is coming, would be dangerous. He spoke to Mr. Holt about no proposed (further) use of golf course property.

Mr. Holt, speaking to Councilman Burgener, said that if it were to be used in the future, it would be for future holes "if lost". He declared that responsibility would be on buyer or developer. He said that if the La Jolla Country Club were to build, it would be willing to bear the cost.

Mayor Dail pointed out that the discussion had nothing to do with this hearing.

Councilman Schneider said if the Country Club protests, it would be a majority protest, and the Council would have to throw out the job.

Councilman Burgener said that during the proceedings, it has tried to determine if there is a protest or not.

Mayor Dail stated that the Council has to decide if the City is to go ahead with the proceeding for the work, or not.

Mr. Whitlock said that the statement of Mr. Holt leaves a question about location.

Mr. Holt spoke directly to Mr. Whitlock regarding location.

Mr. Whitlock said that if it is the consensus of opinion that there is to be no assessment against the Country Club, he will file the protest. (He did).

Capt. Fogg, the City Engineer, said he knows the area; 36.9% of it is in golf course; Mr. Copley has 20.5%; if the Country Club protests it is 36.9%. He reviewed others in detail. He said if they have what is said, it would be 24% of the area, plus the golf course, and would be a majority protest.

On motion of Councilman Williams, seconded by Councilman Kerrigan, hearing was continued 1 week, and protests were referred to City Attorney.

RESOLUTION 130153, continuing hearing on proposed installation of sewers in Country Club Drive, Mimulus Way, et al., on Resolution of Intention 129453, until 10:00 o'clock A.M., Tuesday, December 20, 1955; referring protests to the City Attorney (for evaluation and report), was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

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

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Resolution of Intention 129454 for paving and otherwise improving Noyes Street, Beryl Street, et al., the Clerk reported written protests from Lucille M. Chueltz and others, Milton P. Sessions and others, Blair Pfennighausen.

The City Engineer said that protests filed at the time amounted to 45.3%, and there are additional protests. He said it is either a majority protest, or near. He recommended continuing the proceedings, to permit him to check the protests.

F. J. Bergman said he had "a similar protest on the storm drain deal". He objected to the storm drain, and said assessment area runs 1/2 way into the block, with assessment for drain 250 feet back. He asked "why people who benefit from the drain are not assessed".

Councilman Burgener pointed out that the City is to pay 1/2 of the cost of the drain.

Mr. Bergman stated that he realizes the City is paying 1/2; the area is not assessed properly. He said that the drainage is over a great area - including area at the top of the hill. He asked why that property is not assessed.

Councilman Schneider said that the Council has run into the problem repeatedly; if the property owners protest, the work could be thrown out. He said that is the reason the City goes in (to assist the property owners in overcoming the drainage assessment problem to a degree).

Mr. Bergman said the people below want the drain; people above, don't.

Councilman Schneider said that it is an engineering problem.

Mr. Bergman stated that he would be paying for drain for people who had built improperly.

Councilman Schneider spoke directly to Mr. Bergman.

Mr. Bergman said "people complain about water in their back yards; the City has departments to keep out that situation".

Councilman Curran said it is not pertinent to the problem.

Milton P. Sessions asked if "this is the final place to adjust the assessment".

The Mayor stated that there is a hearing before going to bid (actually, this is the last hearing before bid).

Mr. Sessions said he would like to see the drain installed, but that the City Engineer is unfair in the assessment: with assessment on 1/2 block - no matter if that 1/2 block is a mile. Identifying his property, Mr. Sessions said Acre Lot 51. He said it is above the drainage improvement. He told of liability to pay for a 48" drain. He said the assessment can't be doubled, when an 18" drain would carry the water. He spoke of being obligated to a 48" drain payment. He said he had to install the 48" drain before building.

Councilman Burgener said that 11 lots are not subdivided; drain is below, but assessed, including Sessions.

Mr. Sessions said he can't pay the bill if he has to pay \$2500.00 for the present job. He said it would be a waste, because he has to do the other drain. He pointed that he was not on the other protest, which had been abandoned on previous proceeding.

Mayor Dail asked what the average assessment is for the drain.

Mr. Sessions reported that it is 1¢ asquare foot.

The City Engineer agreed - about \$100. a lot.

The Mayor said that it is similar to the Kerrigan district (the Streamview, et al., drain).

Councilman Kerrigan said there were problems on Streamview project, and spoke directly to Mr. Sessions about them.

Mr. Sessions said he can't afford to pay the other fellow's assessment. He said there was "no attention to the assessment", and property is "riddled with easements". He told of having given a 700 foot easement for drain, at no cost - and other easements through 11 lots. Mr. Sessions said he can hardly be penalized further.

Councilman Burgener spoke to Mr. Olson about removal of names from protest.

Mr. Olson said it would be close to, or over 50%.

Mr. Sessions said the City has money in a bond fund (for storm drains), but it is of little benefit. He said if the City helps the proceedings, he would withdraw protests - if reimbursed.

Councilman Kerrigan spoke to Mr. Sessions about accomplishments, and about comments being made about being unfair. He said that there is no better way to solve the problem than with a 50% contribution.

Councilman Burgener said it would not be coming from the bond fund, but from the General Fund.

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Mrs. Norman Wallace told the Council that she is in favor of the drain, for little cost, and that it would do an enormous good. She said that if individuals can afford to own property, they can afford to pay the assessment. Mrs. Wallace said she wants it (the drain), and that a lot of people agree.

A man (who did not identify himself, but who was apparently Mr. Wallace although he did not say so), told the Council that he and his wife don't agree. He said that most of the water comes from the City reservoir, that "5 pipes are pouring water all the time".

RESOLUTION 130154, continuing hearing on proposed improvement of Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, Resolution of Intention 129454, until 10:00 o'clock A.M., Tuesday, December 20, 1955; requesting City Engineer to evaluate the protests, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129457 of Preliminary Determination for paving and otherwise improving Alleys in Blocks 29 and 30 Ocean Beach, the Clerk reported no protests.

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

RESOLUTION 130155, determining that improvement of Alleys in Blocks 29 and 30 Ocean Beach, Resolution 129457 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129458 of Preliminary Determination for installation of sewers in Amherst Street, 68th Street, Public Rights of Way, the Clerk reported no protests.

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

RESOLUTION 130156, determining that 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, Resolution 129458 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129459 of Preliminary Determination for paving and otherwise improving Birch Street, the Clerk reported no protests.

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

RESOLUTION 130157, determining that paving and otherwise improving Birch Street, Resolution 129459 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment, also finding ~~that lands to be assessed will be able to carry burden of proposed assessment~~ and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

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

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

RESOLUTION 130158, confirming and adopting as a whole the "Engineer's Report and Assessment for Crown Point Lighting District No. 1", filed in office of City Clerk October 21, 1955, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock having arrived, time set for hearing on furnishing electric current in Eighth Avenue Lighting District No. 1, the Clerk reported no protests.

No protests were made, verbally, and none was filed.

RESOLUTION 130159, confirming and adopting as a whole "Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1", was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock having arrived, time set for hearing on furnishing electric current in Garnet Street Lighting District No. 1, the Clerk reported no protests.

No protests were made, verbally, and none was filed.

RESOLUTION 130160, confirming and adopting as a whole "Engineer's Report and Assessment for Garnet Street Lighting District No. 1", was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock having arrived, time set for hearing on furnishing electric current in La Jolla Lighting District No. 1, the Clerk reported no protests.

No protests were made, verbally, and none was filed.

RESOLUTION 130161, confirming and adopting as a whole "Engineer's Report and Assessment for La Jolla Lighting District No. 1", was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock having arrived, time set for hearing on furnishing electric current in Presidio Hills Lighting District No. 1, the Clerk reported no protests.

No protests were made, verbally, and none was filed.

RESOLUTION 130162, confirming and adopting as a whole "Engineer's Report and Assessment for Presidio Hills Lighting District No. 1", was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock having arrived, time set for hearing on furnishing electric current in 7th Avenue Lighting District No. 1, the Clerk reported no protests.

No protests were made, verbally, and none was filed.

RESOLUTION 130163, confirming and adopting as a whole "Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1", was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock having arrived, time set for hearing on furnishing electric current in Sunset Cliffs Lighting District No. 1, the Clerk reported no protests.

No protests were made, verbally, and none was filed.

RESOLUTION 130164, confirming and adopting as a whole "Engineer's Report and Assessment for Sunset Cliffs Lighting District No. 1", 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 Street Superintendent's Assessment 2415 made to cover costs and expenses of 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, the Clerk reported appeals from Lois C. Plant for Dayton M. & Lois Plank, and from Mrs. Dayton M. Plank.

Asked for a report, the City Engineer said that 2 appeals are covered in 1. He said that 1 letter withdrew them.

The Mayor inquired if anyone was present to be heard.

One man appeared, and expressed dissatisfaction. His comments will not be shown, in that it developed that he was protesting another job that had not reached hearing. No one else appeared, to be heard.

RESOLUTION 130165, overruling and denying appeal of Dayton M. Plank and Lois E. Plank (which had been withdrawn by a subsequent letter), from Street Superintendent's Assessment made to cover costs and expenses of work of 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; overruling and denying all other appeals; confirming and approving Assessment 2415, authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, 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 2416 made to cover costs and expenses of paving and otherwise improving Manzanita Drive, portions of Poppy Place, Violet Street, Tuberose Street, Tuberose Lane, Sycamore Drive, Snowdrop Street, Pepper Drive, Tulip Street, Shamrock Street, Alley Block 26 Lexington Park, and public rights of way, the Clerk reported written appeals from Edwin E. Peabody and Mary O. Peabody, Allen E. & La Vina R. Rose, Dr. and Mrs. F. G. Evans, Michael A. Sommer and Mrs. Edythe Sommer, Arthur L. Nogle and Katherine Nogle, Renald Salmina (it was he who spoke on the other proceeding, inadvertently), John T. Cooper, Joseph Clifford, Henry G. & Helen L. Metzler, Richard H. Martin, Mrs. Katherine E. Lowder, Frank Wolashak, Vandora M. Blankenburg and Albert F. Blankenburg, Harry Schwartz and Dorothy Schwartz, Ralph G. Metz, A. M. Dugal and Eva N. Dugal, Donald M. & Marguerita E. Bardsley.

Asked for a report, the City Engineer said that there is an 11.3% appeal - mostly on the basis of the assessment being too much.

J. T. Cooper, who identified his property as Lots 8, 9, 10, told the Council that he was not objecting to the pavement, but to the heavy duty specifications, which he said is not necessary in the area. He said "less specifications would have been sufficient". He stated that it is at the dead-end of Manzanita, with no outlet. He said a lighter pavement would carry the traffic. He said that for 2 years it was oiled, and was standing up. Mr. Cooper said that 2-1/2" would be sufficient. He pointed out that it is already heavily assessed.

Mr. Salmina told the Council that the assessment "is out of proportion". He said it should be different, and identified property as Lots 1 and 2 Block 26.

The City Engineer showed the Council a map.

Councilman Schneider exhibited the map to Mr. Salmina.

Mrs. Catherine Nogle, 4148 Poplar Street, stated that she had already paid for sidewalk and curb, and that it is not fair to have to help others pay on other streets.

Councilman Schneider spoke directly to Mrs. Nogle.

Mayor Dail said that property is not assessed for sidewalk and curb that has been installed in front of other properties.

Willard Olson, of the City Engineer's Office, explained to Mrs. Nogle regarding Tuberose and the Alley.

Mrs. Nogle said "it is an enormous assessment".

Mrs. Michael A. Summers told of having paid for sidewalk and curb, and of not wanting to pay for others. She said she should not pay any.

Mayor Dail said her property was included in the district, set out by law, and that notices had been posted.

Mrs. Summers said she did not know she would have to pay for others.

Mr. Olson said that on Poplar it will be done on Gas Tax for improvement.

Councilman Burgener pointed out that if changed (assessment reduced) it would have to go on assessment of neighbors.

Councilman Kerrigan said the street will be eligible for gas tax funds, but there could be no guarantee what it would not be removed from the Major Street plan.

Jane Evans spoke of owning the property 3 years, and of having bought with 2 bonds on it; now this is almost \$1300. "for the same thing". She referred to location as Poplar and Tuberose.

lot. Mayor Dail pointed out to Mrs. Evans that is a penalty for owning a corner

Councilman Burgener stated that the City has to use professional standards in the improvements.

Mrs. Allen Rose, Lots 29, 30, 31 Block 25; Lots 24, 25 Block 25, told of assessments on each of various parcels. She said there is no sidewalk on 3 lots.

Mr. Olson explained to Mrs. Rose about the property and the assessment. He said it goes down a canyon, with different improvement and assessment. He stated that there was not a big enough dedication for a turn around. He explained the formula used in the assessment.

Mrs. Rose asked if she could do anything to lower the assessment.

Mayor Dail stated that the Council evaluates the Engineer's assessment on equity. He said that if there is dispute on equity, there is recourse to the courts.

Mrs. Rose said she has only 1 house on 3 lots.

May Peabody states that the amount is not divided properly. She made comparisons, and said she gave the City easement for storm drain. She stated that the assessment is too high for the frontage. She said there is no sidewalk.

Mr. Olson showed Lots 13 and 14, said there is storm drain, and outlined the assessment. He said property is larger than the average, and reviewed other properties for Mrs. Peabody.

Mrs. Peabody said she can't understand why she is to pay for area, or paving. She said property is a small angle that touches the property.

Mr. Olson said that the assessment is relatively low; it is part frontage, part area.

An unidentified man said he did not sign.

Mr. Olson stated that the City did not circulate the petition, and that the Engineer's office gave estimates to anyone who requested them.

Mrs. Peabody said she has been given to understand that the storm drain assessment is borne by the district.

Mr. Olson spoke of being "twice as big area".

The unidentified man said that only 1 house can be built.

Mrs. Peabody spoke of not being permitted to build a second house.

There was general discussion between Councilman Burgener, Mr. Olson, and Property Owners about the storm drain assessment.

Mrs. Peabody told the Council of assessments on other lots.

Councilman Burgener spoke to Mr. Olson about storm drain benefit.

The man who had just spoken, said that the water did not run on the lots, before. He said he can't build on the canyon lot; he can build a duplex, but not more.

Councilman Kerrigan said there are other protests.

RESOLUTION 130166, continuing hearing on Street Superintendent's Assessment 2416 made to cover costs and expenses of paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, et al., Resolution of Intention 120007 until 10:00 o'clock A.M., Tuesday, December 20, 1955; referring the matter of fairness of assessment levy to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Mrs. Dugal said that assessment on her property is \$916.33.

Mr. Olson showed the property on the plat, and explained the assessment.

Mrs. Dugal said there are no sidewalks - is a little teeny bit at the driveway. She said it is unfair; did not sign.

The roll was called on the motion, for the Resolution shown above - 130166.

Councilman Kerrigan said it has to be paid for by people in the district.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2417 made to cover costs and expenses of installing sewers in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, Resolution of Intention 121533, the Clerk reported written appeals from Gail M. Sheets, Marilyn M. Fenwick Thompson (copy of letter addressed to Councilman Frank Curran); and letter from Street Superintendent recommending modification of Assessment 100 and continuing hearing to Thursday.

Marilyn Fenwick Thompson said she could not reach, and then got Tooley Street lowered. She said she got a storm drain, but was not told she would have to pay for her own paving mix. She said paving was put in on mix. She said then there was the water main; it was torn up; they did not put back the road mix. Mrs. Thompson said she

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was told she could not do anything, since it was "not recognized as a formal street". She said she is protesting again. She stated that the Engineer feels that the contractor should put the street back in the condition as found. She said that Hutchison (contract was awarded to W. V. Hutchison Co., a co-partnership) widened, and put in a better elevation. She said he put on a thin coat of oil and sand - which is already gone. Mrs. Thompson said there are chuck holes, and that ground was dumped in her yard. She spoke of it being paved, to put in her own driveway. She said that the contractor took it off, but did not return it. She said she protested. She said she was not given "a place to get in", and had to walk. She said that an ambulance or fire truck could not have gotten in. Mrs. Thompson told the Council that they should direct Hutchison to put back the road mix.

Councilman Curran said it was an aftermath of a previous problem. He stated that Hutchison should put the street back in the same condition as he found it.

Mayor Dail said the City has had complaints regarding that contractor.

Councilman Burgener said contractors have been directed to include the item in their bids.

The City Engineer said "Hutchison is dead".

Mrs. Thompson said it would not be put back.

The City Engineer said it is classed as an oiled road; if property owners want a better street, they would pay for it.

Mayor Dail stated that contractor had been forced to put back the surface on Iona Drive.

Mrs. Thompson said "it was a road mix".

Mayor Dail said it should be referred to the City Manager; the contractor has a continuing job with the Water Department.

Mrs. Thompson stated that Royal Pipeline Co. put back the street in the condition it was found.

The Mayor said that the Council could continue the assessment from week to week. He stated that on paper oiled streets are asphalt streets, but they are substandard.

The City Engineer showed Councilman Schneider the plans.

Councilman Kerrigan said it should be continued 1 week, referred to the City Manager "for report on this phase".

RESOLUTION 130167, continuing hearing on Street Superintendent's Assessment 2417 made to cover costs and expenses of installing sewer mains in Winnett Street, Tooley, Fulmar, Republic, Oriole, Swan and Paradise Streets, Resolution of Intention 121533, to the hour of 10:00 o'clock A.M., Tuesday, December 20, 1955, and referring it to the City Manager, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

After the resolution was adopted, the City Engineer read from the specifications about replacing the street surface.

Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing (continued) on the proposed resolution denying tentative subdivision map of Romero Heights, a division of Lot 6 Block C La Jolla Country Club Heights, in that the lot sizes do not conform to adjacent divisions within the area, in accordance with Planning Commission's recommendation, Sherwood Roberts, attorney, representing property owners in La Jolla Country Heights, who opposed the subdivision, was heard. He said that on behalf of his clients, he supports the denial. He said there are 40 property owners in La Jolla Country Club Heights who oppose the subdivision, with 8 favoring it.

Councilman Kerrigan returned

Mr. Roberts asked the Mayor if he received a letter from La Jolla Town Council. He said that the letter had been read to him on the phone. He read copy from his own notes. He said that "Dr. Seuss", president of the Association has written letters & sent telegram. (Telegram from Theodor S. Geisel was addressed to the City Planning Commission, and is in the Clerk's file). He showed a map, indicating opposition "fairly close". He handed petition of opposition to Councilman Burgener, and said that husband and wife count as 1. He said that topography does not lend itself well to subdivision. Mr. Roberts told the Council that people around the Country Club feel strongly about spilling property. He said that once 1 is split, there will be 4 or 5 splits. He said request should be denied. He told the Council that the owners had crowded house in 1 corner, with eaves over setback.

He showed a surveyor's map, and said the house was crowded into 1 corner to show a large lot. He said that he doubts that under deed restriction, the property can be divided. He said that it "is a civil difficulty".

The Mayor said that he knows the position of the people.

Byrl Phelps, engineer, said there are 104 lots in the subdivision; 60 have less than 115 foot frontage. He said that owners are proposing frontages of 100 feet and 115. He said that there should be put on the second parcel a well-built house. Mr. Phelps said that some have 2 houses; so much has been split. He stated that across the street are smaller frontages; also those adjacent. He said that the property should be used for another home.

David Pain, attorney, representing the petitioners (for the division), was heard. He said that when the Hunts (the owners) bought, the owner who sold to them waived the deed restrictions. He said that they bought with the idea of dividing the property. He said that the proposal met with planning approval. Mr. Pain said there is nothing wrong with the site, and recommended approval of request to subdivide the property. He said that Mr. and Mrs. Hunt were not represented (before the Planning Commission in its hearing), and did not put up much fight. He pointed out lot sizes on a map, and said that 2 or 3 lots are in the 20,000's (square feet, in size); many are smaller, and that the proposal would leave the parcels of greater size than the average. Mr. Phelps said that it is not the desire to down-grade, and of owning the next house. He said there has already been lot splitting - years ago, and referred to them. He said La Jolla Country Club Heights was divided by lots, and precedent has been established. He agreed that views differ, and he has a petition of some 20-odd signatures in favor of the request. He said that the owners do not intend to make any other improvements on the property, as long as they own it. He said it would improve the area, on what is otherwise an unsightly lot. He showed pictures. He said "if there is any down-grading, it has already happened".

Councilman Kerrigan asked what zone the property is in.

Mr. Pain replied "R-1".

Councilman Kerrigan asked if other zones would protect the size.

Mr. Haelsig related them.

Councilman Kerrigan said there could be a new zoning pattern. He asked how the owners could be denied a permit, if the lot meets the specifications.

Harry Haelsig, Planning Director, said that there had been a situation on Point Loma, in connection with which the City Attorney had said in an opinion that the (Planning) Commission should consider sizes, if the area warrants larger sizes.

Mr. Paine said that there had been permission from the former owners to split. He declared that would beautify the property. He showed more photos. He said those immediately adjacent, are in favor, with 1 against, and that he is trying to buy. He said the motives are not entirely bona fide. Mr. Paine said there are more than 21 signers, and that precedent has been established, to ask for other divisions.

Mr. Roberts then handed in letters regarding change of opinions. He had a copy of the deed restrictions. He said that unilateral agreements do not affect other property owners. He said that if split, some might be larger than others. He said there is strong opposition on both sides, and in back.

The Mayor asked if the Council wished to recess. He said there should be a recess, if others are to be heard,

Mr. Paine arose and said he was willing to have the issue settled.

Councilman Schneider moved to close the hearing - after the Mayor had said that the "Council is entitled to lunch".

(It was held).

At 12:05 o'clock, the Council took a recess until 2:00 P.M., today.

The Mayor asked members of the Council to come to a Conference, preceding the meeting, at 1:30. He said that the hearing would be continued on Romero Heights, as the first item.

The meeting was convened at 2:05 o'clock P.M.

Roll call showed the following present:

Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

Absent-None.

Clerk--Fred W. Sick

The Mayor said Mr. Roberts cannot be here at 2:00 re Romero Heights,

Hearing
Meeting recessed
Meeting reconvened

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to which time the hearing had been continued. He said that the Council would go into the hearing which had been scheduled for 2:00 P.M., and resume Romero Heights later.

The hour of 2:00 o'clock P.M. having arrived, time set for hearing set by the Council at this time, on the Mission Beach Amusement Center matter - which had been heard before - Mayor Dail made an opening statement. He stated that hearing had been set, as listed on the agenda, and asked the Clerk to read the Attorney's report.

The City Clerk read the 24 page communication, dated November 21, 1955, signed by John S. Rhoades, Deputy City Attorney, and Allen M. Firestone, Deputy City Attorney, approved by J. F. DuPaul, City Attorney. The communication had been before the Council previously, having been filed during the Council Meeting of November 22, 1955.

The Mayor said that the report had been made by the City Attorney, based upon comments of David Paine, made at an earlier meeting. He said that "corrective measures can be taken by the Council, and that the Council will decide regarding the roller coaster". He pointed out that acrimony is entirely unnecessary. He said that the finding is conclusive - and for guidance of the Council.

David Paine, attorney, representing property owners, asked Mrs. Field, in the north end of Mission Beach area, to speak.

Mrs. Howard Field, 811 Yarmouth Court, stated that she represented residents in the north end of Mission Beach, and in La Jolla. (She did not say in what way she had been authorized to represent the residents). She said she circulated petition, and wants it filed. She stated that when the amusement park was brought over from Ocean Beach to Mission Beach, it was for a summer area - now the area is dense.

Mr. Paine asked Col. Drake to speak.

Col. Tom D. Drake, 4321 Voltaire, told the Council that Assemblyman (Frank) Luckel, had been here, and wanted to speak - but that he had to leave for another engagement. He was, therefore, authorized to speak for Captain Luckel. He stated that he was opposed to amendment to the existing lease on the amusement center (now called Belmont Park). Col. Drake stated that he was shocked when he read over the lease, and found what a 1-sided lease it is. He said the lessees were to keep financial records. He stated that the City stipulated regarding improvements, by both, to enhance the income. He said that the City has kept the agreement, to \$60,000. He said that Lessee failed to keep records, computed on past lessee. He said that part of the roller coaster is not functioning. Col. Drake stated that income would have been \$375,000; they have offered to pay \$18,000, and have paid \$13,000. He spoke of a delinquency. He said that lessee now wants a flat \$10,000 rental, plus the roller coaster take. He said that improvement by taxpayers is wanted, and would have been a \$60,000 payment for 6 years. He said that if retroactive, there would be a total loss of \$135,000 for 6 years. Col. Drake repeated that he opposed the amendment. He said he does not want to operate for somebody else's benefit. He said "if not; a new lessee is needed".

At the conclusion of Col. Drake's presentation, there was applause. The Mayor called for order, and expressed a desire for no demonstrations.

Mr. Paine told of having asked the Attorney to have the entire file present. He said that approximately 3 months ago, property owners in the area were heard for what he estimated to be more than 1 hour. He said that the sole purpose of hearings was to determine if amendments should be granted, and that statements made were to advise the Council if Lessee is entitled to the amendment sought. He said he would be the last to ask to renege. Mr. Paine emphasized that the Council is under no obligation to extend concessions to Mr. Ray. He said that would not be to the benefit of the City and the taxpayers. He said the purpose was to bring to the attention of the Council if it should give the amendment, and if the lessee is the proper person. He reviewed what he reportedly said earlier. He then referred to report of the City Attorney, which he read. Mr. Paine spoke of not having put legal hurdles in front of Mr. Ray. He spoke of having "come down to discuss as citizens". He told of there being no right to abandon. Mr. Paine said that Mr. Ray is in violation now, as in the past. He read from a Fire Marshal's report, made by Captain Franklin. He told of violations set out by Capt. Franklin. He maintained that fire hazards have not been corrected. He said he is not here to "pick on Mr. Ray". He spoke of happening since allegations, and of having been given notice to correct, 3 months ago. He said that Dr. Askew (City and County Health Director), had made a report to the City Attorney. He read the introductory sentence. He said that assignment reflects on the integrity of Mr. Ray. He said that Mr. Ray and Mr. Mitchell (the 2 lessees from the City) were qualified in their individual fields; Mr. Mitchell "passed out of the picture, and Mr. Ray took over". He said that with the 2 going into the lease with the City, it "looks like window dressing".

He said it should be looked into. Next, Mr. Pain spoke about the "lewd and immoral shows", and said he saw no effort to prevent children from looking into the machines. He asked why Mr. Ray is the operator of concessions, if he is not fit to operate them. He asked if Mr. Ray is the type of person wanted. He told of reaffirming position of being opposed to the operation. He said the Council does "not have to give away, and give concessions". He said the roller coaster should not be permitted to take over roller coaster. He stated that the roller coaster had not been put back into condition, as instructed, following the fire. He re-iterated that they have not done so. He said "the Council should not pull the chestnuts out of the fire". He spoke of violation of lease. He said that although the roller coaster had been in for years, when permitted to cease operation for a year, rights to operate had been lost. He spoke of need to get rid of it now. He contended that the roller coaster is objectionable, and is not necessary to family operation of the park. He said there is no need for concession for nude girls, apparently now referring to "peep show" machines. Mr. Paine then apologized to the Roller Coaster Company in connection with earlier statement he had made about the company being bankrupt. He stated that he is making a retraction of the former assertion. He said that everything else has been substantiated by the (City) Attorney. He asked that request be denied into to.

Howard B. Turrentine, attorney, said that there were a number of speakers on September 8, today, and that writers do not know. Mr. Turrentine said that in 1954 and 1955 Mr. Ray gave notice to move concessions to the south end, in accordance with the lease. He said, again, that he had given notices and started to prepare, and that it would be proper in the south. He said the Park requested a hearing, and hearing was held. He stated that at the hearing the Council had requested Mr. Ray to make a study of the Park to see if he could amend, without doing away with the amusement park. He said Mr. Ray was advised to see if he could work it out. Mr. Turrentine said he wrote a letter, and read a portion of it, saying that all plans were being held in abeyance regarding settlement. He said that was mailed March 25; then an April 20 meeting was held. He spoke, again, of the letter having been written. He read it, regarding re-locations. He stated that the master plan is best. He said it was assumed that the coaster was to operate to the end of 1956, but it was impossible to carry out. He said that from the beginning the City had been notified, and "it was held in abeyance to work out". Mr. Turrentine said that it is a question if people can come before the Council "for give and take". He said there is the question if rights can be given up without putting in black and white. He spoke of having worked out, and of having offered a fair plan. He said that otherwise they will go to the south, and build another roller coaster. He told of having negotiated since February or March of last year - openly. He asked the Council to comply; that if not, it will have to comply with the master plan, which would call for expense to the City. He spoke of problems regarding putting in on the roller coaster land. He charged that statements that records are not being kept, are ridiculous. He said that is not true. He said the City will lose money. As to financial loss to the City, he asked James West to be heard.

Mr. West identified himself as a certified public accountant, engaged by operators of the Mission Beach Amusement Co., and had been engaged for 6 years. He stated that he is not an employee of the park. He said the lease amendment asks for a flat \$10,000 - on other bases. He said the basic effect of changing, is to place ceiling on rent; not as income. He said the Mission Beach Improvement Fund would be limited to a maximum of 5 year period, of \$50,000. Mr. West told the Council that the master lease calls for expenditure of million dollars by both. He said that if the lessee pays whatever amount is required, the City has to return to the fund. He said it limits the City contribution. He said that lessee still has to expend \$1,000,000 expended. He said tax payers are not affected either way - perhaps benefited. He said that what tax payers contributed, could be to non-revenue funds. He said it would increase City revenue. Mr. West stated that the financial condition of the Lessee is sound. He said 33% investment the first year; money is being re-invested.

Councilman Schneider spoke directly to Mr. West regarding \$10,000 payments, and investments.

Mr. West said it may go to any sum: minimum rentals, plus 7% gross income.

Councilman Schneider spoke to Mr. West about who is to do the improvement.

Mr. West told the Council that it should be by the City and the lessee.

He stated that if the City does not; the lessee must. He said that improvements are subject to approval of the City Manager.

Keith Atherton, attorney for the roller coaster, was heard. He said "there is more smoke, although Mr. Paine had said that there would not be. He stated that Mr. Paine had said that the coaster was permitted to burn. He stated that it burned at great

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cost to the owners. He told of having written to Mr. Hager (of the City Property Management division), asking for a meeting. He said that the president and manager was killed in the fire. He said he wrote in April, and sent the City \$6,600. payable regarding insurance. He said the City still has the check, and that Mr. Firestone had said that the City is going to hold it, in view of the Paine statement that the roller coaster company is bankrupt. He said they are not dilatory, and they did not put pressure on the Council. He asked if there had been any complaints on the roller coaster, as had been charged by Mr. Paine.

Mr. Turrentine said that the record of Mr. Ray speaks for itself: there were 19,000 rides for kiddies. He urged a decision, and said that it can't be developed on a week-end; it takes time.

Councilman spoke directly to Mr. Turrentine about there being no change, and of going back to the original terms.

Mr. Turrentine said there was nothing else to do.

Councilman Schneider spoke to Mr. Paine about modification, or original lease.

Mr. Paine said he realizes that the City has obligations, but that he does not want any further concessions. He said the City "could do nothing about that" (apparently the obligations).

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

Councilman Burgener said that some might be ready to act today; some not.

Councilman Williams said that an amendment would have bearing. He said it would be well to have discussion in Conference.

Councilman Williams moved to refer the subject to Conference - to be expedited. Motion was seconded by Councilman Schneider.

Councilman Burgener stated that the Council has an obligation to set a date certain, and act. He said that many are inconvenienced.

Mayor Dail said that the Council has enough information to make a decision on Thursday.

RESOLUTION 130168, referring to Council Conference for consideration at 8:30 A.M., Thursday, December 15, 1955 - not to be a hearing - the Mission Beach Amusement Center, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hearing which had been continued until this afternoon session, which had been held - partially - was resumed.

Sherwood Roberts, who was heard at the first session, said "there a couple of points". He said that in the first place something had been stated about proponents not having been represented. He said nobody had any ulterior points. He stated that it was said there were a lot of names on a petition, not in the La Jolla Country Club area. He said that was Mr. Copley, and that the name was not included in the total. He said his clients had not acted in bad faith. He said it is poor faith to say they will not improve if request for the subdivision is not granted. He said, he too, wants to discourage that character of subdivisions; it is similar to others. He told about lot sizes, and referred to a map. He spoke about a road having been put through some years ago, which divided the lot.

Mr. Parker said that Mr. Paine had made the statement that he wants it to be cleaned up. The speaker identified himself as "the next-door neighbor". He said he thought they should keep the dignity of the property, when it first came up. He stated that in order to make a profit, the owners would spoil the property. Mr. Parker told of having made a statement to Mrs. Hunt in order not to have another small house. He said it is a pie-shaped lot. He stated that La Jolla Town Council had been told by a real estate man that the subdivision would not be advisable. He declared that it "would kill the neighborhood". He said the lot had been cleaned up; then the wood and tin cans were put back for the pictures. He said it has been turned down flat. He asked a 100% vote against the proposed subdivision.

Councilman Curran moved to close the hearing. Motion was seconded by Councilman Evenson.

Councilman Kerrigan asked the City Attorney if it was in the guise of a zone variance formerly; now a subdivision. He asked if they have the property subject to violation and there is no violation, what the rights are. He asked if there was right to object.

City Attorney J. F. DuPaul replied that he "believes so". He said they are in no better condition than when they applied for a zone variance. He stated that they are

entitled to 1 house. He said there was trouble for easements, and has to file tentative map and say what would be done. He said that in the old days it was done by variance. The City Attorney told the Council that variance is a matter of grace - not a right. He said it would be maintained by Court.

Councilman Kerrigan said that the Council shall say that it can't be laid out, except in certain sizes.

The City Attorney said that the Council can prescribe, in relation to the neighborhood.

Councilman Burgener said that it is difficult to decide, with neighborhood in disagreement.

Mr. Parker said that neighbors to the back signed for it.

Councilman Burgener said he had different information.

Councilman Schneider said there is neighborhood disagreement. He said he is opposed to denial of use of property, and that property rights would be great.

Councilman Schneider moved to approve the subdivision map.

Mayor Dail said that both (Planning Commission and Board of Zoning Adjustment) are advisory, and that the final right is with the Council.

City Attorney J. F. DuPaul recommended denial; if the Commission is overruled, it would take 5 votes of the Council.

Councilman Schneider moved to overrule the Planning Commission, and allow the Tentative Map. Motion was seconded by Councilman Burgener.

Mr. Haelsig pointed out for the benefit of the Council, that the Commission was unanimous in its denial; the Planning staff recommended the subdivision.

There was discussion between several members of the Council, not through the Chair.

Mr. Parker said that 90% of the neighbors approve.

Councilman Williams spoke to Mr. Parker, who answered Mr. Williams. Mr. Parker said the house was not tucked in the corner preparing to subdivide; he honors his neighbors. He said it infringes on Mr. Bailey's property; if divided, there would be a 70 foot front, by 50 feet in the rear.

The Mayor said it would be necessary to set out conditions.

Mr. Haelsig said that they are outlined - for sewer and water laterals only.

There was added to the motion that the granting should be subject to terms and conditions outlined by the Planning Department - with resolution to be drawn by the City Attorney.

RESOLUTION 130169, requesting the City Attorney to prepare and present a resolution approving Tentative Map for resubdivision of Lot 6 Block C Romero Heights, subject to terms and conditions outlined by the Planning Department, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

After adoption of the Resolution - which calls for further presentation to the Council - Councilman Kerrigan said that if property owners want protection they can re-zone.

Mr. Haelsig agreed that property could be rezoned.

Mayor Dail left the meeting. Vice Mayor Burgener took the Chair.

The next item had been before the Council on November 22, and continued to this date.

It was the City Planning Commission's report on William P. Odom request to have approximately 16 acres of Lot 15 Rancho Mission of San Diego added to Encanto Trailer Park District. The Commission had voted 7 to 0 to deny the request.

Councilman Curran pointed out that he had been absent from the City for 2 weeks. He asked for a continuance of 1 week.

Councilman Curran moved to continue the hearing 1 week. Motion was seconded by Councilman Schneider.

An unidentified man said that it had been deferred 3 weeks, and that he wanted it heard now (it had already been heard by a portion of the Council).

Byrl Phelps, engineer, agreed that the item should be continued as requested by Councilman Curran.

The roll was called, and the hearing continued 1 week - to 10:00 o'clock A.M., Tuesday, December 20, 1955.

12/13/55

Report of Purchasing Agent, approved by City Manager, on joint bids for The City of San Diego, The County of San Diego, and The San Diego Unified School District for 1 year beginning January 1, 1956, received from Purchasing Agent of The San Diego Unified School District on November 14, 1955, from 3 bidders - combined estimated value of contracts \$70,000. It recommends award to Electric Supplies Distributing Company of San Diego, low bidder on Item I; rejection of bids on Item II; award to Blake, Moffitt & Towne of San Diego on Item III. It states that School Board of San Diego Unified School District and Purchasing Agent of The County of San Diego have made awards as recommended. (No bids were received on Item II).

RESOLUTION 130170, accepting bid of Electric Supplies Distributing Company for furnishing requirements of Large Electric Lamps (Filament, Fluorescent, Mercury, Infrared and Sun) for 1 year beginning January 1, 1956, at discount of 45% off list, terms 2% 10th prox., plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130171, accepting bid of Blake, Moffitt & Towne for furnishing requirements of Electric Photo Lamps for 1 year beginning January 1, 1956, at discount of 44% off list, terms 2% 30 days, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending award to H. C. Lawson Company of Glendale for furnishing 1 Payne Dean heavy duty operator (Gate Valve) with heavy duty model power take off and all equipment necessary to install on truck at \$1,300.00 f.o.b. Clinton, Conn., plus State Sales Tax, was presented. It says that while requests for quotations were forwarded to 7 manufacturers and to several local supply houses, it was stated that equipment is peculiar to a single manufacturer.

RESOLUTION 130172, accepting bid of H. C. Lawson Company for furnishing 1 Payne Dean Heavy Duty Gate Valve Operator with heavy duty model power take-off and all equipment necessary to install on truck; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130173, approving plans and specifications for furnishing all material, tools, labor, equipment, transportation and other expense necessary or incidental for Construction of Concrete Gutter in Avenida Cresta, and Storm Drain in Winamar Avenue, Document 526007; 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 130174, approving plans and specifications for furnishing all material, tools, labor, equipment, transportation and other expense necessary or incidental for Construction of Retaining Wall adjacent to Lots 7, 8, 9 Block 9 Block 76 Middletown, Document 526008; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Jack VanCleave, reporting on letter from City Engineer which constitutes request for omission of grading requirements in Calle Majorca adjacent to subdivision of Hartley's Muirlands Estates, which was approved by Resolution 128140, was presented. It recommends granting request, and that resolution be changed.

RESOLUTION 130175, amending Resolution 128140, by revision of Item 1, connection with tentative map of Hartley's Muirlands Estates, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code in connection with tentative map of Marino Terrace, a 15-lot subdivision of Lot A of subdivision of Lot 29 La Mesa Colony, was presented.

RESOLUTION 130176, suspending Section 102.17-c of the Municipal Code in connection with tentative map of Marino Terrace, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Marino Terrace, a 15-lot subdivision of Lot A of subdivision of Lot 29 La Mesa Colony - on westerly side of La Dorna Drive, adjacent to southerly boundary of Dennstedt Point, subject to 10 conditions, was presented.

RESOLUTION 130177, approving tentative map of Marino Terrace, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Williams Park, subject to posting of adequate bond to insure installation of required improvements, unless the required improvements have been completed and approved by the City Engineer, was presented.

RESOLUTION 130178, adopting map of Williams Park Subdivision, a subdivision of portion of Pueblo Lot 339; accepting on behalf of the public portion of Kurtz Street and unnamed easement shown for public purposes; declaring them to be portion of public street and unnamed easement and dedicated to public use; authorizing and directing Clerk of the City, as and for act of the Council, to endorse upon the map that they are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, by John Bate, submitting for approval a form of agreement covering assignment of Dant & Russell Sales Co., an Oregon corporation, lease to Dant & Russell, Inc., a Delaware corporation - approved by Harbor Commission, with assignment conforming with established policy - was presented.

RESOLUTION 130179, ratifying, confirming and approving Agreement for Assignment, copy filed as Document 526044, entered into between Dant & Russell Sales Co., an Oregon corporation, Assignor, and Dant & Russell, Inc., a Delaware corporation, Assignee, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, by John Bate, submitting for approval a form of agreement covering assignment of Dant & Russell Sales Co. sublease with Dixie Lumber and Supply, as sub-lessee, to Dant & Russell, Inc., a Delaware corporation, required as result of assignment of prime lease current with this request, was presented.

RESOLUTION 130180, ratifying, confirming and approving Assignment of Sublease, copy filed as Document 526047, from Dant & Russell Sales Co., an Oregon corporation, Assignee, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Harbor Department, by John Bate, submitting for approval a form of agreement amending High Seas Tuna Packing Co., Inc. lease, was presented. It states that amendment adds approximately 14,100 square feet of water area to premises in the Municipal Yacht Harbor occupied by a marine service station, minimum rental being increased proportionately. It says that amendment will permit expansion of marine service station to better handle the large number of small craft during peak periods.

RESOLUTION 130181, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between The City of San Diego, acting by and through Harbor Commission, as Lessor, and High Seas Tuna Packing Company, Inc., as Lessee, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

12/13/55

Communication from Harbor Department, by John Bate, submitting agreement modifying sub-lease approved by City in 1954 to confirm with legal description set forth in Agreement for Amendment of Tideland Lease, entered into between the City of San Diego and High Seas Tuna Packing Company, was presented.

RESOLUTION 130182, ratifying, confirming and approving sublease, copy on file as Document 526068, between High Seas Tuna Packing Company, Inc., a corporation, a Sublessor, and Standard Oil Company of California, a corporation, as Sublessee, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communication from Harbor Department, by John Bate, submitting for approval, form of License Agreement proposed to be entered into between Kona Kai Club Motel, Inc. and John and Evelyn Cammann as Licensees, covering operation of sportswear shop in lobby of Kona Kai Club for 1 year, and replaces agreement which expired 31 October 1955 - Kona Kai Club Motel, Inc. to pay Harbor Department 2% of gross sales or \$20 per month, whichever is greater, was presented.

RESOLUTION 130183, ratifying, confirming and approving License Agreement, copy on file as Document 526071, between Kona Kai Club Motel, Inc. a Delaware corporation, Licensor, and John Cammann and Evelyn Cammann, Licensees, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from Harbor Department, by John Bate, submitting for approval, form of Assignment of Lease assigning Point Loma Seafoods lease to Norman L. Darling, an individual, was presented. It says lease was originally granted to Norman L. Darling, but on 28 June 1955 Mr. Darling entered into partnership agreement with Dougald MacKay. It states that assignment from Darling to the co-partnership, doing business under name and style of Point Loma Seafoods, was approved by the Council 12 July 1955; due to fact that partnership never became effective, Mr. Darling is asking that lease be re-assigned to him.

RESOLUTION 130184, ratifying, confirming and approving Agreement for Assignment, copy on file in Office of City Clerk as Document 526074, between Norman L. Darling, general partner, and Dougald D. MacKay, limited partner, dba Point Loma Seafoods, Assignors, and Norman L. Darling, an individual, Assignee, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, reporting on petition to vacate and close "all portions of County Road Old Survey No. 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, 1955, by deed recorded in Book 5394, Page 218, of Official Records, excepting therefrom any portion reserved by or dedicated to the City of San Diego for street purposes", was presented. In addition to a detailed report, it states that the petitioner has been advised to proceed with vacation by court action. It says that in view of the above information, it is recommended that the City Attorney be authorized to file petition to effect that City of San Diego has no interest in portions of County Road Old Survey 122 described in Document 521819, in any court action pertaining thereto.

RESOLUTION 130185, adopting recommendation of Street Superintendent, Document 526076, on filing by City Attorney of stipulation to effect that City of San Diego has no interest in portions of County Road Old Survey 122 in any court action pertaining to a vacation and closing; requesting City Attorney to present necessary resolution for adoption by the Council, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Geo. M. Vermillion, Mayor of Long Beach, California, dated December 5, 1955, relative to all cities in California having a stake in issue of the Long Beach tidelands question - and attaching a lengthy statement by Norris Poulson, Mayor of The City of Los Angeles to the Assembly Judiciary Subcommittee, dated November 17, 1955, was on motion of Councilman Williams, seconded by Councilman Schneider, filed.

Communication from Ralph F. Vasquez - subject: Mechanic's Wages - requesting increase in City mechanics' wages, was presented.

On motion of Councilman Curran, seconded by Councilman Kerrigan, it was referred to the Civil Service Department.

Communication from University of California, Department of Engineering - Institute of Transportation and Traffic Engineering, headquarters: Berkeley 4, California - dated December, 1955, by Harmer E. Davis, director, was presented. It encloses a general letter-announcement giving details.

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

Communication from West Basin Municipal Water District, 1233 Hermosa Avenue, Hermosa Beach, California, dated December 8, 1955, signed by Carl Fossette, General Manager, enclosing certified copy of Resolution 280 adopted by the Board of Directors of the District on December 5, 1955, was presented.

RESOLUTION 130186, referring to Council Conference communication from West Basin Municipal Water District, submitting resolution requesting Board of Directors of Metropolitan Water District of Southern California to approve short term borrowing of funds for construction, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130187, directing notice of filing of assessment 2429 and of time and place of hearing thereof, for paving and otherwise improving Dwight Street, Resolution of Intention 120268, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130188, directing notice of filing of assessment 2428 and of time and place of hearing thereof, for paving and otherwise improving Shafter Street, Upshur Street, and Scott Street, Resolution of Intention 123288, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130189, directing notice of filing of assessment 2426 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 10 Normal Heights, and Arthur Avenue, Resolution of Intention 125824, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130190, directing notice of filing of assessment 2427 and of time and place of hearing thereof, for sewers in Inez Street and Gage Drive, Resolution of Intention 123287, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 130191, accepting bid of A. R. Kingard, and awarding contract, for paving and otherwise improving Alley Block 281 Pacific Beach, Resolution of Intention 128746, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

City Engineer reported in writing that low bid is 22.9% below the estimate.

RESOLUTION OF AWARD 130192, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract, 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 Schneider, adopted.

City Engineer reported in writing that low bid is 3.3% below the estimate.

RESOLUTION 130193, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Alley Block 1 Buena Vista Tract, and 42nd Street; approving Plat 2798 showing exterior boundaries of district to be included for 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 130194, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Grape Street; approving Plat 2803 showing exterior boundaries of district to be included for 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 130195, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Shasta Street and Crown Point Drive; approving Plat 2816 showing exterior boundaries of district to be included for 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 WORK 130196, for paving and otherwise improving Alley Block 49 Ocean Beach, Resolution of Intention 129186, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 130197, for paving and otherwise improving Alley Block 23 Ocean Beach Park, Resolution of Intention 129189, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 130198, for paving and otherwise improving Gillmore Street, Southlook Avenue, Olivewood Terrace and Ocean View Boulevard, Resolution of Intention 129185, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 130199, for grading and sidewalking Grape Street, Sultana Street and 54th Street, Resolution of Intention 129188, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130200, rewording Resolution 129853, adopted November 22, 1955, for closing portions of Evergreen Street - Ordering Work (correcting "of" to "and"), was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130201, for sewers in Alley Block 1 Buena Vista Tract, and 42nd Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130202, for paving and otherwise improving Grape Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130203, for paving and otherwise improving Shasta Street and Crown Point Drive, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130204, appointing time and place for hearing protests, and directing notice of hearing, for current in Hermosa Lighting District 1, for 1 year from and including May 1, 1956, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130205, appointing time and place for hearing protests, and directing notice of hearing, for current in Kensington Manor Lighting District 1, for 1 year from and including May 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130206, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Rolando Lighting District 1, for 1 year from and including April 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130207, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Talmadge Park Lighting District 4, for 1 year from and including April 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130208, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block C Belmont, Resolution of Intention 126332; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130209, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Electric Avenue, Resolution of Intention 124572; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130210, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, et al., Resolution of Intention 119501; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130211, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Roosevelt Avenue, Resolution of Intention 126203; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130212, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 29th Street, E Street and 28th Street, Resolution of Intention 123408; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130213, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alleys Blocks 22, 23, portion between Blocks 22 and 8 La Jolla Park, Resolution of Intention 126081, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130214, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Gaines Street, Resolution of Intention 127368, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130215, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Garnet Street, and Pendleton Street, Resolution of Intention 127631, and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130216, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving La Jolla Shores Drive, Resolution of Intention 127632, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130217, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of sewers in Rosecroft Lane, Silver Gage Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, Resolution of Intention 127633, and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130218, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Tourmaline

Street, Resolution of Intention 127130, and to be assessed to pay expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, approved by City Manager, recommending amending proceedings for paving and otherwise improving Ash Street and 33rd Street, to include portion of A Street as required, and cross gutters and return segments, etc., to be included, was presented.

RESOLUTION 130219, adopting recommendation of City Engineer, Document 525988; authorizing him to amend proceedings for improvement of portions of Ash Street and 33rd Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition for improvement of portion of Poe Street - plans and specifications Document 524285 - by private contract, was presented.

RESOLUTION 130220, granting permission to Lee E. Walter to pave and otherwise improve portion of Poe Street by private Contract, under Document 524285, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Resolution authorizing City Manager to execute, for and on behalf of The City of San Diego, an amendment to lease agreement, amending agreement between the City and Bernard deSelm for automobile parking in vicinity of Balboa Stadium, dated August 3, 1953, was presented again - after having been continued from the meeting of December 6, 1955.

Lt. Comdr. Fisher, USN, ret., representing the Balboa Citizens Group, was heard (he spoke on the same item at the "night meeting" of the preceding Thursday). He said he had been asked by the group to express opposition. He asked if pictures had been passed around.

Councilman Burgener, as Vice Mayor asked if there was any alternate.

The reply by Commander Fisher was that it was just opposed.

Councilman Schneider spoke of the area having been graded, and of the Navy having paved the old street car track (right of way, near the Navy hospital). He spoke of need for supervision, and said that sometimes cars are left there for a week or a month. He said that sign (to which objection had been made by Comdr. Fisher at the December 8 night hearing) can be eliminated.

Vice Mayor Burgener said it could be controlled through the Naval hospital. He said he does not want to see it looking unsightly.

The City Manager said he will explore that.

Councilman Schneider spoke to Comdr. Fisher about not being able to get into the area.

Comdr. Fisher said he thinks the Navy would be glad to occupy it, as well as supervise it. He read to the Council a statement he had read at the night meeting, which he had marked "X" (but did not file the statement). He then made a "public prayer", which he designated as his firms, for keeping the parking out of the park "in the name of Father Horton".

Councilman Williams said that concern had been expressed over removal of trees. He stated that there is no such intention.

Comdr. Fisher said that the main concern is not regarding the trees, but the invasion of the park.

Elliott Grissom, one of the co-operators of the parking concession, said that his co-operator is in the Navy. He said that the service is getting the contrasting side to what Comdr. Fisher presents. He declared that it is a great service, and not an excessive charge. Mr. Grissom stated that the original charge had been set as 2 hours for 25¢, but has been changed to 25¢ all day. He said that 90 or 100 cars can be parked; other place has to be filled up before they get the other parkers. He told the Council that cost is running \$5.00 per day.

Councilman Schneider asked if it is a general lease for night parking.

Mr. Grissom replied no; it is with DeSelm; some come for a month - it is \$7.50 for a month.

Communications
130219 - 130220
Proposed resolution
re parking lot in
Balboa Park & discus-
sion

12/13/55

Bernard House, co-partner of Mr. Grissom, said that it has always been a parking lot - since leased to Mr. deSelm. He said that is in addition to "evening" (parking, in connection with stadium). He spoke of being in charge of the lot while in the Navy. He said there would be 10 or 12 cars at night; it would be no different, except daytime, too.

Comdr. Fisher told of questioning, to bring out facts regarding prices. He said they were not entirely frank. He said that it is not cluttered with old cars, as it had been said. He said the Merry-Go-Round area is not cluttered.

Motion to grant was made by Councilman Kerrigan, seconded by Councilman Williams, but was withdrawn.

Councilman Evenson referred to lease on a month-to-month basis.

Benjamin Hager, from the City Property Management Division, said it is to August, 1956.

The City Manager said it runs to August.

Councilman Williams asked if the City Manager had been requested to police. He spoke of "obligation to all the people of the City".

The item was referred to the City Manager to explore further.

RESOLUTION 130221, creating and establishing Taxicab Stand:

East side of 7th Avenue, between points 50 feet and 70 feet north of north line of Ash Street; directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130222, authorizing and directing San Diego Gas & Electric Company to install 6000 lumen overhead street lights at 13 locations, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130223, authorizing City Manager to execute, on behalf of the City, a contract with Richard George Wheeler, architect, for complete preliminary drawings and colored sketches to clearly show all remodeling of the Council Chambers, and to furnish preliminary cost estimates of work involved at a fee of \$10.00 per one man hour, total fee not to exceed \$750.00; provided that fee shall apply against A.I.A. fees for remodeling in event Richard George Wheeler is employed for final working drawings and supervision of remodeling, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130224, extending for an additional period of 60 days, commencing last date of term within which work was to be completed under contract between the City of San Diego and W. H. Uhlig, Document 504609 - contract entered into in December, 1954 - for professional services as Corrosion Consultant (he is a Professor of Metallurgy in Massachusetts Institute of Technology, Boston, Massachusetts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Resolution states that Director of Water Department, through City Manager, has advised the Council that studies have not been completed, and desires extension of time. Resolution makes the provision that total cost to the City of services even with extended period of time shall not exceed the limited amount set forth in the contract: \$6000.00.

RESOLUTION 130225, authorizing and empowering City Manager to do all work in connection with replacement of 450 feet of water main in 37th Street, between Boston Avenue and westerly property line of Newton Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130226, approving request of Royal Pipeline Construction Co.,

RESOLUTION 130226, granting Royal Pipeline Construction Co., Change Order 4, for extension of 25 days to and including December 26, 1955, Document 526084, in which to complete contract for installation of Small Water Main Replacements, Group 18, Document 509832, in which to complete contract, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130227, granting permission to Canada Dry Bottling Co., 1895 Hancock Street, San Diego, to install plumbing layout in construction of Canada Dry Building, 5330 Linda Vista Road, which deviates from City plumbing code, because of structural difficulties: Southwesterly 1/2 Pueblo Lot 298 San Diego; subject to Resolution, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130228, granting revocable permit to San Diego Gas & Electric Company, 6th and E, San Diego 1, to install and maintain temporary a temporary transformer site over, under and across Ardath and Torrey Pines Road: Lot 3 Valley Square, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

(An item, related to this subject is listed on the agenda of December 15, 1955, as a hearing).

RESOLUTION 130229, denying claim of B. E. Harmer, Document 525046, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130230, denying claim of Charles B. Hempel, Document 525047, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

ORDINANCE 6775 (New Series), creating position of Assistant Director of Social Service, in the Classified Service of The City of San Diego, and establishing Schedule of Compensation therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson. Nays-Councilman Curran. Absent-Mayor Dail.

Reading was dispensed with by vote of not less than 4 members of the Council.

In connection with the next item, when a question was asked, the Clerk stated that the Council had directed the preparation of the ordinance, after hearing which was held November 22, 1955. (Planning Commission had recommended denial by vote of 4 to 0; Ordinance was introduced December 13, 1955).

ORDINANCE 6776 (New Series), incorporating portions of Lots 498, 499, 500 and 501 Allied Gardens Unit 4 into "C" Zone as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance 6395 (New Series) adopted February 3, 1955, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Reading was dispensed with by vote of not less than 4 members of the Council.

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

~~On motion of Councilman Williams, seconded by Councilman Schneider,~~

ORDINANCE dedicating public lands in Lot 1 and Lot 2 Block 399 Choate's Addition for street purposes and naming land 32nd Street, by following vote: Yeas-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:

It was a Resolution referring to the existing graduate school of the University of California in the City of San Diego in the neighborhood of La Jolla, known as the Scripps' Institute of Oceanography, engaged in studies of a scientific and technical nature in connection with the ocean - and which has been of great value to the people of the State of California and of the City of San Diego. It says it has been represented to the Council that there is a possibility that Regents of University of California can be persuaded to enlarge the scope and activity of the present Institute, to extent that such branch university will undertake duty and task of maintaining and operating an undergraduate as well as a graduate school, and that in the undergraduate school the university might undertake work of conducting classes for students who desire entering into professional field of engineering. It says the Council is advised that Regents of the University of California have agreed to hold a hearing or conduct a conference in which there will be evidence submitted, and in which they will consider the possibility of furthering the scope and activity of the University of California insofar as it relates to the branch services of the Scripps Institute of Oceanography, and that it would be highly desirable to have such Regents understand that the Council will be willing to do all within its power to further such an activity by aiding and assisting in establishment of such undergraduate school in such manner and to such an extent as will be feasible and practicable and, in this connection, to permit the Regents the use of certain City-owned lands which lie adjacent to the present site of the Scripps Institute. (Throughout the Resolution, word "Institution" should properly have been used, rather than "Institute").

The Resolution was read to the Council by the Clerk.

The City Manager told the Council that it would be a combined graduate and undergraduate school. He said that local people are emphasizing undergraduates in some fields, while others want graduates. He said that use of the faculty would be for both.

RESOLUTION 130231, expressing the desires of the City Council to express its willingness to aid in every way feasible and practicable the establishment of a branch of the University of California in connection with the Scripps' Institute of Oceanography for training and teaching of undergraduate students in scientific and technical studies, and offers under reasonable conditions for the public interest the use of certain City-owned lands for such proposed undergraduate school, provided that offer be accepted within a reasonable time, and as an expression of such attitude the City Manager is authorized to attend any hearings conducted by the Regents of the University of California for such purposes, and to present to them the attitude of the Council by furnishing to them for their consideration a certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

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

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

ORDINANCE 6778 (New Series), amending section 53.10 of chapter V article 3 of San Diego Municipal Code relating to Use of Fire Arms (stating, in part, that certain crops within the City of San Diego are seriously endangered by an excessive number of wild fowl and other bird life, and that shooting of certain species is authorized by State law subject to certain rules and regulations established pursuant to State law), was adopted, on motion of Councilman Kerrigan, seconded by Councilman Schneider, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

The ordinance is for immediate preservation of public peace, health, and safety for reasons set forth in the preamble, and shall take effect and be in force immediately upon its passage.

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

RESOLUTION 130232, designating portion of The City of San Diego within the Bay of San Diego lying southerly of projection of southerly boundary of City of Chula Vista (recently-annexed to City of San Diego), as an area where shooting, firing, or discharge of guns, pistols, and firearms shall be lawful; provided that shooting, firing, or discharge of said guns, pistols, or firearms, is for the purpose of hunting birds or fowl pursuant to rules and regulations of State of California governing hunting of such birds or fowl, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

RESOLUTION 130233, authorizing Councilman George Kerrigan to represent The City of San Diego at a meeting of representatives of the League of California Cities at Berkeley, California, December 16, 1955, for purpose of considering advisability of changing the organization of the Department of Water Resources of the State of California; authorizing incurring of necessary reasonable expenses in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Mayor Dail returned to the meeting.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at 4:28 o'clock P.M. He announced that the Council would go into Conference.

ATTEST:
FRED W. SICK, City Clerk

By

August M. Hadleton
Deputy

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

Chamber of the Council of ^W
The City of San Diego, California, Tuesday, December
15, 1955.

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson.
Absent--Mayor Dail (speaker at a political science meeting in San Diego State College)
Clerk---Fred W. Sick

Vice Mayor Claire Burgener called the meeting to order at 10:14 o'clock A.M.

Councilman Kerrigan stated that the Council can't operate "without a full quorum".

Ordinances and Resolutions are recorded on Microfilm Roll 105.

The Vice Mayor apologized for the late start.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Albert H. Kessling and Norma Kessling from decision of Board of Zoning Adjustment in denying their request to convert an existing residence (with 6 kitchens) to a 4-family apartment building, on the West 80 feet of Lots 11 and 12 Block 13 Cleveland Heights, 3501 Front Street, in Zone R-2; petitions favoring and opposing variance were presented. Some had been before the Council at its hearing of December 8, 1955, from which date it was continued.

The Finding of Facts was read to the Council by the Clerk.

Mr. Graves, who did not identify himself further, represented the Kesslings. He said there is only 1 way of approach the situation. He said that no one group's feelings should govern. Mr. Graves said "there is no necessity to explain" (the same property having been considered at zone change hearings). He told the Council of not making any threats. He stated that the Council should see what effect this action (today) has. He said that if the zone variance were denied, it would be a detriment to the community. He stated that the house of large, old, with high ceiling, and that it takes a good deal of money to maintain it. He said that "many want to keep up their properties in the area". He said the owners can sell it, make it self-supporting, or let it fall into desrepair". He said that if they sell, the owners would be in no better position. He said that owners have to make the house self-supporting, to a degree. He said that they can - if it is agreed to have 4 apartments, and the extra 2 (in another building on the property). He said that opposition knew property was in an R-2 zone, or they should have known. He stated that it had been said that if granted, it would open up a flood of requests. He declared that each must stand or fall on its own merits. Mr. Graves contended that granting of the variance would not change the outward appearance; it would be beneficial. He said they might have 2 more families - that is all. He said that of the people who ask for the variance, some say it is immaterial. He handed in letters in favor of Mr. and Mrs. Kessling's request. Mr. Graves said that the "justice of the Council does not depend on the weight of either side". He requested the granting of a zone variance. He said that 9 people within an area of 300, were present. They stood at his request.

Joseph Keeney, 3425 Albatross Street, told the Council that he is within 300 feet of the area. He said that it is a family neighborhood, and that many own their homes which are as large as the Kessling house. He told of enjoying room of a large house. He stated that people who would come in rent, and may have a short residence. Mr. Keeney said he likes families - and large houses.

Councilman Kerrigan was excused.

Mr. Keeney said there would be more parked cars, and there is comparatively little traffic now. He said that he bought in 1943, regarding the zoning laws. He said that to allow a change by granting concessions is to change the zone by slow degrees; then the character of the property. He told the Council that he wants his investment protected. Mr. Keeney said that if the Council grants, it would be putting on a discriminatory situation, in that others have only 1.

Meeting convened
Hearing

Councilman Kerrigan returned to the meeting

Mr. Keeney said that this should be on a basis of being a detriment - if zone is changed.

Mr. Hoff, who did not give his first name or initials, represented the estate of Mrs. Eva Hoff, as executor. He pointed out that only a portion of the house is as old as had been stated; the rest was built in the 1920's (while appellants said in appeal that it had been constructed in 1883; an 18-room house, with 5818 square feet of floor space). He said that it is in good repair - or was. He stated that 1 house was brought in. He spoke of letter from property owners in opposition to the zone variance. He reviewed the names of those who object. Mr. Hoff said they feel that it should be maintained R-2; it should not be rezoned, or be an individual variance, and spoke of "encroachment on R-2". He asked if there is an inspection report of 2/14/55 in the record.

D. E. South, Zoning Administrator, said there are findings by the Investigator - 4 pages long. He said that the report asked for is in the findings.

Mr. Hoff said there is a possibility of a wedge that could set a precedent. He said he wants the zone maintained as R-2. He stated that it is adequate as R-2, and does not want R-4. At his request, 6 stood in objection - within a 300-foot area. He said the general opinion of people in the 300-foot area is against the variance.

Alice Fisher came to the microphone, and said she had hoped that she would not have to talk. She said she likes the pleasantness of the area, and told of owning a house on 2 lots. Mrs. Fisher told of trying to defend the neighborhood - for homes. She said that it (the Kessling property) is the gateway to lovely homes, and is a family neighborhood. She said that granting the variance would be the opening wedge to break down of the neighborhood. She spoke of the existing dead-ends of streets, and of the sheltered area. She told the Council that the house was moved from downtown for sentimental reasons. Mrs. Fisher said it can be maintained as a single-family area. She said there is no alley, and residence has to be served from the front.

Councilman Schneider spoke to Mr. South about the R-2 zone.

Mr. South replied that it allows 2 families.

Councilman Kerrigan asked how long it had been owned (presumably by the Kesslings).

Mr. South replied "since 1947".

Councilman Kerrigan asked how the house has been used.

Mr. South said that illegal use had been found.

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

RESOLUTION 130234, overruling and denying appeal of Noma Kessling from decision of the Zoning Committee in denying by Resolution 9213 the application of Albert H. & Noma Kessling, No. 14479, for permission to convert existing residence structure now having 6 kitchens, to a 4-family apartment building, on the West 80 feet of Lots 11 and 12 Block 13 Cleveland Heights, at 3501 Front Street, in Zone R-2; sustaining the decision, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Councilman Schneider told of effect of a zone variance, as requested on the previous item.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Mrs. Myrna M. Magill and Donna Lou Magill from decision of the Board of Zoning Adjustment in denying permission to operate a newspaper stand on front porch of existing residence - porch to be enclosed with glass - at 3784 31st Street, Lots 27 and 28 Block 7 Hartley's North Park, in Zone R-4, Mrs. Magill, the owner appeared at the microphone, but did not speak immediately.

Finding of Facts, signed by D. E. South, Zoning Administrator, was read by the Clerk to the Council.

Mrs. Magill told the Council that, "nearly all the family has passed away, and that she has a handicapped daughter". She ^{said} that her "own health is not too good". She stated that her brother-in-law has taken over the expense of the house, and he thought this might be a way to make a living. She stated that no one objected - then 2 called in (to Planning), although they had signed in favor of her request. Then, she added that one did sign for this, and then against the property owner. She said that there are a number of letters which favor the request (they are in the Clerk's file). Mrs. Magill stated that she does not want anything noisy or dirty. She said that her proposal would improve the property; there would be no harm; no sign; no noise.

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Speaking to Mrs. Magill, Councilman Schneider wondered if the traffic by pedestrians would be enough to make sufficient sales.

Mrs. Magill's reply was that "other places do; she thought about that". She said she is trying to do the work gradually, as she can. She said it would be something at which she hopes to make a living. Mrs. Magill said that she is too old, and is not well enough to work. She said that people could not see why request should not be granted.

Councilman Schneider spoke to Mrs. Magill.

Vice Mayor Burgener spoke to Mrs. Magill about proper zoning practice, and of effect on the neighborhood.

Mrs. Magill said that if people there favor the project, she does not see why it would do any harm. She said there had been no protests, or phone calls.

The Vice Mayor asked Mr. South if it would be conditional use.

Mr. South said it would be a zone variance.

Councilman Kerrigan said that a finding would have to be made, and that if the people are in favor of changing the property to C Zone, it should be so changed. He told Mrs. Magill of a finding that would be needed.

There was discussion between Councilman Kerrigan and Mrs. Magill.

Councilman Kerrigan said that if this is granted, somebody else would find need for variance. He said it would start a pattern, without real reason.

Once again, there was discussion between Mr. Kerrigan and Mrs. Magill.

Councilman Schneider spoke to Mrs. Magill about multiple use.

Vice Mayor Burgener asked who would use the service which Mrs. Magill proposes.

Mrs. Magill replied "any amount of people would use".

Councilman Williams said this "involves a neighborhood, and would involve neighborhoods all over the City". He told of being afraid of the repercussions which would result, and said that it would be detrimental. He said that it might be well to rezone the property.

Mrs. Magill told the Council that "many would not want it entirely changed".

There was discussion between Councilman Williams and Mrs. Magill.

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

Councilman Kerrigan moved to deny the appeal, and direct the Board of Adjustment staff to report if R-C zone would be acceptable. Motion was seconded by Councilman Schneider.

Councilman Kerrigan, who made the motion, changed it.

RESOLUTION 130235, denying appeal of Mrs. Myrna M. Magill and Donna Lou Magill, 3784 - 31st Street, San Diego 4, from decision of Board of Zoning Adjustment in denying application 14471 for zone variance to permit operation of a newspaper stand in enclosed front porch at the address shown; Lots 27 and 28 Block 7 Hartley's North Park, in Zone R-4; sustaining the Board of Zoning Adjustment's action by Resolution 9217, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130236, requesting the Board of Zoning Adjustment staff to make a study, indicating if a zone change should be made in the area of the Mrs. Myrna M. Magill property in the 3700 block of 31st Street, 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 appeal of Robert E. Zimmerman from decision of Board of Zoning Adjustment in granting by Resolution 9245 application No. 14270 of San Diego Gas & Electric Co. to construct an electric substation with an 8-foot high combination wall and fence around property, and to observe required setback, on portions of Pueblo Lots 1286 and 1288 - Ardath Road at Hidden Valley Road, in Zone R-1, subject to conditions set out on a sheet attached to the Resolution, finding of facts signed by D. E. South, zoning administrator, was read to the Council.

Councilman Kerrigan read to the Council the conditions referred to in the Resolution.

Mr. South stated that conditions have been approved.

Sherwood Roberts, attorney, representing appellants and the La Jolla Town Council, spoke. He said this represents a matter of utility installation policy. He pointed out that there are nearby areas, where variances would not be needed for such installation. He stated that there are R-C and C zones in La Jolla Shores, which would be better than the proposed site. He maintained that the power company has been adamant. He said that La Jolla Town Council - in particular - "does not oppose power". Mr. Roberts said that it should be

policy that "if there is no other site available" there should be a zone variance. He said the company does not need it, and doesn't want to pay prices for C Zone property. He stated that it is beautifully developed, with most of the homes on the hills. Mr. Roberts stated that the State has the full power of eminent domain, and could use it against land held for high price. He told of many objections by the Gas Company. He said that the Company could have started proceedings in the Spring, but the Company went to the City Manager, and put in a transformer on City land, taken for highway purposes. Mr. Roberts said that it "looks strangely suspicious". He maintained that if emergency exists, the City could let them keep it, and add a couple; then go out for condemnation. Mr. Roberts had a letter from Beverly Hills, which he read to the Council, about what is done there on such public utility matters. He told of having talked with the Planning Department in Los Angeles. He said that it is their policy that if utilities are to go into residential areas, they are made to look like residences - and told of what the Telephone Co. does here. He stated that the Los Angeles Department of Public Power and Light is proud of its buildings. He showed pictures of Los Angeles stations, illustrating that they were adapted to the various communities in which constructed. He said that the Gas Co. can spend the money, even if it were to cost \$30,000 or \$40,000. He stated that the Company has made a threat that it would be a commercial station, like the station at Pearl and Girard. Mr. Roberts said he does not like a threat. He said that under ordinances, the project would be permitted in R-4 zone - with approvals and requirements. He said that if the Gas Co. goes into a C zone (as Mr. Roberts proposed), it would have to "put in something decent". He said they could not continue threats. He said this will set a policy of the City for 10 years. He told of there being need to bring the ordinance up to date, in connection with there being a proper looking project. He said that in Pasadena they are trying not to go into residence areas. He said the Water Company does an attractive job of its locations. Mr. Roberts said that almost all of the hills look down on the property proposed, and that it would be an apparent commercial installation. He agreed that no one wants to pay more than necessary for property. He said there is need for a roof to cover the installation, to make it look like a rambling ranch house. He said "this is the entrance". He maintained that if granted, it should be in harmony with the neighborhood - and be covered. He repeated that the Gas Co. should acquire sites in C or RC-, and spend a little money to fix them up. He said the company could have picked up C property 4 or 5 years ago. He said there are places to go. Then, he said that pictures disappeared from the file.

H. Bailey Gallison, Executive Manager of La Jolla Town Council, read a letter addressed to the Council, signed by Sibley Sellev, Chairman of the Board. He filed it. He said that he was afraid that if the sub station goes in under the condition, very few people would want to build residences; then there would be variances. He told of other developments. He told the Council that property (other than that proposed for the site) should go to condemnation - if it can't be bought otherwise.

Mr. Garber, representing San Diego Gas & Electric Co. pointed out that objections have been heard by the Zoning Board. He said that the company will abide by the conditions, and "that it was designated for that".

Councilman Evenson moved to close the hearing. Motion was seconded by Councilman Schneider.

Councilman Evenson moved to sustain the appeal, and sustain the variance grant by the Board of Zoning Adjustment. Motion was seconded by Councilman Schneider.

Vice Mayor Burgener told the Council that "policy here should apply City-wide".

Councilman Evenson stated that there is a school on the same side of the street.

Councilman Williams said he has looked at the site and has seen the pictures. He said it might be detrimental for some time; if it were flat ground it would be a different situation. Mr. Williams said that location is in area of high class residential property, but there is also need for service. He asked to be informed why this is the only property available. He said that except for public need, he would not vote for the the variance.

Mr. Garber showed a picture, and said it "is in the center of the area" (to be served). He stated that the present station is beyond the service ability. He told of having circulated property; that only property available is owned by Mr. Percival, who would not accept \$100,000. He told of the company paying a premium price "for this". He said that the property was selected, because it is less objectional than other. He pointed out that it is adjacent to the school, and that the Company would have preferred commercial property.

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The Vice Mayor asked what objection there would be to building a roof over the installation (to shield it from view of residences above).

Mr. Garber said that it would be both inefficient, and expensive. He told of expansion, and of need to have the installation in "this area" to do good.

Councilman Williams said that pictures illustrate clearly.

Mr. Garber stated that lines to service this station exist. He said that on the other proposal it would be necessary to have 50 to 60 poles. He said these would be underground; transformers would be 12 feet high; wires would be underground; there would be a fence 8 feet high.

Councilman Schneider said it would be lost to view, and is a reasonable request.

The Vice Mayor stated that a building ought to be built around the installation.

Councilman Williams repeated that it is a lovely residential area (in La Jolla).

Councilman Evenson questioned the buildings in the Los Angeles pictures exhibited by Mr. Roberts. He said "they look like mausoleums".

(The pictures, which had been shown by Mr. Roberts, were withdrawn after the hearing in that he stated it was not his intention that they be placed in the file as exhibits).

RESOLUTION 130237, overruling and denying appeal of Robert E. Zimmerman, 2488 Hidden Valley Road, and others, from the decision of the Board of Zoning Adjustment in granting by its Resolution 9245, application 14270 of San Diego Gas & Electric Company to construct an electric substation with 8-foot high combination wall and fence around the property, to observe the required setback, on portion of Pueblo Lots 1286 and 1288: legal description on file in Planning Office, on Ardash Road at Hidden Valley in Zone 1 - subject to "Conditions, San Diego Gas & Electric Co., Application No. 14270, dated October 26, 1955" attached to the Resolution 9425; sustaining the action of the Board of Zoning Adjustment in granting variance to provisions of Ordinance 13294 insofar as they relate to the property described, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Schneider, Kerrigan, Curran, Evenson. Nays-Councilman Burgener, Williams. Absent-Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of First Baptist Church of Allied Gardens, from decision of the Board of Zoning Adjustment in denying permission to Bollenbacher & Kelton, Inc. owners, and First Baptist Church of Allied Gardens, purchaser, to construct and operate a church and school, with parking areas and recreational facilities on Lots 1012 through 1012 Allied Gardens No. 5, at Mound Avenue and Carthage Street, in Zone R-1, finding of facts attached to Resolution 9226, on Application 14500, was read to the Council by the Clerk.

Vice Mayor Burgener asked how many wished to be heard in favor of the location.

A man who was not identified, said there were 3. It was indicated that 3 were interested in speaking against it.

Justin Merriman, pastor of the Baptist Church of Allied Gardens, was heard. He said he had handed in petitions regarding the thinking of the people (he took them out following the hearing, telling the Clerk that they were incomplete, but would be resubmitted). He agreed that he may not have presented sufficient plans. He asked Dr. (Wayne) Neal, of the Council of Churches, to arise, indicating that need exists. Dr. Neal did so.

Reverend Merriman said that there is a need, and that it will be possible to carry out plans. Then, Dr. Pearson and Reverend Lewis stood at the request of Reverend Merriman, indicating their backing. He stated that a Bollenbacher representative was here to answer questions.

Councilman Kerrigan was excused

Reverend Merriman continued, by saying that 5 purchases had been made after the church had bought its property. He said it was presumed that they would have known of the church purchase, in that there was public record of the transaction. He said "one protestant had cancelled out", and that 3 opponents ask for withdrawal from the protest. He spoke of having plans on the table. He told the Council that Walter See, architect, was here to answer questions. He spoke of variances having been granted to 2 churches. He stated that there is a recognized need for the church. Reverend Merriman said that failure to grant the variance would be to deny the church a chance, since there is no other place.

Councilman Schneider spoke to Reverend Merriman regarding the use.

Reverend Merriman said there would be a church school, not confined to Sunday. The Vice Mayor spoke of having a full report, to study.

Councilman Kerrigan returned. He spoke of having to go to a water meeting.

The Vice Mayor pointed out that it would take 5 members of the Council to overrule the Board of Zoning Adjustment.

Mr. Abegglen, representing residents on streets adjoining the property in question, was heard. He had a letter of protest, and made a verbal protest against the variance. He said that he was not objecting to the denomination; protest would be on any church because of congestion and traffic. He told the Council that when he bought, he understood that the zone was to be residential; when he looked at the map, no church was shown. He emphasized that he bought thinking that he was getting out of traffic. He stated that there are narrow streets, and that resale value would be less. Mr. Abegglen declared that it would not be fair to place the church where the property had been sold on an R-1 basis. He told the Council that he had picked the canyon site for a reason.

In response to a request, a large group rose - in an area of 300 feet of the proposed church property.

Councilman Schneider moved to close the hearing. Councilman Williams seconded the motion - and the hearing was closed.

On motion of Councilman Curran, seconded by Councilman Schneider, hearing was continued 1 week - to December 22, 1955 (with "hearing closed").

People in favor of the variance for the church stood - indicating that they were within a 3 or 4 block area.

At the request of Sherwood Roberts, the proposed Romero Heights subdivision, for division of property - there was a hearing December 13, 1955 - was continued 1 week, to December 22, 1955

At the hour of 11:59 o'clock A.M., the Council took a recess until 2:00 P.M., this date.

Upon reconvening, at 2:05 o'clock P.M., roll call showed the following:

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

Mayor Dail presided at this session, which took the form of a conference. He stated that interested persons were present from various cultural groups, which had representatives. He said there have been letters on this subject. The Mayor passed around to members of the Council material which had been handed in. He stated that an operating budget would be about half of what is needed. He said that this discussion had been set by Dr. Jessop and the City Manager.

John Ellsworth, president of the Board of Trustees of the Museum of Man, was heard. He said he had been authorized to speak for: Serra Museum, the Natural History Museum, the Fine Arts Gallery, and the Museum of Man.

Mr. Ellsworth said that under leadership of Dr. Jessop (Alonzo de Jessop) there have been meetings held for the past 4 weeks, regarding the common problems of the museums regarding the economic situation. (Mr. Ellsworth spoke at the request of Dr. Jessop, who told the Council that he requested it, inasmuch as he had difficulty hearing). He told of having attended Mayor Dail's forum in the Park, and understands the City's problem. Mr. Ellsworth stated that the institutions are deeply rooted, with fine reputations, and with more material (than can be shown). He said they present a service, and an appeal for the people of San Diego. He pointed out that there are offered both active and passive culture. He said that Dr. Schroeder (director of the Zoological Society of San Diego), had spoken of the organization which he heads as a living museum. Mr. Ellsworth pointed out that the modern museum is now a living part of a city's culture. He said that service outside is not

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a job for amateurs. He said that "truth is paramount", and there is no place for half truths. He pointed out that all the museums maintain high standards, and that takes a lot of money. Mr. Ellsworth stated that it is to their everlasting credit that they have and are making the best use of every dollar. He pointed out that labor turnover is small, and that to keep up, it presents a strain on professional people. He mentioned resorting to use of volunteer people, which he said can be dangerous, because they need supervision. He said that creates an added strain on the professional staff.

Councilman Williams entered

Mr. Ellsworth told the Council that the Mayor has asked for presentation of adequate and sustaining budgets. He said that has been done. He stated that each has a master plan; and a maximum of professional help can be used, but they do not have them. He said that everyone feels that he can enlist outside help; but there is not enough professional staff. Mr. Ellsworth told the Council that 2 outstanding collections had been lost, because donors felt the institution (which he did not identify; neither did he identify the collections) was not economically stable. He said that an adequate budget is before the Council. He said it would permit the filling of gaps in the staff. Mr. Ellsworth spoke of a sustaining budget as one to keep alive temporarily. He said he wants to know if the museums are of value to the City, and where to get the money, and how much should come from the City. He spoke of an outside research organization that might be engaged. He asked the Council to get a survey for the 4 institutions in the Park. Mr. Ellsworth said that pending a survey there has been submitted a sustaining budget. He said that there has been submitted a sustaining budget of 33.3% over the current figure.

Mayor Dail spoke to Mr. Ellsworth about what would be learned by such a survey.

Mr. Ellsworth told about what should be, and of what others are doing.

The Mayor said that is already known. He agreed that it is a proper research field, but wondered "about this". He said that each organization knows its potential, and what it is doing now. He said that the main thing here is to find the moneys.

Councilman Schneider asked Mr. Ellsworth if the County feels any responsibility.

Mr. Ellsworth replied that the County does contribute - but not heavily.

Councilman Schneider spoke to Mr. Ellsworth about children visitors. He said he agrees with the principle that there should be additional funds. He stated that the schools and the county use the facilities of the museums.

Mr. Ellsworth said that the museums are doing their utmost; there is a possibility of securing the Stanford Research Institute (which had made a survey for auditorium-convention hall, etc). He said that if it is agreed there shall be an adequate budget - forget the research.

Mayor Dail said that the City is not in a position to get the funds. He said suggestion has been made that there be submitted to the electors a proposition for a tax fund, to raise by a tax vote.

Councilman Schneider spoke to Mr. Ellsworth.

Mr. Ellsworth spoke of being maintained by the City, but of their being custodial services, also.

Councilman Schneider said that a new wing is needed for the art gallery.

Warren Beach, the new director of the Fine Arts Gallery, said that question is being looked into of the possibility of 1 wing - possibly eventually 1 on each end. He told of a temporary offer of \$100,000- if other funds can be raised. He spoke of there being only, as he understands, architectural fees by the City.

Councilman Schneider pointed out that titles to the collections rest with the boards (of the societies which operate the museums).

Mr. Ellsworth agreed that they do - with the institutions that have them.

Mayor Dail said it is the City Manager's suggestion that the City go to the people with election proposition to call for raising of tax funds for the museums. He said that the people are sufficiently interested. He said if funds were so raised, it would take it out of budget controversy. He said the institutions would never get the funds needed (apparently from the City). He said he "wants it determined by the people".

The City Manager said that he wants to correct the impression that he was the author of the idea. He said that it was from the Museum of Man.

Mr. Ellsworth said that was right; it came from Dr. Jessop.

The City Manager said that the situation varies with cities; there is no formula. He said some have more; some have none; there is no standard pattern.

Councilman Curran said that it ties in with request for survey, on his previous statements. He said he wondered if institutions have publicity that has analyzed the situation. He declared that an outside survey would not be warranted. He suggested a sampling type of survey like a State College survey. Mr. Curran said that could be a key; the question is if the public is aware of funds. He said the public, as a whole, could be made aware of problems. He stated that lots of people are not familiar; they know they are there, but not why.

Mr. Ellsworth said that the museums are negligible, but unable. He said that if there were enough curatorial help, more could be done. He said he knows the public is apathetic, until they get there (to the museums). He pointed out that there is standing room, only, when events are put on.

Mayor Dail said that the institutions are of value to all cities, but it is not possible to get out an adequate operational budget. He said "there are certain limitations".

Councilman Schneider asked if there would be a change for a favorable vote at a bond issue.

Mayor Dail replied that he does not know. He stated that people need cultural activities, but it would be up to them.

Councilman Schneider said that 4¢ on the tax rate would just about meet it.

Mayor Dail said that with 2¢, the Zoo gets about \$100,000.

Councilman Evenson urged letting the people make the decision.

Councilman Schneider said there is permanence to planning.

Councilman Evenson said "there is just too small an amount of money".

Mayor Dail pointed out that population is going up.

Councilman Evenson said that maybe institutions could be combined.

Councilman Schneider said that if nothing, assets might be sold off.

John Leppert, manager of San Diego Taxpayers' Association, 526 Spreckels Building, San Diego 1, said he had been authorized to make a statement. He passed around copies to members of the Council, and read the statement. (Asked for a copy, at the conclusion of the discussion, Mr. Leppert gave a copy of the statement to the Clerk for the record). He said stated that comments were prompted by those made at a previous meeting. The statement says....."First, it should be understood that the Association is not opposed to the City making annual contributions to cultural institutions. We do feel, however, that the City should not establish any annual fixed financial formula, a portion of the tax rate or otherwise, either for the support of these institutions or other municipal services. We believe that the City Council, at all times, should have absolute control over the City's finances. Fixed charges against City funds tend to tie the Council's hands, and what may appear to be in the best interests of the City in any one year may change completely in subsequent years. The San Diego Taxpayers' Association urges that you do not tie your hands financially by establishing any more fixed charges, than are now required by the Charter." The communication, dated December 15, 1955, is signed by John C. Leppert.

Mayor Dail spoke to Mr. Leppert about further attention to be given, and of advisory groups, as well as what the City so do - or if it should do as now.

Mr. Leppert said it had been discussed in meeting. He said that his group is not sure of the solution of uniting to look at 1, instead of several. He said that from the overall fiscal approach it should be determined what it should be. Mr. Leppert said the Association does feel that when the Council is not tied down, the Council has the authority to make final decisions.

Councilman Schneider spoke to Mr. Leppert regarding being on a ballot as a sustaining proposition - to be stipulated by the Council.

Mr. Leppert said he could not answer that point, but it merits consideration.

Councilman Schneider said that then the Council would not have to dip out of the budget.

Mayor Dail thanked those present (including those he asked if they cared to speak; but they did not), and said that consideration would be given to research and to submission to a vote of the people. He said that the interested groups will be cacked together in the future.

There was no action.

The Mayor directed calling of the roll, following the presentation of the cultural institutions' funds item.

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

Absent--Councilmen Burgener, Kerrigan

Clerk---Fred W. Sick

Discussion re Cultural
Institutions
Roll call on those
Present at 2:44 P.M.

12/15/55

The Mayor called the Council into session, following a brief recess after the presentation of the Cultural Institutions' funds discussion. The roll of those present was as shown on the preceding page.

Report of Purchasing Agent on low bid of Ets-Hokin & Galvan for installation of Street Lighting System on Byron Street and Yacht Harbor Drive - \$27,411.00; 5 bids, was presented.

RESOLUTION 130239, accepting bid of Ets-Hokin & Galvan for installation of a Street Lighting System on Byron Street and Yacht Harbor Drive; awarding contract, authorizing and instructing majority of members of the Harbor Commission to enter into and execute on behalf of The City of San Diego, a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent on low bid of Ets-Hokin & Galvan for installation of Safety Lighting System at intersection of Grand Avenue and Balboa Ave, and Grand Avenue and Morell Street - \$6,511.00; 3 bids, was presented.

RESOLUTION 130240, accepting bid of Ets-Hokin & Galvan for installation of Safety Lighting System at intersection of Grand Avenue and Balboa Avenue, and Grand Avenue and Morrell Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

In connection with the next item, the City Manager told the Council, in response to a question, that funds are to come out of the bond fund, as a part of the 10th Street Pier.

Report of Purchasing Agent on low bid of M. H. Golden Construction Co. for construction of Switzer Creek Storm Drain Outfall across Tidelands at 10th Avenue Marine Terminal - \$253,691.87; 9 bids, was presented.

RESOLUTION 130241, accepting bid of M. H. Golden Construction Company for construction of Switzer Creek Storm Drain Outfall across Tidelands at 10th Avenue Marine Terminal; 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 Evenson, adopted.

Report of Purchasing Agent on low bid of Sim J. Harris Co. for Resurfacing Portion of 28th Street Pier - \$12,384.05; 6 bids, was presented.

RESOLUTION 130242, accepting bid of Sim J. Harris Co. for Resurfacing Portion of 28th Street Pier; 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 Evenson, adopted.

RESOLUTION 130243, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing and Fittings, Document 526214, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130244, approving plans and specifications for furnishing all material, labor, tools, transportation, equipment and other expense necessary or incidental

for Construction of Sanitary Sewers in Soledad Terrace and Pueblo Lot 1785, Document 526213; authorizing and directing Purchasing Agent to publish notice to constructors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130245, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Construction of Storm Drain in Lots 1, 14, 15, 22, 23 and 29 Resubdivision of Villa Lots 1 to 11 Normal Heights (extension of Adams Avenue Storm Drain), Document 526212; authorizing and directing Purchasing Agent to publish notice to constructors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130246, approving plans and specifications, for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for Installation of Safety Lighting System on Zoo Drive, Village Place, and Garden Walk in Balboa Park, Document 526211; authorizing and directing Purchasing Agent to publish notice to constructors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval and acceptance of Final Record of Survey Map of portion Lot J Block 5 Las Alturas Unit 2, was presented.

RESOLUTION 130247, approving filing of Record of Survey Map in lieu of Final Subdivision Map of portion Lot J Block 5 Las Alturas Unit 2, under Section 102.02.1 of San Diego Municipal Code, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code in connection with tentative map of Don Terrace Unit 2, a resubdivision of Lots 13 and 14, was presented.

RESOLUTION 130248, suspending Section 102.17-c of the Municipal Code in connection with Tentative Map of Don Terrace Unit 2, a resubdivision of Lots 13 and 14, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map for resubdivision of Lots 13 and 14 Don Terrace Unit 2, located at northwesterly corner of Acorn Street and Cathrine Avenue, in the area easterly of Seminole Drive, southerly of El Cajon Boulevard, subject to 4 conditions, was presented.

RESOLUTION 130249, approving tentative map of Don Terrace Unit 2, a resubdivision of Lots 13 and 14, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Tentative Map of Fleetridge Heights, a 27-lot subdivision of portions of Pueblo Lots 191 and 197, was presented.

RESOLUTION 130250, suspending Sections 102.09-1 & 2, 102.11-2, 102.11-1, 102.17-c of the Municipal Code in connection with tentative map of Fleetridge Heights, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Fleetridge Heights, for a 27-lot subdivision of portions of Pueblo Lots 191 and 197, located on slope above Canon Street, opposite Fleetridge Unit 5, and

adjacent to subdivision of Griffith Heights, subject to 14 conditions, was presented.

RESOLUTION 130251, approving tentative map of Fleetridge Heights, subject to conditions of the resolution, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The item listed next - proposed subdivision (by resubdivision of Lot 6 Block C Romery Heights) - had been continued earlier in the meeting for 1 week.

Communication from Planning Commission, by P. Q. Burton, forwarding communication from the Zoning Administrator which states that area concerned in rezoning of portion Lot 18 Ex-Mission Lands, corner of 47th Street and Federal Boulevard, has been cleared of all merchandise and junk except for 2 small neat piles adjacent to the fence, was presented. It states that it appears that substantial compliance with zoning ordinance has now been obtained.

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

RESOLUTION 130252, granting application of Hotel San Diego, 339 W. Broadway, San Diego, for Class "D" license to conduct public dance at Hotel San Diego, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130253, granting Hotel San Diego, 339 W. Broadway, San Diego, permission to conduct cabaret with paid entertainment where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Street Superintendent reporting on petition for closing Indiana Street between Myrtle Avenue and Upas Street and the Alley in Block 252 University Heights, from the south line of Lot 5 to its termination at Indiana Street, was presented. It reports no improvements, and recommends closing as requested.

RESOLUTION 130254, granting petition for closing Indiana Street, between northerly line of Upas Street (as closed) and southerly line of Myrtle Avenue (as closed), and that portion of Alley Block 252 University Heights, as recommended by Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130255, authorizing and empowering City Manager to do all work in connection with replacement of speaker system at Mission Beach Plunge by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130256, authorizing and empowering City Manager to do all work in connection with installation of cathodic protection station on Otay second main pipe line at northerly portal of tunnel 3, survey station 223+00 by appropriate City forces in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130257, authorizing and empowering City Manager to enter into agreement with Joe Maestro, 4053 Idaho Street, San Diego, for production of a 16 millimeter

color film with optical sound track, depicting past, present and future development of Mission Bay Park, at total cost to the City of \$2,865.00, under Document 526564, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130258, approving Change Order 1, December 7, 1955, filed with City Clerk as Document 526195, issued in connection with contract between The City of San Diego and William H. Clint, for The Extension of Sanitary Sewer at Foot of 28th Street, contained in Document 524402; changes amounting to decrease in contract price of \$200.00, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130259, authorizing and directing Purchasing Agent to advertise for sale and sell buildings located at 4 addresses on Weeks Avenue and Morena Boulevard, no longer needed for City purposes, which City Manager has recommended be sold - to be moved by purchasers - expenses in connection with sale to be deducted from proceeds received from sale, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130260, 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 14 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; and authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130261, 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 17 and 18 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; and authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130262, 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 11 and 12 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; and authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130263, 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 15 Block 11 Bird Rock Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130264, 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 15 Block 11 Bird Rock Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130265, granting San Diego Unified School District permission to install exposed brass pipe for sink vents in Kindergartens No. 1 and No. 2 and to install sewer line outside buildings at a slope of approximately 1/5 inch per foot at Stephen Foster Elementary School, 6550 51st Street; subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130266, granting E. C. Stanfield, owner, 701 Muirlands Vista Way (F. T. Emory Plumbing Co. Inc., 5026 Cass Street, Pacific Beach), permission to substitute copper for cast iron vent material on sink vent on construction at 701 Muirland Vista Way; Type "M" Copper to be used; on conditions of the resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130267, authorizing City Attorney to waive penalty in sum of \$45.00, for good cause shown and in consideration of payment of license tax deficiency No. 57, dated October 27, 1955, against Estate of F. W. Kellogg, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130268, denying claim of Kenneth M. MacLeod, Document 525455, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130269, denying claim of Ben Quon, Document 525936, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130270, vacating, pursuant to Section 50443 of Government Code of State of California, 6-foot all-purpose easement contiguous to northeasterly line of Lots 2 to 8 inclusive of La Dou Addition dedicated by Map 2521 filed October 25, 1948 in office of County Recorder of San Diego County, California; stating that from and after date of the order of vacation title to the land previously subject to the easement shall revert to owners of the land free from rights of the public; authorizing and directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Resolution states that easement has not been used for purpose for which acquired since date of acquisition to present time, or for five consecutive years next preceding date of resolution, and there is no present or prospective public use by the City, and it is unnecessary.

RESOLUTION 130271, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of the City, quitclaim deed quitclaiming to San Diego Gas & Electric Company, a corporation, all its right, title and interest in and to easement in portions of Lots 72 and 78 Rancho Mission of San Diego for pipeline for transmission and distribution of gas and for all purposes connected therewith, form filed in office of City Clerk as Document 526599; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantee, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130272, accepting subordination agreement, executed by Verda Adams Adams, beneficiary, and Western Mutual Corporation, a California corporation, November 30, 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 23 Block 52 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130273, accepting subordination agreement, executed by The Mutual Life Insurance Company of New York, a New York corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, subordinating all their right, title and interest in and to easement for right of way for storm drain, or drains and appurtenances, in northerly 3.0 feet of Lot 10 Block 9 Bird Rock City by the Sea; 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 Curran, adopted.

RESOLUTION 130274, accepting subordination agreement, executed by Security Title Insurance Company, a California corporation, as trustee of its Trust No. P.T. 860, beneficiary, and Security Title Insurance Company, trustee, October 17, 1955, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in portions of Pueblo Lot 1785; 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 Curran, adopted.

RESOLUTION 130275, accepting subordination agreement, executed by Southern Mortgage Company of San Diego, a corporation, beneficiary, and Fidelity and Guaranty Company, a corporation, trustee, November 4, 1955, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in portion Lot 12 Soledad 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 Curran, adopted.

RESOLUTION 130276, accepting deed of Olga Boning Gellerman, December 7, 1955, conveying Lot 34 Block 22 Amended Map of City 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130277, accepting deed of Arthur J. Cesario and Roseafton Cesario, November 29, 1955, conveying portion of 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130278, accepting quitclaim deed of San Diego Gas & Electric Company, November 23, 1955, quitclaiming portion of Pueblo Lot 265; 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 Curran, adopted.

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RESOLUTION 130279, accepting deed of Ebbe A. Brelín and Emily M. Brelín, December 6, 1955, conveying easement for right of way for public street and incidents thereto, in portion of Pueblo Lot 183; naming land Canon Street; authorizing and directing City Clerk to file deed, together with certified copy of copy of resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130280, accepting deed of Glenn M. Graf and Violet Graf, December 3, 1955, conveying for street purposes, portion of West Half of Southwest Quarter of Pueblo Lot 1199; naming land Genesee Avenue Interchange; 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 Schneider, adopted.

RESOLUTION 130281, accepting deed of Maud J. Moffitt, December 2, 1955, conveying easment and right of way for street purposes in portion Pueblo Lot 1260; naming land Olivetas Avenue; 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 Curran, adopted.

RESOLUTION 130282, accepting deed of E. F. Walsh and Fay L. Walsh, December 6, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot J Block 5 Las Alturas Unit 2; naming land Santa Margarita 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130283, accepting deed of Ebbe A. Brelín and Emily M. Brelín, December 6, 1955, conveying easement for right of way for public street and incidents in portion of Pueblo Lot 183; naming land Talbot 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130284, accepting deed of C. Ed Schuetz and Doris Schuetz, October 11, 1955, conveying easement for right of way for public sewer and appurtenances in portion of Pueblo Lot 1785; 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 Curran, adopted.

RESOLUTION 130285, accepting deed of William M. Sutherland and Frances E. Sutherland, October 11, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 12 Soledad 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 Curran, adopted.

RESOLUTION 130286, accepting deed of The Vinley Corporation, a corporation, December 6, 1955, conveying easement for right of way for public sewer and appurtenances in portions of 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130287, accepting deed of Lewis A. Walmsley and Faye Walmsley, November 15, 1955, conveying easement for right of way for public sewer and appurtenances in portion Pueblo Lot 1785; 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 Curran, adopted.

RESOLUTION 130288, accepting deed of Herbert R. Yost and Leona A. Yost, October 10, 1955, conveying easement for right of way for public sewer and appurtenances in portions of Pueblo Lot 1785; 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 Curran, adopted.

RESOLUTION 130289, accepting deed of John C. Preston, Jr., and Pat A. Preston, November 12, 1955, conveying easement for right of way for storm drain, or drains and appurtenances in northerly 3.0 feet Lot 10 Block 9 Bird Rock City By the Sea; 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 Curran, adopted.

RESOLUTION 130290, accepting deed of The Vinley Corporation, a corporation, December 6, 1955, conveying easement for right of way for storm drain, or drains and appurtenances in portions of 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130291, accepting deed of Western Mutual Corporation, a corporation, successor in interest to West Coast Corporation, a corporation, November 25, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portions of Lot 22 Block 52 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130292, accepting deed of T. L. Stearns and Ellen T. Stearns, November 23, 1955, conveying easement for storm drain, or drains and appurtenances, in portion Lot 23 Block 52 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130293, accepting deed of T. L. Stearns and Ellen T. Stearns, October 27, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portions of Lots 9, 10, 11 Block 44 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 Schneider, seconded by Councilman Curran, adopted.

On motion of Councilman Curran, seconded by Councilman Schneider, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less.

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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 6779 (New Series), incorporating portion of Pueblo Lot 1214 into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 13457 insofar as it conflicts, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

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

ORDINANCE 6780 (New Series), incorporating portions of Lots 25 and 33 Seaman's Subdivision, all Lots 10 and 19 Lemon Villa and portions Lots 1 to 11 inclusive, Ocean View Gardens, into R-2 Zone as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 13559 adopted July 11, 1932, and Ordinance 184 (New Series), adopted March 20, 1933, insofar as they conflict, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

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

ORDINANCE 6781 (New Series), creating position of Retirement Officer in Classified Service of The City of San Diego, and establishing Schedule of Compensation therefor, was adopted, on motion of Councilman Schneider, seconded by Councilman Williams, by following vote: Yeas-Councilmen Williams, Schneider, Evenson, Mayor Dail. Nays-Councilman Curran. Absent-Councilmen Burgener, Kerrigan.

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

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

ORDINANCE 6782 (New Series), appropriating \$7,200.00 from Capital Outlay Fund, for cost of installation of safety lighting system at intersections of Grand Avenue and Balboa Avenue and of Grand Avenue and Morrell, and of intervening portions of Grand and Balboa Avenues, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen Burgener, Kerrigan.

Mayor Dail asked Harry Haelsig, Planning Director about the convention hall, etc.

Mr. Haelsig replied that the Council Chambers were filled, but when that item was reached, no one was there.

There was no action, it being reported by Mr. Haelsig, that a recommendation would come before the Council for next Tuesday.

The following items were returned by Council Secretary, from Conference file - and were filed by the Clerk:

Document 498889 - Citizens' Committee for study of sewage disposal problems, etc.;

Document 510257 - Senator Fred H. Kraft communication re pending State Legislation;

6779 N.S. - 6782 N.S.

Question by Mayor to Planning Director re Convention Hall, etc.
Conference items returned - and filed

Document 518318 - Petition for operation of Torrey Pines Golf Courses as Municipal Operation, etc.;

Document 518398 - Rohr Aircraft Corporation employees' communication suggesting that proposed Torrey Pines Golf Course be operated as Municipal Golf Course;

Document 511334 (copy)- including other undocumented items re canteen trucks and lunch wagons;

Document 519462 - J. A. Farkas communication opposing storm drain from Western Hills into Gardena Street;

Document 522576 - Ocean Beach Civic Committee communication requesting that member of their organization be appointed to Mission Bay Development Commission;

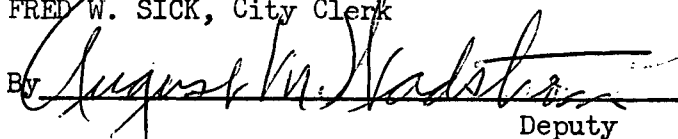
Document 519525 (copy)- Bert J. Schaefer communication re re-designing Torrey Pines golf course, and operation by private enterprise;

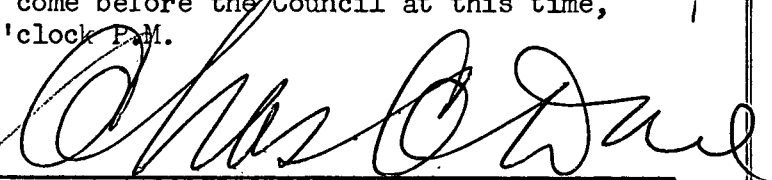
Proposed Resolution re music free to public in City-owned and County-owned parks and playgrounds; (copies of communications on same subject).

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 2:53 o'clock P.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, December 20, 1955

The Mayor called the meeting to order at 10:02 o'clock A.M.

The roll call showed the following:

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

Absent--Councilmen Burgener, Evenson

Clerk---Fred W. Sick

Mayor Dail presented the Reverend Homer W. Grimes, minister of the Scott Memorial Baptist Church, who gave the invocation.

Mayor Dail wished all present at this meeting a Merry Christmas

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the minutes of the meetings of Tuesday, December 13, 1955, and of Thursday, December 15, 1955, were approved without reading. They were signed by the Mayor.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll No. 106.

Councilman Evenson entered

The Purchasing Agent reported in writing that bids had been opened December 16, 1955, on 1911 Act proceedings for improvement of Alley Block 1 Walker's Addition and Public Right of Way - from 4 bidders.

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

The Purchasing Agent reported in writing that bids had been opened December 16, 1955, on 1911 Act proceedings for improvement of Gregory Street, between Ocean View Boulevard and Florence Lane - from 6 bidders.

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

The Purchasing Agent reported in writing that bids had been opened December 16, 1955, on 1911 Act proceedings for improvement of Orange Avenue, between Estrella and 49th Street - 4 bids.

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

The Purchasing Agent reported in writing that bids had been opened December

Meeting convened
Invocation
Merry Christmas wish by Mayor
Minutes approved
Purchasing Agent reports on 1911 Act bids

16, 1955, on 1911 Act proceedings for improvement of South Lane and Alley Block A South La Jolla - 4 bids.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution of Intention 129453, for installation of sewer mains and appurtenances in portions of Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, Public Rights of Way in Block G La Jolla Country Club Heights Unit 2; Public Rights of Way in Pueblo Lot 1263; and Lanes between Lots 3 & 4 and 6 & 7 in La Jolla Country Club Estates, the Mayor stated that there would be counted - at the request of the Council - as protests the comments on the assessment, although premature.

The Clerk read to the Council communication from Alan M. Firestone, Deputy City Attorney, dated December 16, 1955, which reads: "Under Resolution No. 130153 your Honorable Body referred the above proceedings to this office" (Re: Improvement Proceedings for Sewer Main in Country Club Drive, Etc., Resolution No. 129453) ~~to this office~~ in connection with protests filed thereunder. An analysis of the protests by the City Engineer (and he so advised your body) indicates that the protests are based on the spread of the assessment, and not on the formation of the district. It is the opinion of this office that the protests on that basis are improper at this time. However, it is further the recommendation of this office that the protests on file be treated as though they were properly made at this stage of the proceedings and be handled, if your Honorable Body deems it advisable, under the provisions of Section 5222 of the Streets and Highways Code. That section requires that protests be overruled by an affirmative vote of four-fifths of the members of the legislative body, which would require not less than six votes of the City Council to so overrule".

Robert Durham, attorney, told the Council that he does not want to protest out (the work), and thinks that property owners can come to an amicable understanding. He asked for a continuance of 1 week.

James Archer, attorney for James S. Copley, objected to continuance. He said that in connection with work on the Copley property, the sewer would be in jeopardy. He said the protest is premature, and out of order, and that he had learned the same thing on another proceeding where his property was involved. Mr. Archer said it would be considerable time before assessment would be made. He said that can be worked out during construction - and the actual assessment worked out. Mr. Archer stated that there is not substantial numbers of objections to the sewer - but objection is to the Engineer's assessment. He said the Country Club has no use for the sewer, so its assessment could be nominal.

Councilman Schneider spoke to Mr. Archer about power to stop the proposed work. majority

Mayor Dail spoke of the small/protest, and of the objection being on the assessment roll. He said he does not know how the assessment roll can be recognized now.

Mr. Archer said the work should proceed, and the assessment be levied later. He told about his appearance on paving assessment in front of his house, and of having been ruled out of order. He told the Council that "the street is in; but the bill is not".

Councilman Kerrigan read to the Council a mimeographed letter (which was not identified). He said that the law required that there be an equitable assessment; if it is not equitable, property owners can take it into court. He pointed out that this is not the time for the assessment.

Councilman Schneider moved to overrule the protests.

The City Engineer said there is a 63% protest.

Councilman Williams pointed out that if there is a majority protest, the City is in a spot.

The City Engineer spoke of his figure on the protest, which he said was "qualified".

Councilman Burgener spoke to Mr. Holt (president of La Jolla Country Club, Inc. - Harry L. Holt) assessment.

Mr. Holt said it was agreed, not in writing, to a nominal assessment.

Mayor Dail said that the City Attorney said that it is "qualificational", but it cannot be considered as such. He stated that the Council would have to overrule the protests - and continue the proceedings, or abandon it. He said the Council can overrule all the protests, and overrule the appeals. He spoke to Mr. Durham about the protest.

Mr. Durham said the Council should continue the hearing, as requested, or protest would be renewed.

Councilman Curran stated that if the Council accepts the protest, it will have to abandon the proceedings. He said the best thing to do would be to continue the proceedings to January 10, 1956.

Councilman Curran moved to continue the hearing 1 week - but to be finally continued to January 10.

Mayor Dail spoke to the City Engineer regarding assessment to the Country Club.

Willard Olson, from the City Engineer's office, spoke of approach having been made years ago to the Country Club, with the understanding that there would be a nominal, assessment - for the granting of easements. He said that originally it had been intended to leave the country club property out of the assessment, but that the Attorney had said it would be better to include it.

Mr. Firestone stated that the right of way could have been condemned - if not given, but that would not be chargeable to the 1911 Act fund; it would have to have been paid for by the City.

Councilman Evenson seconded the motion to continue the hearing.

Councilman Kerrigan asked about the purpose of the delay. He said there can be no agreement by the Council on assessment, until there is an assessment hearing. He asked what agreement can be reached that would be legal.

Mr. Durham said he understands that property owners can reach an agreement among themselves regarding assessments. He said if they can't reach an agreement, it is the desire to protest.

Councilman Kerrigan said there is the question that if an agreement is reached, work completed, and assessment made, 1 individual could take the assessment into court.

The Mayor pointed out that the City Engineer makes the assessment roll - and that "he is not going to be misled".

Councilman Kerrigan asked, again, about the purpose of continuance, and asked how binding any agreements would be on the Council.

Mayor Dail asked Mr. Firestone about validity.

Mr. Firestone replied that it would not be valid at this point. He stated that the only basis for making the assessment is regarding benefit to the property. He pointed out that there is disagreement on benefit. He said this is not the proper time to raise objections (on the assessment). He said this is only to treat the protests as not against the assessment. He said that it is incorrect to protest on that basis. He said protests should be overruled "if the Council is trying to keep going along".

Councilman Schneider declared that protests have no meaning.

The Mayor said the Council is becoming involved in a premature assessment roll.

Councilman Williams spoke to Mr. Firestone about overruling a majority protest because of being improper.

Mr. Firestone said there would be overruling because of that being needed. He said that if property owners object to their assessments, they would need to file new protests (appeals) on the assessment.

The Mayor said that there is anticipation that assessment would not be equitable.

Councilman Williams asked where "the \$1.00" came from.

The City Engineer said that he could see no benefit to the Country Club. He said the property was included, as the City Attorney says that it has to show on the books.

Councilman Kerrigan declared that this is putting the bidder in a peculiar position, because if there is defect in proceedings, assessment would be thrown out, and "he cannot collect a dime". He said he had no objection to continuing the hearing if that would accomplish anything.

Councilman Evenson spoke to the City Engineer about there being no benefit to the La Jolla Country Club.

The City Engineer said that there could be, if property were to be subdivided. He said then there would be the regular assessment.

Councilman Evenson asked if the Engineer could place a value on the assessment.

The City Engineer replied that property can be assessed "if fair".

Councilman Evenson pointed out that the Club is a corporation.

The City Engineer stated that he has no objection to assessing the property, if the Council thinks that is proper.

Councilman Curran stated that he thought it would be a service to continue the hearing.

The motion for continuance was withdrawn.

Councilman Schneider said that when the Camp Callan golf courses are put in, the La Jolla Country Club might want to subdivide.

Councilman Burgener said that it looks like the easement from the La Jolla Country Club had been obtained under subterfuge; now some want the Club to pay. He said it is an awkward position for the Council.

Walter Pattee spoke of having found out the other day that it seems to be the thought that it begins with the Country Club golf course. He said that is not the truth. He said there are 600 feet that the golfers never use. Mr. Pattee said there has been a precedent, because of portion having been sold off. He passed around pictures, which he identified and explained. Mr. Pattee told of space between trees, vacant, and not used by golf course.

Councilman Schneider moved to make a finding regarding a majority protest. Motion was seconded by Councilman Williams.

Councilman Burgener spoke to Mr. Holt about selling off property.

Mr. Holt replied that it will never be used or developed; the City controls holes 2 and 3; the Club leases that property from the City. He stated that property is not retained for development. He said if any would be used, it would be north and east - but that has been abandoned.

Mr. Whitlock told the Council that Mr. Durham is not acquainted with 1 fact; Mr. Copley had been out of town, and of having dealt with others. He said there should be an expression from Mr. Copley. Mr. Whitlock said if Mr. Copley should see, he might urge. He said there is a "good chance to get together". He said it would be well to look into various facts. He said that on the assessment, it puts the burden on a small group to show benefit to the Country Club, if not assessed. He said the opposite would also be true.

Councilman Schneider spoke to Mr. Whitlock regarding what to expect regarding a conference with Mr. Copley.

There was discussion between Councilman Schneider and Mr. Whitlock.

Mr. Whitlock said there is a question of a majority petition; Mr. Copley had not signed. He said there are things which should be thrown into the picture. He said whether or not the protest is valid, he does not know. He ask^{ed}, again, for continuance.

There was discussion between Mayor Dail and Councilman Burgener regarding effect of the finding.

RESOLUTION 130294, determining that protests of property owners against proposed installation of sewer main in Country Club Drive, Mimulus Way, Mint Canyon Path, et al., to be majority protest, in area to be assessed, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Councilman Burgener asked if protests are qualified, regarding future assessments.

The Mayor's reply was "right".

Councilman Burgener said that the Council can determine regarding the assessment, later.

Councilman Schneider moved to overrule the protests.

Councilman Burgener said that can be decided later that there is some benefit to the La Jolla Country Club.

Councilman Kerrigan seconded the motion to overrule the protests.

RESOLUTION 130295, overruling and denying protest of La Jolla Country Club, Inc., protest of property owners, against proposed installation of sewer mains 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, 21 Block G La Jolla Country Club Heights Unit 2; Public Rights of Way in Pueblo Lot 1263; and Lanes between Lots 3, 4, 6, 7 La Jolla Country Club Estates, Resolution of Intention 129453; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution of Intention 129454, for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, Resolution of Intention 129454, the City Engineer reported a majority protest - 53.1%.

Mrs. Shaffer, on Noyes Street, told of having a petition requesting withdrawal of names (in protest to storm drain). She said there were misrepresentations, which resulted in securing the signatures on the protests. She said that property owners were told that they were to be assessed twice.

Councilman Burgener asked if there individual lots.

Mrs. Shaffer filed the petition, and repeated that there were misrepresentations regarding proposed assessment twice. She said that people didn't want double assessment.

Mr. Bergman, on Emerald Street, said he passed the petition, which has a slip on the top of each. He said the major project was planned, and the Engineer could re-assess. He said his statements were founded on fact. He stated that he is not against the stormdrain, but against the assessment. He said the City should pay for it. Mr. Bergman showed a small sketch of the drain area, and of the assessment area.

Councilman Kerrigan pointed out that there has to be an assessment hearing.

Mr. Bergman said, again, that he would be assessed twice.

The City Engineer said that his maps do not correspond with the sketch. He showed a map of the assessment district.

There was discussion over the map.

Councilman Kerrigan said Mr. Bergman contends that the boundaries of the district should be different.

An unidentified man said he was protesting on the basis that 90% of the water comes from a poorly-constructed reservoir on the hill. He said the City should fix the reservoir, and then the drain would not be needed.

Milton Sessions said he had made a statement regarding the property being cut to ribbons by easements. He said people started in 1949 asking for improvement of storm drain - was to be under Capital Outlay. He stated that the City had said it could not control the situation unless it had control, and the City pursued him for easements. He said it was with the understanding that construction was to be by City funds. He asked the Council to procede (on that basis). He read a letter from the City Manager, dated 1951, in which it said it would be considered in Capital Outlay.

Mayor Dail said that in 1953 the Council established a policy regarding storm drain bonds, on a matching basis.

Mr. Sessions said he understood he was to be assessed the other way. He said there would not be a majority protest, if he withdraws. He stated that it is not possible to work it out in a week; he can't have the property destroyed by assessments. Mr. Sessions said it is "a hell of a way to do business".

Mayor Dail spoke to Mr. Sessions about changes in the 1911 Act.

Councilman Burgener said that as it stands now, it is talking about \$18,000 - \$20,000 to be paid by property owners. He said the City would pay about \$18,000; the City "paid 100% below". He spoke of reservoirs being corrected.

Councilman Kerrigan spoke to Councilman Burgener regarding the Sessions understanding.

Mr. Sessions said he offered a cash outlay - for once and all.

Councilman Kerrigan spoke to Mr. Sessions, who said it looks like that can be done. He said he knows he "is going to be unfairly treated".

Councilman Kerrigan said there is little difference between this, and the other proceeding (which had just preceded it, regarding sewers in Country Club Drive, et al).

A man, whose name was understood to be Boulevard (no first name or initials given) asked if "property owners up the hill will be re-assessed". He said he had been told they could legally be re-assessed, and declared that would be unfair. He said some had been financed 100%, and pleaded that all be treated alike.

Councilman Kerrigan said that the City has a storm drain situation beyond capability of tax payers of the City.

There was discussion between Councilman Kerrigan and the speaker.

There was discussion between Councilman Burgener and the previous speaker.

The City Engineer continued to explain from the plat, on which he pointed out unseen properties and assessments.

Councilman Burgener said that people are afraid that paving will be protested out (on account of the protest because of the storm drain assessment).

The previous speaker said that it can be protested out, and then be worked out regarding appropriation.

Councilman Williams pointed out that there is proportionate payment by the City's position.

Mrs. McNow asked if the Council would appoint somebody from the Engineering Department "to acquaint the people for a meeting".

Councilman Burgener pointed that he tried to accomplish the information sought, by taking out the plans. He said he is willing to do it - between Christmas and New Years.

RESOLUTION 130296, continuing hearing on proposed improvement of Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, Resolution of Intention 129454, until 10:00 o'clock A.M., Tuesday, December 27, 1955 - and requesting Councilman Burgener and the City Manager to coordinate a meeting and explain the situation to the affected property owners, 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 129589 for grading and sidewalk portions of Pirotte, Haniman Drive, McGann Drive, et al, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Curran, seconded by Councilman Evenson, proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129590 for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, et al., including improvements in public rights of way in Oak Park Annex, the Clerk reported written protests from Joe Berardini and from Joe Hattabough.

Chester A. Hattabough protested assessment for Oak Park Annex, and said that is a block or more away. He spoke of being below University "Street", and said Councilman Kerrigan is familiar with the situation. He said there is no reason for his property to be brought in on the assessment.

Councilman Kerrigan moved to refer the proceedings to the City Engineer.

The City Engineer showed a plat of the assessment district, over which there was discussion.

Councilman Kerrigan said that the Hattabough property is within 1/2 block, to which Mr. Hattabough replied "no; it will not continue on, until the terrain is changed".

Councilman Kerrigan asked Mr. Hattabough to look at the map, which he did. Then the City Engineer explained it, in detail, to Mr. Hattabough. There was discussion between members of the Council, the City Engineer and Mr. Hattabough regarding the 1/2 block.

The City Engineer said "it does seem unfair, but the law says 1/2 block".

Mr. Hattabough stated that there are no streets there - only on a map.

Councilman Kerrigan spoke of fill on 51st Street, and of the City being bound by the law.

The City Engineer said that in lots of cases it does seem unfair, but the City has no choice.

Councilman Burgener spoke of the Council having control over the assessment.

The City Engineer pointed out that it would be dangerous "if 1 is favored".

Mr. Hattabough said that property is going to be cut up across the street, and that he would be assessed again.

The City Engineer said there will be an assessment on area, and that he can give an estimate.

Councilman Kerrigan said this is the last hearing before proceeding goes to bid.

Mayor Dail told Mr. Hattabough that the City Engineer can give him an estimate.

Councilman Schneider moved to overrule the protest.

The City Engineer reported a 2% protest.

Councilman Schneider renewed his motion.

Councilman Williams moved to refer proceedings to the City Engineer regarding there being no dedicated streets on the south side.

The City Attorney said it is a question if it is a dedicated street.

Councilman Burgener seconded motion to overrule.

RESOLUTION 130297, overruling and denying protest of Joe Berardini, and

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protest of C. Hattabough, against Resolution of Intention 12950 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; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Burgener.

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 Resolution of Intention 129551, for ornamental street lights on Third Avenue, Fourth Avenue, Fifth Avenue and Sixth Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129592, for paving and otherwise improving Treat Street, and portion of 28th Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Curran, seconded by Councilman 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 129593 of Preliminary Determination for paving and otherwise improving Alley Block 6, Chester Park Addition, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130298, determining that proposed improvement of Alley Block 6, Chester Park Addition, Resolution 129593 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129594 of Preliminary Determination for sewers in portion of Inspiration Drive, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130299, determining that proposed improvement of Inspiration Drive, by installation of sewer main, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129734 of Preliminary Determination for paving and otherwise improving Alley Block 36 Fortuna Park Addition, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130300, determining that proposed improvement of Alley Block 36 Fortuna 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 Schneider, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129735 of Preliminary Determination for paving and otherwise improving Alley Block 9 Wilshire Place, 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 130301, determining that proposed improvement of Alley Block 9 Wilshire Place is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129736 of Preliminary Determination for grading and sidewalking of Thorn Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130302, determining that proposed improvement of Thorn Street is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on electric current in El Cajon Boulevard Lighting District 2, 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 130303, confirming and adopting as a whole Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 2, 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 electric current in Talmadge Park Lighting District 3, 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 130304, confirming and adopting as a whole Engineer's Report and Assessment for Talmadge Park Lighting District No. 3, 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 electric current in Talmadge Park Lighting District 2, 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 130305, confirming and adopting as a whole Engineer's Report and Assessment for Talmadge Park Lighting District No. 2, 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 electric current in Talmadge Park Lighting District 1, the Clerk reported no protests.

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The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130306, confirming and adopting as a whole Engineer's Report and Assessment for Talmadge Park Lighting District No. 1, 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 (continued) on Assessment for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, et al, the City Engineer reported 11.3% appeal.

Mary Peabody, on Violet Street, presented a map and said her lot is on the end.

Councilman Kerrigan said there were protests in writing. He referred to arbitrary line having been drawn on lots in the canyon.

The City Engineer said that paving was done; drain was figured on area in connection with drain - on contribution of water.

There was discussion between Councilman Kerrigan and the City Engineer.

The City Engineer stated that there are irregular lots; it is "the same old problem". He said that one block won't check with another. He said the regular formula has been followed - except for area for storm drain and paving.

Mrs. Peabody said that the lot on the end was never a main drainage point on the street; the lot next door was; it is a canyon lot.

Councilman Kerrigan spoke to property owners regarding various charges on different items - on percentages and on front footage.

Mrs. Peabody said it is not fair and equitable. She spoke of 30% and of not being able to understand - to bring up so high.

Councilman Kerrigan continued to speak to property owners regarding property in the canyon. He said the City Engineer has taken an arbitrary line regarding assessment, "including the regular charges".

The City Engineer said that there is also the 1/2 block item.

There was discussion between the City Engineer and Mrs. Peabody.

Mrs. Dougal said that people across the street have not as much use.

The City Engineer stated that the drainage cost is a minor item.

Mrs. Dougal said "the drainage goes on the other side".

Councilman Kerrigan stated, that there is the matter of percentages.

The City Engineer said that \$844.93 is the drainage cost - .004¢ per square foot per lot. He related individual assessment payments for drain.

There was discussion between the City Engineer and Mrs. Dougal.

Mrs. Dougal spoke of no sidewalks on Lots 11 and 12.

The City Engineer said that the sidewalk is on the frontage.

Councilman Schneider spoke to property owners about having to pay for the work done.

The City Engineer, and Willard Olson of the City Engineer's office took property owners across the hall for briefing. As a result, the hearing was continued temporarily, and will be shown again.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on assessment for installation of sewers in Winnett, Tooley, Fulmar Streets, et al., the City Engineer spoke of there being protest about incorrect restoration. He told the Council that he had instructed the contractor to restore the street, but he had not done so.

Mr. Grand, who identified himself as a partner in the Hutchison Company, did the job when oiled.

Councilman Schneider said the City Engineer read the contract.

Mr. Grand spoke of having started on the street "before the water came on.". He spoke of having had an itemized contract with the Water Department. He identified each item. He said that contractor "put down what it got paid for". He said that it was the decision of the Water Department to pave any, and decision was to oil on Republic Street.

Councilman Kerrigan was excused.

Mayor Dail read a report from the City Manager, prepared by the City Engineer.

Councilman Kerrigan returned.

Councilman Curran said that it is a little inconsistent regarding findings, and ordering of resurfacing.

Mayor Dail said that when there is asphalt asphalt should be used; there was oil, but replaced with asphalt.

Councilman Schneider spoke to Alan Firestone, Deputy City Attorney about the contract.

Mr. Grand said that contract with the Water Department had nothing to do with sewers. He said there was oil only when sewers were put in. He said asphalt was not there.

Mayor Dail spoke to Mr. Grand.

Councilman Curran said to the Council it was the understanding that it will be replaced with oil.

The Mayor said that has been done.

Councilman Schneider and Councilman Burgener both said "it was not done".

The City Engineer said "no; it was held up".

The City Manager said it has been oiled.

Mr. Grand agreed that the work will be done - if required - but that it is not proper. Asked for a report on cost, he said it would be between \$600 and \$700.

The Mayor asked if it would be fair to require it.

Councilman Schneider said that it was in 2 portions; there was a trench for sewers under 1911 - and a water department job.

Councilman Kerrigan said the City should fix up.

Mr. Dupree, superintendent (of the contracting company) said that the City had said that it is in poor shape, and that attempt to patch the ditch would be foolish.

Councilman Curran took exception, and said that the street was not in the condition stated. He said it should be put in a serviceable condition.

Mr. Dupree told the Council that the City Engineer had directed that the street be rolled, watered and oil put on. He said contractor did what it was told.

Councilman Evenson spoke to Mr. Dupree about the record.

Mr. Wilson, of the Engineering Department, said it was not changed; it called for oiled street. He said that the thin surface "gets chewed up". He said that it has been the policy to ask contractor to oil a 20-foot strip. He said it was a good job, and that the street "got more than it had before". He said the Public Works had given a shot of oil, and patched. He said it was not considered a surfaced street.

Councilman Schneider said that would not be unfair.

Councilman Burgener said that the situation is not unlike Waverly Street (which was before the Council and the City Manager for some months), where the people assumed that the street was paved, when it was not.

The City Engineer said that plans show an oiled street, and that contractor did as provided.

Mayor Dail said that oiling of a street is allowed, but would not maintain after a year.

RESOLUTION 130307, adopting recommendation of Street Superintendent, Document 524841, in connection with Assessment 2417 made to cover costs and expenses of installation of sewer mains in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, Resolution of Intention 121533; directing Street Superintendent to modify and correct the Assessment 2417 in accordance with the recommendation; continuing hearing on Assessment 2417 to 10:00 o'clock A.M., December 22, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on assessment for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, Resolution of Intention 121776; the Clerk reported written appeal from Joyce B. Lund.

The City Engineer reported only 1 appeal - .9%. He said (in connection with the appeal that the other street - said not improved) should be improved.

An appeal from Britton A. Nicol, guardian of the person and estate of Effie A. Nicol, incompetent - addressed to the County Assessor - was presented, and read by the Clerk. It was more in the form of a question.

RESOLUTION 130308, overruling and denying appeal of Joyce B. Lund, from Street Superintendent's Assessment 2418 made to cover costs and expenses of work of paving

and otherwise improving Jefferson Street, Moore Street, Conde Street and Harley Street, Resolution of Intention 121776; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2418; authorizing and directing him to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider.

The City Clerk was requested to reply to the Nicol letter.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on assessment for paving and otherwise improving 31st Street between Cedar Street and Elm Street, the Clerk reported no written appeals.

A woman, identified later, as Lulu Curtis asked how to pay the assessment.

The Mayor explained it.

The City Engineer told Mrs. Curtis that each parcel will be assessed separately. He said there will be 3 assessments.

RESOLUTION 130309, confirming and approving Street Superintendent's Assessment 2419 made to cover cost and expenses of paving and otherwise improving 31st Street between Cedar Street and Elm Street, Resolution of Intention 123158; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on assessment for paving and otherwise improving Alley Block 80 Pacific Beach, Resolution of Intention 124570, the Clerk reported no written appeals.

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

A Mr. Brady protested the condition in which it was left. He said he represented owner at 860 Law Street. He told of having protested to the contractor, and of the contractor having told him that he would paint and repair the doors. Payment for the work had not been received, he stated. Mr. Brady said "the stucco was not re-decorated". He asked if residences "can be left in that condition".

Councilman Burgener, as Vice Mayor asked if the City has accepted the work.

The City Engineer replied that it had; the alley was finished by Mr. Kingaard (the contractor), who has been unusually co-operative. He told of Mr. Kingaard having paid for work at his own expense. He said that Mr. Kingaard's action has set a precedent.

Mr. Brady said "a man washed down the garage doors; 4 feet of the fence is still in bad condition".

A. R. Kingaard told the Council that it was resolved by cleaning up. He said if further attention is needed, he will clean up again.

Mr. Brady said he had "the highest lot; the garage apron was left high, and that he had to get a permit from the City for encroachment (for an apron from garage to alley)". He declared that should not be permitted; it cost him \$80.00, and that he is paying \$199. for a little bit of concrete. He contended that property owners should be safeguarded.

Mr. Lawrence, who did not give his first name or initials, identified himself as the Kingaard foreman, stated that he had agreed to paint, while the gentleman said he would do the painting himself.

After checking with the City Engineer, Councilman Williams said that the work had been put in to the established grade (whereas, the garage was not).

Mr. Brady said he maintained the driveway to the garage.

RESOLUTION 130310, overruling and denying appeal of Charles Brady from Street Superintendent's Assessment 2420 made to cover costs and expenses of work of paving and otherwise improving Alley Block 80 Pacific Beach, Resolution of Intention 124570; overruling and denying all other appeals; confirming and approving Assessment 2420, 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 Schneider, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment made to cover costs and expenses of paving and otherwise improving Alley Block 113 Pacific Beach, the Clerk reported written appeal from R. F. Hague, co-owner of Pacific Beach Automotive Service.

The City Engineer reported a 6% appeal - on an area basis.

No one appeared to appeal verbally, and no additional appeals were presented.

RESOLUTION 130311, confirming and approving Assessment 2421 made to cover costs and expenses of work of paving and otherwise improving Alley Block 113 Pacific Beach, Resolution of Intention 123286; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The Mayor left the chair - but stayed in the Council Chambers to sign assessments.

The Vice Mayor presided, with the Mayor present in the room.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on assessment made to cover cost and expenses of paving and otherwise improving Taft Avenue and Bellevue Avenue, Resolution of Intention 122545, the Clerk reported no written appeals.

The Vice Mayor inquired if anyone desired to be heard.

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

RESOLUTION 130312, confirming and approving Street Superintendent's Assessment 2422 made to cover cost and expenses of paving and otherwise improving Taft Avenue and Bellevue Avenue, Resolution of Intention 122545; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The assessment for paving and otherwise improving Manzanita Drive, et al. - which had been continued from a previous meeting to this meeting, and continued temporarily while the City Engineer and his assistant were explaining the assessment to property owners in another room - was considered again, with some of the property owners having returned to the Council Chambers.

The written appeals had been presented at the first hearing, at which time appellants spoke also. As a result, they will not be shown again.

Willard Olson, answering a question of the Vice Mayor, stated that the property owners are not happy, but no other way is seen but to make the assessment as shown.

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

Councilman Schneider moved to overrule the appeals. Motion was seconded by Councilman Curran.

Councilman Schneider moved to confirm the assessment.

Mrs. Peabody, spoke again, and said "there is no point in appealing, if that is the law".

Mr. Olson said that she has 2 lots - with a house across both - making 1 building site.

RESOLUTION 130313, overruling and denying appeals of Donald M. and Marguerita E. Bardsley, Vandora M. and Albert F. Blankenburg, Arthur L. and Katherine Nogle, Frank Wolashak, Henry G. and Helen L. Metzler, Richard H. Martin, Harry Schwartz, Joseph Clifford, Edwin E. Peabody, Joseph Clifford, Mrs. Katherine E. Lowder, Renald Salmina, Ralph G. Metz, Michael A. Sommer, Dr. & Mrs. F. G. Evans, Allen E. and Vina R. Rose, A. M. and Eva N. Dugal, John T. Cooper, from Street Superintendent's Assessment 2416 made to cover costs and expenses of work of 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 in Block 26 Lexington Park, Public Rights of Way, Resolution of Intention 120007; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2416; 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.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from previous meetings, on City Planning Commission report and the request of William P. Odom to have approximately 16 acres of Lot 15 Rancho Mission of San Diego added to Encanto Trailer Park District - on which the Commission had voted 7 to 0 to deny - the Mayor (still in the room) said that the Council finally got to the Odom item, and that he has been here for 2 other meetings.

However, the item for paving and otherwise improving 31st Street (shown earlier) was considered - to keep in sequence the 1911 Act Improvement proceedings. The hearing on that project is shown earlier in the meeting.

The Council, after the 31st Street hearing, returned to the Dr. Odom hearing.

Charles Kendrick, representing Dr. Odom, spoke. He told the Council that the property in question is contiguous to the Encanto Trailer district. He told of efforts to subdivide and its having been found not feasible. He passed around photographs of the property. He told the Council that residences face south - not this site. He stated that highest and best economic use is for a luxury trailer park. He said that Phelps (Beryl Phelps, engineer) has worked out an agreement for dedication of property to the City.

Mr. Phelps stated that Dr. Odom is willing to give a portion of the property to the City for freeway. He said that the real question is if this the best use of the land. Mr. Phelps stated that there is an elevation of 100 feet to the house on the top of the hill. He told the Council that he has recommended landscaping, and that he has investigated some of the items since the hearing held by the Planning Commission. He stated that the property can be terraced for trailers, landscaped, and isolated from houses to the south and west.

Councilman Williams spoke to Dr. Odom regarding need, on subdividing of the property.

Dr. Odom made a plea for the "highest and best use of the property". He told - as he had previously - of having sold the property which came back to him, because the City had made contingent on taking 8 lots for highway on the east portion. He said that the purchaser could not go ahead with the subdivision. Dr. Odom said he then had another subdivider, who said that too much land would be taken out of the property, to allow for a subdivision. He stated that he would be glad to give land for highway and for street - on the west. He said that if all is taken away it would not be feasible or sound for subdivision, but that it can be used for a luxury trailer park. That, he said, can be made beautiful. Dr. Odom said that DeWeese (whom he did not identify further) is willing to put in a beautiful park. He pointed out that this is not an area of beautiful homes. He stated that this could be made a continuance of the existing trailer park - and be beautiful. He said it would be the best use of the property.

Howard McQueen, 250 - 59th Street, told the Council that he lives on the east of the property under discussion. He objected to being "surrounded by trailer parks".

Councilman Kerrigan pointed out the opposition to the proposal, on a plat which he had in front of him.

Mr. McQueen stated that his wife opposed the proposal, and that the Planning arguments are good. He said there is "tremendous acreage of ground allocated to trailer parks".

Councilman Schneider asked to have the hearing closed.

Councilman Kerrigan said that Dr. Odom has referred to withdrawal of opposition. He spoke to Harry C. Haelsig, Planning Director.

Mr. Haelsig said that highest and best use of 1 piece is one thing; but highest and best use of all the property is another.

Councilman Evenson spoke to Mr. Haelsig about land for streets. He asked how much the City can demand.

Mr. Haelsig said that land had been requested on the extreme east - not 8 lots (as had been alleged).

Councilman Evenson asked about the valuation of that land.

Mr. Haelsig said that he did not know; it is part of the major street.

Councilman Evenson said that if a large piece, it should be given back.

Councilman Schneider said he would not go along with the dedication - without compensation, for freeway.

Mr. Haelsig said that it is not a freeway, but a major street. He maintained that the request is not exorbitant. He spoke of it being "dead-ended".

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

Councilman Schneider moved to deny the appeal, and uphold the Planning Commission action.

Councilman Schneider said that it is not to the benefit of the City to continue to spread (trailer park districts).

Dr. Odom said he feels that a point has been overlooked: the grading of the property for subdivision, which would not be so expensive for a trailer park. He stated that the 8 lots that the City needs are the most elevated and the most expensive. He told the Council that Mr. McQueen had asked how he could get his land joined to the trailer park district. He stated that "it depends on where the show pinches". He declared that objectors have changed their minds.

Councilman Schneider told Dr. Odom that the Council has to depend on the Planning Commission - where it can.

Dr. Odom contended that he has the right to use the property to the "highest and best use".

Councilman Evenson spoke to Dr. Odom about appearance.

Dr. Odom said he did not appear before the Planning Commission - Mr. Phelps did.

Councilman Evenson spoke about there being different plans.

Dr. Odom stated that the subdivider could not afford to give the land wanted.

Councilman Kerrigan said there is an indication that all facts had not been presented to the Planning Commission. He said that if that is the case, the matter might be referred to the Planning Commission, in connection with changed feelings.

Councilman Schneider withdrew his motion.

Mr. Phelps spoke of having had only 1 hour.

On motion of Councilman Williams, seconded by Councilman Curran,

RESOLUTION 130314, referring back to the Planning Commission its report on request from William P. Odom to have approximately 16 acres of Lot 15 Rancho Mission of San Diego added to Encanto Trailer Park District, for a re-hearing, was adopted.

At the hour of 12:30 Noon, the Council took a recess until 2:00 o'clock A.M., this date.

Upon reconvening, at 2:00 o'clock P.M., the attendance was as follows:

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

Absent--Councilmen Burgener, Williams

Clerk---Fred W. Sick

Hearing re Public Assembly Facilities, set for this time, was held over for completion of the other items listed in the agenda. It will appear at end of these minutes.

Petition of property owners for annexation to the City of San Diego of portion of Lot 17 Rancho Mission of San Diego, was presented.

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

Report of Purchasing Agent, approved by City Manager, on low bid of California Brush Co. of Los Angeles, for furnishing approximately 30 Tons of Palm Stalks (Palmyra) for use on street sweeper rotary brooms - \$6,011.71 plus State Sales Tax; 7 bids, was presented.

RESOLUTION 130315, accepting bid of California Brush Co. for furnishing 540 Bales of 26" Palmyra Stalks for street brooms; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Cameron Bros. for improvement of Cedar Street between 31st and Edgemont Streets (including removal of bridge and construction of earth embankment over culvert, paving of street and construction of curbs and sidewalks) - \$53,925.44; 7 bids, was presented.

RESOLUTION 130316, accepting bid of Cameron Bros. Construction Company for Improvement of Cedar Street; awarding contract, authorizing and instructing City Manager to

enter into and execute on behalf of The City of San Diego a conference, 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 Lube Equipment & Supply Company for furnishing 5 Gasoline Pumps; \$1,960.00 plus State Sales Tax, less \$175.00 trade-in allowance on 5 old pumps, was presented.

RESOLUTION 130317, accepting bid of Lube Equipment & Supply Co. for furnishing Gasoline Pumps, plus Swivel Base Mounting for Horizontal Counters, Retrev-A-Hose Devices, plus State Sales Tax, less trade-in allowance; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of North Park Shade & Linoleum Co. for furnishing approximately 1,450 new Shades and Rollers for Municipal Housing at Vultee Street during period January 1, 1956, through June 30, 1956 (including option on part of The City to renew for additional 6 months) - \$1.55 each, plus State Sales Tax, terms 2% - 10 days - 2 bids, was presented.

RESOLUTION 130318, accepting bid of North Park Shade & Lineoleum Co. for furnishing requirements of shades and rollers (including option); 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 130319, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for grading and paving Balboa Avenue between Pacific Highway and Clairemont Drive, Document 526600; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Application of Hillcrest Hide-A-Way (Frank Harris), 3919 5th Avenue, for Class "A" Dine and Dance license, was presented, together with recommendations from interested City departments that it be granted.

RESOLUTION 130320, granting application of Frank Harris, 3919 5th Avenue, for Class "A" license to conduct public dance at "Hillcrest Hide-A-Way", 3919 5th Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Civil Service Commission, by Wm. P. Elser, president, stating that City Manager has requested the commission to submit amendment to 1955-56 Salary Ordinance: Communications Officer, Rate 23; \$397 - \$483 a month, was presented.

It says that Federal Communication Commission established need for a radio amateur civil emergency service for Civil Defense purposes; Budget Officer has determined need for full time Communications Officer for remainder of fiscal year, and for duration of Civil Defense program. It attaches a proposed class specification.

RESOLUTION 130321, referring to Council Conference communication from City Civil Service Commission submitting changes in 1955-1956 Salary Ordinance for Communications Officer for Civil Defense, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Civil Service Commission, by Wm. P. Elser, president, stating

that Harbor Commission has requested Civil Service Commission to submit amendments to 1955-1956 Salary Ordinance:

Diver, Skin - Rate 100 \$4 per hour
Diver, Suit - Rate 101 \$5 per hour,

was presented.

It says Harbor Commission feels that the classifications are needed to perform underwater inspection, repair and salvage work in connection with construction of Tenth Avenue Terminal, and continuing work as needed. It says that use of rates 100 and 101 is to emphasize a departure from standard practice which establishes salaries on a monthly basis. It states that it is an hourly rate to be applied only while performing specified duties - payroll procedures having been discussed with City Auditor and City Attorney. It attaches a proposed class specification.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Attorney (for Ordinance).

Communication from Purchasing Agent, approved by City Manager, reporting on sale at auction December 3, 1955, of 32 items of used equipment (tractor, trucks, pickups, scooters) to 23 successful bidders - \$6,710.00 received has been deposited with City Treasurer.

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

Communication from The City of National City, dated December 15, 1955, signed by Irene M. Alston, City Clerk, wishing the Mayor and Councilmen on behalf of their Mayor and Council a Christmas greeting and best wishes for the New Year.

On motion of Councilman Schneider, seconded by Councilman Curran, it was referred to Mayor Dail to respond.

Communication from D. W. Ferrell, dated December 14, 1955 - no address given - was presented. It attaches a page from the Los Angeles Times which contains a story "La Jolla Offers 40 Acres to Expand Scripps into a General Science College", was presented. It objects to there being no such place as La Jolla (which is a residential area of San Diego), and asks how if there is no such place as La Jolla it can given 40 acres of land, and asks what name would be used if established.

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

Councilman Burgener entered the meeting

Councilman Williams entered the meeting

Communication from San Diego Realty Board, dated Dec. 14, 1955, signed by Humphrey P. Lane, president - Room 305; 524 B Street - was presented. It tells of large quantities of real estate owned by The City of San Diego, much of which is held without any present plan for ultimate use by the City. It requests The City to compile an inventory of all city-owned properties not now being used for city purposes, and appointment of a committee to study future needs of the City, and that definite plans be formulated for disposal of surplus properties and proceeds of sale be used for capital expenditures by the City.

RESOLUTION 130322, referring to Council Conference communication from San Diego Realty Board suggesting sale of City-owned property, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

12/20/55

Communication from Stadium Racing Association, 3963 Park Boulevard, San Diego 3, California, dated December 15, 1955, signed by Tom H. Haynes, president, and Frank J. Guthrie, vice president, was presented. It offers objections to the leased Balboa Stadium during the Fiesta del Pacifico - as has been proposed. It tells of existing agreement, quotes a paragraph of the lease regarding availability. It also speaks in protest against proposed use for the NCIA track meet in the stadium. It points out that during the Association's lease it has paid the City \$248,309.19 - not including revenue derived from concessions or parking, or from auto racing from 1939 through 1942. It tells, also, of the various uses to which the stadium has been put as benefits. The communication tells of obligations for stock car race on May 30, 1956, and that financial guarantees have been made. It says that unless the Association can be successful in securing release of obligation, the lessees will be guilty of a breach of contract and subject to damages. It tells of the 2 full-time employees through the entire year, although racing year is from May 30 through January 31, and of investment of in excess of \$50,000.00. The communication requests denial for use of Balboa Stadium for the Inter-Collegiate Track Meet and the Fiesta Del Pacifico and that other locations be found for those projects.

RESOLUTION 130323, referring to Council Conference communication from Stadium Racing Association objecting to vacating Stadium during Fiesta Del Pacifico, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Miss Eleanor N. Johnston "former part-owner of 3950 5th Avenue, dated Dec. 15, 1955, relative to signs that have appeared on adjoining property announcing developments to be made, was presented.

Councilman Burgener moved to refer it to the City Manager; Councilman Schneider seconded the motion. The communication was so referred.

RESOLUTION 130324, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 12 Point Loma Heights; approving Plat 2800 showing exterior boundaries of district to be included in assessment; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130325, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Poe Street; approving Plat 2745 showing exterior boundaries of district to be included in assessment; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130326, approving plans, drawings, typical cross-sections, profiles and specifications for installation of storm drains in Reynard Way, Eagle Street, Upas Street, et al; approving Plat 2686 showing exterior boundaries of district to be included in assessment; directing City Clerk, upon passage of Resolution of Intention, to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 130327, for paving and otherwise improving Alley Block K Montecello, Resolution of Intention 129452, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 130328, for paving and otherwise improving San

Fernando, Resolution of Intention 129187, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT 130329, for current in La Jolla Lighting District No. 1, for 1 year from and including January 1, 1956 to and including December 31, 1956, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 130330, for current in Seventh Avenue Lighting District No. 1, for 1 year from and including January 1, 1956 to and including December 31, 1956, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 130331, for current in Eighth Avenue Lighting District No. 1, for 1 year from and including January 1, 1956 to and including December 31, 1956, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130332, for paving and otherwise improving Alley Block 12 Point Loma Heights, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130333, for paving and otherwise improving Poe Street, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130334, for installation of storm drains in portions of Reynard Way, Eagle Street, Upas Street, Curlew Street, et al., was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130335, appointing time and place for hearing protests, and directing notice of hearing for electric current together with maintenance of mast arms, etc., in Mission Beach Lighting District 1, for 1 year from and including May 1, 1956, to and including April 30, 1957, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130336, ascertaining and declaring wage scale for paving and otherwise improving Alleys Blocks 29 and 30 Ocean Beach, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

wage scale for

RESOLUTION 130337, ascertaining and declaring/installation of sewer mains in Amherst Street, 68th Street, Public Rights of Way in Lots C, H and I La Mesa Colony, et al., was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130338, ascertaining and declaring wage scale for paving and otherwise improving of Birch Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 130339, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current in El Cajon Boulevard Lighting District No. 1, for 1 year from and including December 1, 1955, to and including November 30, 1956, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 130340, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current in Logan Avenue Lighting District No. 1, for 11 months and 16 days from and including November 16, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 130341, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current in Montemar Lighting District No. 1, for 11 months and 15 days from and including December 16, 1955, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD 130342, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current in Pacific Beach Lighting District No. 1, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130343, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 72 City Heights, Resolution 126464, 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 it to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130344, approving diagram of property affected or benefited by work of improvement to be done on installation of sewers 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; directing Clerk of the City at same time of approval, to certify fact and date thereof, and immediately deliver it to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130345, approving diagram of property affected or benefited by work of improvement to be done on installation of storm drains in 4th Avenue, 5th Avenue, 6th Avenue, 7th Avenue, C Street, Broadway, E Street, F Street, 8th Avenue, Market Street, K Street and 10th Avenue, Resolution of Intention 120426, 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 it to Superintendent of Streets, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130346, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving and otherwise improving Saranac Street, Resolution of Intention 128156, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130347, directing City Engineer to furnish diagram of property

affected and benefited by work of improvement on paving and otherwise improving Frost Street, Resolution of Intention 126202, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130348, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, Resolution of Intention 127128, and to be assessed to pay expenses thereof, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130349, adopting recommendation of City Engineer, Document 526366; authorizing City Engineer to amend proceedings for improvement of portions of Roanoke Street, Deauville Street, Morningside Street and Reo Drive, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130350, granting petition, Document 519129 for paving and otherwise improving 63rd Street; adopting recommendation of City Engineer, Document 526174, and authorizing City Engineer to amend proceedings for improvement of Seminole Drive and Acorn Street and consolidate improvement of 63rd Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130351, 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 portions of 58th Street, 56th Street, Trojan Avenue, 55th Street, Orange Avenue, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130352, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of 7 location, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130353, endorsing proposed ordinance of the Board of Supervisors of the County of San Diego regarding amendments to County ordinances for health permit fees; directing City Attorney to prepare ordinance tantamount to County ordinance, was on motion Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130354, approving rules and regulations made by City Treasurer, in accordance with Section 31.0133 of San Diego Municipal Code, re licensees of mechanical musical instruments, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130355, authorizing and empowering City Manager to do all work in connection with alteration of Room No. 50 of Central Police Station, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130356, authorizing and empowering City Manager to do all work in

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connection with installation of storm drain in Crown Point Drive northerly of Fortuna Avenue by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130357, authorizing and empowering City Manager to do all work necessary in restoration of wind-damaged facilities at Lower Otay Recreation Station, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130358, authorizing and empowering City Manager to do all work in connection with alteration of Police Department Gymnasium, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130359, authorizing and empowering City Manager to do all work with plumbing and electrical work necessary to be done in connection with reconstruction of restroom at Police Pistol Range, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130360, authorizing City Manager to employ R. E. Hazard Contracting Co. to do improvement work on southwesterly side of Levant Street at Wellington Street, Linda Vista, approximate cost being \$537.81, payable from Ordinance 5341 (New Series), was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Resolution says that Public Housing Authority has entered into contract with R. E. Hazard Contracting Co. for installation of improvements in Linda Vista Unit 8, and that R. E. Hazard Contractor, the contractor, has offered to do the work and City Manager has recommended that offer be accepted and work be done.

RESOLUTION 130361, authorizing City Manager to execute, for and on behalf of The City of San Diego, contract with Roy Drew for expert services in connection with comfort station in Kellogg Park, Document 526873, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130362, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with San Diego Unified School District for reimbursement to the District of portion of cost of 12" water line above that of an 8" line to provide water service for maintenance and distribution center in Pueblo Lot 1188 and other areas near the School District's property, Document 526874, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130363, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with The United States of America, by Commandant of Marine Corps, the Commanding General, Marine Corps Recruit Depot, San Diego, for occupation by City of San Diego Office of Civil Defense under revocable permit, of half of Building 360 Camp Matthews for storage of medical supplies to accommodate 2 to 4 first aid stations; Document 526875, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130364, authorizing City Manager to execute, for and on behalf of

The City of San Diego, an Amendment to Lease Agreement, amending agreement between the City and Bernard deSelm for automobile parking in vicinity of Balboa Stadium, dated August 3, 1953, filed in office of City Clerk as Document 474049 with Bernard deSelm, lessee, whereby Agreement is amended to include within concession the "parking triangle lying north of high school practice field at Balboa Stadium" at an additional monthly rental of \$50.00, beginning December 1, 1955, payable monthly in advance, Document 526876, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130365, authorizing and directing Property Supervisor to advertise for period of at least 5 consecutive days in official newspaper of the City, the sale at public auction of Lots 15 and 16 Block 121 City Heights, sold for reason that it is not longer needed for City purposes, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Resolution states that Nathan M. Jacobs, 3405 Felton Street, has petitioned for sale, and has deposited \$100.00 to cover costs pertaining to the sale, including cost of title report, and as a guaranty that depositor will at the sale bid the minimum amount fixed by the Council - \$500.00 as disclosed by an appraisal made by qualified real estate appraiser - all expenses to be deducted from proceeds; reserving right to reject any and all bids, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130366, 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 1233, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130367, 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 1233, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130368, 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 1233, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130369, 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 1234, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130370, 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 1234, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130371, 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 1234, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130372, 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 1234, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130373, 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 1235, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130374, directing 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 29 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130375, granting revocable permit to John P. Harrison, 1639 Felton Street, to install and maintain a 3/4" water line from 3271 A Street for use and benefit of owner's property, under alley Block 122 Choates Addition, through easement in Lots 42, 43 to City main in B Street: Lots 6 and 7 Block 122 Choates Addition, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130376, granting revocable permit to Wm. S. Kellogg, care La Jolla Beach & Tennis Club, 2100 Torrey Pines Road: 2000 Spindrift Drive, La Jolla, to install and maintain a 2" power conduit for use and benefit of owner's property under sidewalk in Torrey Pines Road to Lot 12 Block 4 La Jolla Shores, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130377, granting permission to Harold Stephens Plumbing & Heating, plumbing contractor, for Carl Mueller, to install one 1-1/2" copper vent on kitchen sink plumbing in construction of building at 3615 Carlton Street, San Diego, which would deviate from City plumbing code, necessary due to architectural design and type of construction; copper vent to be no less weight than Type "M", subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130378, granting permission to M. O. Whitt, contractor, for Leon Touchstone, owner, to install soil line on grade of 1/8" fall per foot, in connection with construction of building at 2912 Heller Street, San Diego; 6" cast iron soil line to be used to connect plumbing from dwelling to city sewer line, subject to conditions of the Resolution, was on motion of Councilman Curran, seconded by Councilman Curran, adopted.

RESOLUTION 130379, granting revocable permit to Elias Salvador, 3224 F Street, San Diego 2, to install and maintain a 4" sewer line from 3224 F Street, to City sewer which crosses F Street at Lot 36 Choates Addition, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130380, granting revocable permit to Ed Shafer, 1010 Sutter Street, San Diego 3, to install and maintain 150 feet G. I. Water line, 3/4" for use and benefit of owner's property under Azusa Street, down parkway and across alley from owner's property (legal description Lots 1 and 2 Block H Silver Terrace to City main in Lauretta Street), was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130381, authorizing and directing Purchasing Agent to solicit bids for printing and lithographing Harbor bonds, recently authorized by Electors for construction of public improvements in Bay of San Diego, to be in denomination of \$1,000.00 each and to aggregate the amount of \$9,460,000.00, and to be printed and lithographed in accordance with plans and specifications on file in office of City Clerk, Document 526656, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130382, approving claim of Herbert T. & Dorothy A. Baskins, Document 506306, in amount of \$375.00; authorizing City Auditor & Comptroller to draw warrant in favor of Herbert T. and Dorothy A. Baskins and Torrance & Wansley, 1216 Bank of America Building, San Diego 1, in amount of \$375.00 in full payment of claim, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130383, authorizing City Attorney to settle \$96.83 claim of Clark R. Lawrence of San Diego, Document 523848, for sum of \$54.90; directing City Auditor & Comptroller to draw warrant in favor of Clark R. Lawrence, 3937 Promontory St., San Diego 9, in amount of \$54.90 in full settlement of the claim, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130384, vacating easement in portion of north 30 feet of Pueblo Lot 1260, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Resolution says that The City of San Diego acquired easement for sewer purposes by deed recorded August 7, 1942, that since acquisition it has not been used, nor has easement been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation, and that it is unnecessary for present or prospective public use.

RESOLUTION 130385, accepting deed of Frank Manescalchi and Tommasa Manescalchi, December 7, 1954, conveying easement and right of way for street purposes in portion Lot 28 La Mesa Colony; naming land La Dorna Street; rescinding Resolution 12173, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

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

ORDINANCE 6783 (New Series), dedicating public lands in Lot 1 and Lot 2 Block 339 Choate's Addition for street purposes and naming it 32nd Street, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

In connection with the next item, Councilman Curran asked for information. He said the project had been just approved today, and that it will be just a few days.

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

On motion of Councilman Burgener, seconded by Councilman Evenson, reading was dispensed with, by 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 6784 (New Series), appropriating \$59,500.00 from Capital Outlay Fund for replacing Cedar Street Bridge with a fill, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6785 (New Series), appropriating \$2,100.00 from Capital Outlay Fund, for City's share of cost of constructing a storm drain in Crown Point Drive northerly of Fortuna Street, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6786 (New Series), appropriating \$1,000.00 from Unappropriated Balance Fund, to cover expenses incurred in connection with Mayor's Industrial Development Committee, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6787 (New Series), appropriating \$800.00 out of Unappropriated Balance Fund, for purchasing Traffic Line Removing Machine, was on motion of Councilman Evenson, 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 Evenson, seconded by Councilman Schneider, the next ordinance was introduced.

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

ORDINANCE 6788 (New Series), appropriating \$60.00 out of Capital Outlay Fund for providing additional funds to pay City's share of cost of installing Traffic Signals at Torrey Pines Road and Girard Avenue, and Broadway and India Streets, was on motion of Councilman Evenson, 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 to present the next item, not listed on the agenda:

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Hartley's Muirlands Estate, subject to posting adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by City Engineer, was presented.

RESOLUTION 130386, adopting Map of Hartley's Muirlands Estate Subdivision, being a subdivision of portion of Pueblo Lot 1256; accepting on behalf of the public Calle Majorca and portion Hartley Drive and unnamed easements shown for public purposes; declaring them to be public street, portion of public street and unnamed easements, declaring them to be public street, portion of public street and unnamed easements and dedicated to public use; authorizing and directing Clerk 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 the map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

At 12:30 o'clock Noon, the Council took a recess until 2:10 o'clock P.M., this date.

Upon reconvening, at 2:10 o'clock A.M., the roll call showed the following:

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

The hour of 2:00 o'clock P.M. having arrived, time set for hearing on report of Stanford Research Institute, and report of City Planning Commission on including the Public Assembly Facilities for San Diego - convention hall and arena facility, and theatre site - Mayor Dail announced the purpose of the hearing, and stated that the Planning Commission had held a hearing and made a report to the City Council. He said the Council

should be briefed on the Planning hearings. He said he felt that each presentation could be confined to 5 minutes, and the Council ask questions, with a limit of 1 hour for the hearing.

Harry C. Haelsig, Planning Director, read a report dated November 21, 1955, being the same as one in the Clerk's file.

The Mayor invited proponents of the Master Plan location, as pointed out by the Planning Director, to be heard for 1/2 hour; then 1/2 hour for the other side. He said there would be many other facilities to reconcile, including sewer. He said that the hearing would be confined to 1 hour.

Edgar Luce told the Council that the presentation would be concise, and spoke on behalf of the Greater San Diego Auditorium Committee, as its representative. Judge Luce stated that he and Joe Dryer are co-chairmen, and he outlined the membership of the committee. He spoke of being "here in support of the Stanford Research Report - in its entirety". He stated that the question is if it shall be placed on the master plan, with no details now. Judge Luce spoke of there having been suggestions on the Stanford report. He said that there have been attempts in the past, and that proposals have failed on account of location. He said that research had been made by a very intelligent group in a statesman-like manner in the securing of the Stanford Research group. He said the report was rendered to the Council. He urged approval of that report, and said there has been unified support. He said that he does not say there are no objections, but there is united support. He said that the only public opposition up to now, is by property owners in the 4-blocks affected. He said that the resolution which was read is rather confusing. He spoke of the Stanford calling for united effort in 1 place - for 4 activities. He said that to split it up (as had been proposed by the Planning Commission) would be to destroy the whole idea. Judge Luce said that it is feasible to use a wall for concert and conventions. He told the Council that would be economy. He said it would be used for a hall and for a large theatre. He said it would be like sawing in 2 (if divided); there would be expense, and bad effect. He said that no one before the Planning Commission had suggested that, except that the division was in the resolution of the Planning Commission. He said there were many arguments, but not for division. He said he has copies of a report, in which it is discussed. Judge Luce maintained that if the Council follows the Planning Commission, it takes a step backward. He said the report should move forward. He told of there having pressure by cultural bodies for a theatre in the Park, but he cannot find anyone who advocates that. He said he has been unable to find substantial opposition by cultural institutions to the Stanford plan. Judge Luce said he favors an idea similar to that of the Stanford Research Institute. He told the Council that if facility is divided it (bonds therefor) would not carry. He said that substitution should not be made for the Stanford Research Institute. Judge Luce said that the proposal can just as well be carried out in San Diego, as not.

Mrs. Hadley was introduced by Judge Luce, as the president of the Opera Guild of San Diego. She read a statement by the Board of Directors of San Diego Opera Guild, endorsing the Stanford Research Institute report. She said that the proposal comes as a wide and happy solution. She said that the report is a logical solution to a pressing community need. Mrs. Hadley declared that present facilities and accommodations are inadequate. She said that operas presented in larger facilities could reduce prices, and reach more people. She told of need for a community center under 1 roof, reducing the cost of the building. She said it would be what is wanted and needed.

Judge Luce called Mrs. Goss, but found she was not present.

Admiral Wilder Baker, vice president of San Diego Symphony Association, spoke next, at the request of Judge Luce. Admiral Baker spoke of resolution having been passed in September endorsing the Research Institute's plan. He stated that it is the most satisfactory solution to a great need. He spoke of freely supporting each part, and he asked the Council to use its influence to take care of the needs in 1 central facility.

Mrs. Guilford Whitney, of the San Diego Womens' Philharmonic Committee, told the Council that the Committee has presented Los Angeles Philharmonic since 1924. She spoke of being familiar with lack of good music and plays. Mrs. Whitney stated that the Board approved the project set up by Stanford Research, and had sent letters to the Mayor and individual members of the Council. She said that the full report should be carried out, and much advertised. Mrs. Whitney stated that the cultural side is necessary for the holding of tourists, in that they would stay longer, if those things were provided. She said that would bring in necessary money. She recommended a very highly complete group, as outlined in the Stanford Research report.

Judge Luce then read a statement by Vincent T. Godfrey (former member of the Council), as president-elect of San Diego Convention and Tourist Bureau. It says that

there is urgent need for a new convention hall and other public assembly buildings in San Diego now. It says that the Bureau has complete confidence in the Stanford Research Institute, a tried and proven organization of highest competence and integrity. It also expresses complete confidence in the ability of the Mayor and Council to appreciate the urgent need for the facilities involved and to take prompt and effective action. Fullest support in accomplishment of the worthy objective, is offered.

Wesley Moore, president of the Metropolitan Committee of San Diego Chamber of Commerce, stated that the Chamber of Commerce does not agree with the recommendation of the Planning Commission for separation of facilities. He said that the Chamber of Commerce re-affirms its endorsement of the Stanford Research Institute recommendation, for:

- 1 - Arena, with 11,000;
- 2 - Exhibit hall, 75,000 sq. ft.;
- 3 - Convention Hall, for 3,000 persons;
- 4 - Little Theatre, for 700 people.

Next, John Quimby, secretary-treasurer of the AFL Central Labor Council, was called. Mr. Quimby stated that the group he represents re-affirms the report it made before the Planning Commission, and opposed the separation. He said that it has been taken out of the realm of politics. He said that it is an impartial group (Stanford Research Institute). He said that labor is interested in the economy of San Diego, interested in labor and new money. He pointed out that convention facilities are strained, and that some could not get into the facilities at a recent convention. He told of need for more facilities. Mr. Quimby said that there is more than normal interest in cultural groups, with musicians and actors affected. He told of the many complaints made because of lack of facilities. He said he spoke in behalf of stage hands as well as musicians. He declared that it is time for the Council to act in a courageous manner. He specified 1 for the future; 2 for good sound planning; 3 for good economy and employment. He asked that the facility be placed in the master plan.

General George Fisher, representing the American Legion, spoke at the request of Judge Luce. He said he appeared as the president of the American Legion Corporation which had conducted the last 3 conventions in San Diego. He told about there having been meetings in the Ford Bowl, and outside in front of the organ in Balboa Park; then a circus tent having been erected to cover the delegates from the sun. General Fisher spoke of this as being the largest convention west of the Mississippi, and having learned that it will not come to San Diego until there are adequate facilities. He said that the last convention brought nearly \$2,000,000. He said that there are many conventions that can't come because of lack of facilities. He stated that as to location, the site selected would not be his first choice, but that people of the city have been arguing for 25 years on sites. He said that, as a result, a neutral group of experts has been brought in, and has brought out a plan. He said the plan should be adopted into. General Fisher told the Council that it should be in the master plan.

Ray Blair, executive assistant to the Manager of the Chamber of Commerce, said he was here to report on leaders' polls. Mr. Blair said that 250 or 275 leaders have been pooled, and results show that 82% have shown that the Stanford Report should be included in the master plan. He said that while there were other answers, 82% of the thought leaders say that the master plan should include this site, and that 72% said that the City of San Diego should sell unused property.

Dr. Kenneth Ross, president of the Musical Merit Foundation of Greater San Diego, endorsed the 4 facilities in 1 site.

Judge Luce read a letter signed by Wayne Dailard, as Manager-Producer of Fiesta del Pacifico, Inc. It says that from a showman's point of view, he agrees completely with suggestion of a combined facility: arena, exhibit hall, concert hall and little theatre in one group. It says that proper structural design will eliminate any conflict when all units are operating simultaneously, and will provide a maximum economy and impact in operation. The letter says that key figures in the general show industry have assured him that with proper facilities in San Diego, major attractions now accorded Los Angeles and San Francisco can expect consideration. It concludes "In short, they recognize the market and potential grosses in this community".

A letter from San Diego Rental Owners' Association, Inc. (formerly Apartment Association), chamber of commerce building, by D. K. Friday, president, was read by Judge Luce. It says that at the regular monthly meeting, a resolution was adopted by unanimous approval that the City Council accept recommendations of Stanford Research Institute relative to providing the city with public assembly facilities.

Judge Luce said that proceedings have been before the Commission, and before

the Council. He said that it was not necessary to re-read. He spoke of being on record before the Planning Commission endorsements of Junior League, Council of Churches, and Hammer Club.

Mayor Dail said that Hammer Club was 3-1 in favor.

Judge Luce declared that it "is a splendid report".

Joseph Dryer, co-chairman of the Greater San Diego Auditorium, stated that he has not been able to find anything that has not already been told. He said that this was the first time the City has had a research from an impartial group. He said that all that is needed is the tools. Mr. Dryer told the Council that the city is losing millions of dollars, because of not having facilities. He pointed out that the convention business is picking up. He stated that conventions are better than ordinary tourists. He spoke of wanting people to come oftener, and stay longer. He said that God won't build the building; that is left up to the Council.

Next, the Mayor invited opponents to be heard.

Henry Schwartz, owner of the property in the area which might be condemned, was heard. He stated that he is president of a group that opposes the report. He said he is not opposed to a convention hall, but there are 3 weaknesses: financing, parking and site. Mr. Schwartz stated that private capital on private land is in negotiation to lease from the City. He said that there are a dozen sites on "problem land that are available". He said that their use would not deprive the people. He said there is lack of parking on the downtown location. Mr. Schwartz said that the Stanford report recommended space for 500 cars. He stated that the Denver Coliseum is 4 miles out; San Francisco Cow Palace, and Cincinnati facility are out; Chicago 6 miles out; Ft. Worth 2 miles from the center; Charlotte, N.C. is 4 miles from downtown; Ft. Wayne coliseum is 3 miles out. Mr. Schwartz declared that all house adequate facilities. He said that Stanford Research states that there is adequate parking in nearby lots. He said there is no parking in the area; all nearby lots are filled. Mr. Schwartz said that "parking ramps" are in litigation. He stated that 500 cars would be inadequate. He said that the plan would cause confusion, with the proposed freeway going right through (the property; through the building as proposed by Planning). Mr. Schwartz said that there are better sites, and the facility can be on public land.

Mr. Wapplehorst said he had excerpts from the press, and that he cannot comprehend the figures which are false. He said it is going to cost money to change facilities. He asked "what about the road that is going to cost \$28,000,000 before it gets finished?" Then, he asked why the people in favor of the project don't pool their funds, and build it. He said he can't afford opera. Mr. Wapplehorst said that there are other important problems facing the City: water, sewage, and bay pollution. He asked why the City should act like drunken sailors, and throw away money. He said the government issued bonds to pay federal bonds. He said the same thing is going to hit San Diego. He stated that Balboa Park needs improvement. He asked what would happen if an airliner crashed into the building, or parking lot. He said he was opposing the issue on economical ground.

Roland Reed, representing "the unorganized majority", spoke next. He advised the Council to remember the fight on the Plaza (the Shattuck plan proposal to place the convention hall, with parking facilities on the Horton Plaza) had a sheet which he stated contained opposition of business men - to put the auditorium on the zoo parking lot, with location on Park and Upas for parking of cars. He said that under the report (Stanford Research Institute's) it would need 24 blocks to park, and asked where 10,000 people would be put. Mr. Reed told the Council that there is a canyon under the bridge on 1st Avenue, where a freeway could be put. He said that the location in the Federal building (Balboa Park) had not been mentioned in the report. He said there could be a bridge to the Ford Bowl. He stated that a majority of the buildings in Balboa Park are "cultural". He asked why not put them together. He said that the City spent \$15,000 to get the (Stanford Research) report. He declared that organized minorities force passage of unlawful laws.

Marguerite Schwarzman presented a petition of San Diego Metropolitan Forum. She said there had been presented to citizens the same material as others had presented. She urged that cultural facilities be divorced from other facilities. She repeated that she wants them divorced. She said there are facilities in the Park, which should be used. Mrs. Schwarzman emphasized that she is not against the Convention Hall, and recognizes its need. She spoke of wanting something better than other cities, that have only big buildings.

William F. Rosser, an architect, told the Council that he represents himself. He read a statement about parking inadequacy, and read a quote from White Plains. He declared that in 10 years from now "the Stanford Center will seem impossible". He maintained that facilities should be separated. He stated that San Diego is a unique city, but Stanford Research lumps it together with cities of the Mid-West. He showed pictures which he had

evidently prepared, of a festival theatre in Balboa Park. He said that planning could be developed to stir the imagination of the people. Mr. Rosser said that it could become the cultural center of the entire community. He stated that the Stanford group says that it is not experts. He pointed out that the Planning Commission had recommended separation of the facilities.

Thomas Kane, representing Taxpayers' Research Committee, handed to the Council a statement which he read. He says that property owners at 1st and E Street site will sell, while the Cedar Street owners will not; only 2 blocks, 1st to Union, E to F Streets are needed - instead of 4 blocks on the other site on Cedar Street. He said that when Stanford Research report came out, a group of fellows got together to discuss if it was proper. Mr. Kane said that cultural activities can be in the Park. He said that if the City puts up the convention hall, all that would be needed is 2 blocks. He told of having consulted property owners on Cedar Street (the Stanford Research area) and having learned that the City would have to wait 20 years before getting that. Mr. Kane declared that to be an administration building site. He said there would be adequate parking within 5 blocks of his proposed site. He said you don't have to close anything, but a portion of Front Street. He told of not wanting to buy a pig in a poke. He stated that business is moving north of Broadway, and that Cedar Street will be in the center of business and warehouses. He said that Cedar Street sites are going to increase; there are 2 churches on Cedar that don't want to sell. He said that if the auditorium were placed at 1st and E there would be foot traffic on Broadway, and would get thousands of sailors. He told of having interviewed sport promoters and bankers who can't see the Cedar Street site, but say that 1st and E would be fabulous. He stated that most buses would pass the door, and that "down here" there would be no freeway through the building (as has been shown on a drawing of the community center of San Diego prepared by Frank L. Hope & Associates). Mr. Kane said that while it is the idea to spend 7 millions, it would be closer to 10 millions. He said that downtown hotels and merchants are in favor of downtown location at 1st and E. He spoke of no planning having been done, and that it would already be outdated before built on the site proposed by Stanford. He said that on 1st & E, E to F, there could be the building, with 15,000 people - with no trouble. He told of having counted spaces for 5,500 cars. He said that "Newton Street" could be made into anything that is wanted. Mr. Kane told the Council that the vocational school on Market Street is going to be vacated. He spoke of the old school administration building being owned.

Mr. Judd, a property owner in the section proposed by Stanford Research, said that the Stanford report would be analyzed. He repeated that it should be analyzed, and declared that "it is an outrage to the church". He said it is a poor location. He said that lots of Chamber of Commerce members don't want pressure. Mr. Judd said that the facility should be put in the slut area to "light it up". He said that logical area is north and west of Broadway (not the location he had just suggested). He said that nobody would build a hotel below Broadway. He said he owns land proposed in the report. He said it comes from the "Octopus that has held the City back for years". He said there is a Highway Commission that doesn't want a highway to the harbor. He said that "they" are now trying to stymie the City. He said that architects are laughing at putting a highway under the building. Next, he said that the Planning Commission is trying to put M-1 zoning on the Mesa. He asked for stimulating the area. Speaking of the various activities, Mr. Judd said various types of people can't be mixed.

Aubrey Mixon, who identified himself as having "a little piece of property in that location" (the Stanford Research site). He told the Council that he is not willing to sell, because he thinks he won't get enough; it would "be taken away". He said there are still courts to decide. He repeated that he does not want to sell, and added that none of the 27 property owners wants to sell.

Mr. Kane spoke to the Council again, and said he has the location, with parking. He said he had contacted 3,000 signatures.

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

Mayor Dail said that the subject should go to conference.

Councilman Williams asked what avail that action would be.

Councilman Curran said there is no point in going to conference; he is in favor of the Master Plan.

Although the previous motion was not withdrawn, Councilman Curran moved to include the proposal in the master plan - as recommended by Stanford Research Institute. Motion was seconded by Councilman Williams.

Councilman Burgener said that he would be happy to vote for this, although he voted against the Shattuck Plan in the Plaza.

12/20/55

Councilman Williams said that the Council has heard from a lot of people. He said that the recommendation for the Stanford Research site would be contrary to the thinking of some, but that he is for it if it is forward thinking. He said he would want his children to say in 20 years that he had used bad judgment in voting for it, rather than to have them say it flopped because of voting for nothing.

Councilman Schneider spoke of locations that had led to the hiring of this "not octopus" outfit. He pointed out that the Stanford Research Institute had been hired by Walt Disney to make a survey for location of Disleyland. He said he can't see why there is objection.

Mayor Dail said there was a statement on the Shattuck plan (for the Horton Plaza site). He said that the citizens who had behind that project are almost 100% beyond this one. He appealed to people who have pet sites, that this would mean a great deal to the City. He said that the Council is in the 13th hour, and that all should go along.

Councilman Kerrigan said: "place the site in the master plan - with the people to decide on the voting of the money." He said the question is if this is the right site.

Mayor Dail said that the Council is going to place the proposal before citizens as an appeal to build the facility - so that the City goes forward, instead of backward.

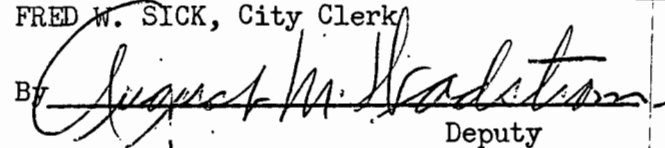
RESOLUTION 130387, requesting City Attorney to prepare and present necessary ordinance to include in the Master Plan of the City of San Diego, the area bounded by Cedar Street, Third Avenue, Ash Street and First Avenue for a down-town convention center, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 3:20 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, December 22,
1955

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail
Absent--None
Clerk---Clark M. Foote, Jr.

Ordinances and Resolutions for this meeting are recorded on Microfilm
Roll 106

The Mayor called the meeting to order at 10:02 o'clock A.M.

At the beginning of the meeting, Mayor Dail wished all those present a Merry Christmas.

The hour of 10:06 o'clock A.M. having arrived, time set for hearing on the continued appeal of First Baptist Church of Allied Gardens from Board of Zoning Adjustment decision in denying permission to Bollenbacher & Kelton, Inc., owners, and First Baptist Church of Allied Gardens, purchaser, to construct and operate church and school, with parking areas and recreation facilities, on Lots 1012 through 1016 Allied Gardens 5, at Mount Avenue and Carthage Street, in Zone R-1 (hearing "closed") at the December 15, 1955, Councilman Burgener stated that the Finding of Facts had been read, but that there were speakers who wanted to be heard.

Justin Merriman, pastor of the church, told the Council that he had tried to summarize the situation.

D. E. South, Zoning Administrator, put maps on the Council table.

Rev. Merriman said that the reason is "to give as accurate information as possible". He said that it had been referred to Planning for study regarding streets.

Councilman Curran moved to re-open the hearing, which was officially closed. Councilman Burgener seconded the motion, and the hearing was re-opened.

Mayor Dail announced that the hearing had been re-opened.

Reverend Merriman spoke regarding previous actions and petitions. He said it would be of interest to study allegations of traffic hazard. He stated that Planning has studied, and said that it would not be. He said that there had been statement that there would not be sufficient parking, and that residents would be disturbed. Reverend Merriman said there will be at least 150-car parking, and 3 acres for 250-300 cars. He said there is the question of the sentiment of residents involved. He passed around maps and petitions, and spoke about them. He said that on the map, within 30 feet are 38 ~~in-favor-with~~ spaces colored green; 21 unopposing - within the purple circle 3 signed the original petition, which have requested removal of their opposing names. He said that names opposing are in purple - 12 in number; 5 had been purchased after the property for the church side had become of public record. He said it should be presumed that the purchasers should have informed themselves, and that they have no valid reason to object. He said that would be only 5 - leaving only 7, possibly. He said there are also a number of others. He said that is sufficient to convince the Council that sentiment is not against variance for the church. He said there are people present from the general denomination. He said the Council would not have to stand in the position of 1 site approved (Lutherans), but not others. Reverend Merriman said that granting would strengthen the moral life of the community. He said that denial of the petition would take away a religious institution that the community needs.

Councilman Schneider spoke to Reverend Merriman about the actual ownership.

Meeting convened
Hearing

12/22/55

The reply was that it went into escrow August 23.

Councilman Schneider said that the church would not then be obligated if there is no variance.

Reverend Merriman replied that it would be morally, but not financially.

Councilman Schneider spoke to Reverend Merriman about the position of the people who withdrew. He said that only streets, 30-feet wide, go through the residential property. He said that 250 to 300 cars per week would change the character of the neighborhood.

Reverend Merriman said that because there is space for 250 cars, it does not mean that there will be.

Councilman Schneider asked if there is no other site.

Reverend Merriman said there is none; a denial of the appeal would mean denial of the church being in the community.

Councilman Schneider said that other areas (in Allied Gardens) are to be developed.

Reverend Merriman said there were to be none.

Next, opponents to the variance were invited to speak.

John F. Abegglen, 5475 Mound, said that after the last meeting he went into the City Clerk's office and got the Merriman letter, and that he disagrees with the statements. He said there will be meetings other than on Sunday services. He said there would be created other than traffic hazards. He said "petitions represent the feeling of the residents". He passed around a map, and showed colored area reserved. He said that the church reserved the site after lots were sold. Mr. Abegglen said that the church can be put in Unit 6. He said that when they went in, escrow had not gone in. He said that construction has started in Unit 6. Mr. Abegglen said that it is not the responsibility of property owners to accommodate a mistake in planning. He said there could be a church in Units 7, 8 or possibly 9. He said that building is not to be built at 1 time; it is to be in sections, and that construction might be going on for 10 years. He said that as of August 27 it had been reserved, and impounds put in. He stated that 3 out of 5 people had not been told that a church was to go in. He said it was assumed that would be put on a plan, and markings be put in. He showed another map regarding the Lutheran Church. Mr. Abegglen stated that when that was proposed, no land had been sold. He agreed that a church is necessary. He said that he was objecting to any church, and that it would not be fair to the church - or "to us". He stated that the engineer has said that Units 7 and 8 are planned - possibly 9. He asked why Bollenbacker & Kelton, Inc. can't assign area for church in the new tracts. He said that the principal objection.....

Councilman Schneider moved that the hearing be closed. There was no second.

Reverend Merriman passed around a map, and said that information about the new church had been published in the church paper. He said there is a cellar involved, and that the church would have to buy from people who have land for sale. He said that the church has to be on property located in connection with people which it is to serve. He said that it could be that would be somewhere where the church can't purchase property in Unit 6 - or anywhere near. He said that of those on the petition, 2 people have said that because of fuss made by leader of the opposition they felt they ought to go along. He referred to a petition Councilman Kerrigan had in his hand in connection with removal of names. He said that statement had not been quite accurate. He identified a petition to Councilman Kerrigan, and said there are 6 names, on 3 properties: 10, 11, 94, 1019 (apparently lot numbers). A conference was held over a map.

Mr. Abegglen said that he would have to take off his hat to Reverend Merriman for changing the minds of 3 individuals. He said that people of the United States want to sign, they have that right. He said he was not told that land was to be taken away. He said there was no reason why people shouldn't sign, and then change their minds.

B. LaVern Lewis, pastor of the First Baptist Church of Bay Park, spoke of having 19 interested members (here). He said that it was over a year ago, before mission was established, that they went to developers regarding sites. He said that they do not want to antagonize the people. He agreed that this is not the best site, and that offer had been made on a portion of the radio towers property - for towers to be moved. He said there are 3 sites; they had no choice; they had to take the inferior site. He said the people want and need a voice in the area, and that the church has to ask for a site. He said a better location is wanted, but so far as he knows this is the only site. He said look at the paper; this is like the auditorium site. He said that the church has tried to get a much better site, but would take this one.

Councilman Schneider spoke to Reverend Lewis.

Reverend Lewis said that so far as he knows this is the only site.

A man, who later turned in a slip showing his name as Robert E. Onley, 6311 Jeff Street, San Diego, spoke of having talked to Mr. Bollenbacher, who said that there will be a Unit 9; this is the only site.

Councilman Curran spoke to Mr. Onley.

Mr. Onley referred to there being not a site.

Councilman Burgener spoke to Mr. Onley.

Mr. Onley said there were 3 - including this one (churches, apparently).

Then, he went on to said there are Lutheran and Presbyterian churches now.

There was discussion between Councilman Curran and Mr. Onley regarding locations of the 2.

Councilman Schneider said that the Planning Director might visit the designated areas.

Harry C. Haelsig, Planning Director, told of investing sites for public uses. He said there were originally sites for 3 churches - but they were used differently. He said there is a possibility on Zion Street, to the west, in Unit 9. He said that is not retained for a church.

There was discussion between Councilman Schneider and Mr. Haelsig.

Mr. Haelsig said "that would take rezoning". He spoke of request of developers for zones.

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

Councilman Kerrigan said that there is a real problem in Allied Gardens; there will be more churches. He said that man who spoke last, convinced him that they are not satisfied with the site. He said that if the Council upholds the protest, it "will have to re-shuffle". He spoke of responsibility for churches, which are necessary.

Councilman Kerrigan moved to sustain the Zoning Committee. Motion was seconded by Councilman Schneider.

Councilman Burgener said that he was surprised that the developers had won a prize for community development - and had not provided for churches.

Mayor Dail said that Planning should consider sites for churches.

Councilman Schneider said he wanted the Planning Director to point out the lack of, and provision for churches, on the map.

Councilman Kerrigan said that the first development of Allied Gardens was small; there was requirement for Waring Road. He said that the problem is that the area is a popular place to live, and that people are buying. He said it will take a lot of public service buildings. He said study is needed. He said that there will be more than 4 churches, and asked where they are going.

Councilman Burgener stated that he is going to vote "no" on the motion; the value to the community is greater. He said that residents are "not going to have to put up with 10 years of construction" - as had been stated as a possibility. He said that Councilmen Kerrigan and Schneider are right about planning in the future in connection with anticipated expansion.

RESOLUTION 130388, overruling and denying appeal of First Baptist Church of Allied Gardens, by C. Justian Merriman, president, 6210 Mission Gorge Road, from decision of the Board of Zoning Adjustment's Resolution 9226, Application 14500, denying permission to Bollenbacher and Kelton, Inc., owners, and First Baptist Church of Allied Gardens, purchaser, to construct and operate a church and school, with parking areas and recreational facilities, on Lots 1012 through 1012 Allied Gardens No. 5, at Mound Avenue and Carthage Street, in Zone 1; sustaining action of the Board of Zoning Adjustment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-Councilman Burgener. Absent-None.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing request for increases of 5% in salaries for members of the Fire Department and Police Department, City Attorney J. F. DuPaul read section 70 of the Charter having to do with raising, lowering, and modification of salaries. He stressed this portion of the section: "...that if during any fiscal year, the Council should find and determine that because of a significant change in living costs, the salaries and wages fixed for such fiscal year are not comparable to the level of other salaries and wages of other public or private employments for comparable services and as a result, the best interests of the City are not being

protected or are in jeopardy, said Legislative Body, upon recommendation of the Manager or other department head, and if funds are available, may revise such salary and wage schedules to the extent necessary to protect the City's interests". He said that the 3 points have to be shown, and there must have in effect a raise in salaries recommended by the City Manager.

H. C. Harmelink, president of the Fire Fighters Association, passed around copies of the request. He spoke of having a great responsibility to firemen, their wives and children. He spoke of having appeared before the Council a month ago for a 5% increase. He said he knows he has to have proof. He spoke of salary savings - on Chart #6 (attached to communication dated October 24, 1955). He told the Council that the department is operating with less than other metropolitan cities in San Diego County. He spoke of operating with 3, where other cities have 5. That, he said, is efficiency. Mr. Harmelink said that on Chart 5 it shows that the men are working slightly more than 4 hours per week over other cities. He then referred to \$99,000. He said that other cities are granted 9 holidays; some 13; San Diego 5. He said request should have been granted as of July 1 - \$60,000. He said that salary saving comes to \$981,000. in 1 year. He said that on pages 1 and 2 of the request, it is pointed out that Civil Service has had difficulty in securing personnel. He said that on 2 examinations there were a total of 80 men: 108% hired; on the second examination there was 1 man. He said that in 5 examinations, the Commission was unable to get men. He said that the Fire Department records show that there are 27 eligible to retire. He spoke of there having been injuries, which is dangerous. He said 13 men were hospitalized at a hotel fire; 11 at a gas fire; 13 were hospitalized, and there was 1 death at the Burnett fire. He asked if there was need for replacement of men, if the Civil Service could provide them. Then, he said that they could not. He declared that the salary structure is too low. Mr. Harmelink said that the City is placed in jeopardy. He said that salaries shown on charts 1, 2, 3 (San Diego compared to other cities) are not consistent. He quoted from the City Charter. He stated that the original request was submitted to the Chief of the Fire Department, who recommended granting. Mr. Harmelink declared that the request is fair, and asked for approval - as of January 1, 1956. He said the City Attorney tells of need for change. He said that on August 12, electrical rates increased 16%; August 27, City sales tax was raised 11% from 3-1/2% to 4%. He said that when one goes to the barber shop, costs are increased; the bus fare was increased, and the last tax rate was up on account of revaluation.

Councilman Burgener asked Mr. Harmelink what makes up the tax bill.

Mr. Harmelink quoted from a Grocery publication regarding increases in primary market. He said there were premium increases of 33.1/3% by the Fire Benevolent Association; clothes increased 10% approximately in the last year, including firemen's uniforms. He quoted clinic prices, and said that building costs had been raised on building materials 8%; last year 5%. He told the Council that tradesmen have had increases in salaries since June. He spoke of about having had had adverse and decline sheets yesterday. The cost of groceries was read: 45 out of 69 items advanced in price; 49 advanced out of 71. He stated that is significant and important. He showed the list to Councilman Williams (an operator of food markets). He said he did not have time to get the changes in the last 6 months.

John Quimby, secretary-treasurer of the AFL Central Labor Council, came to the microphone. The Mayor congratulated him for a recent award. Mr. Quimby said that the first thing he wanted to point out is the recruitment problem for fire and police. He said that on the last survey taken in San Diego, he made his feelings known as a County Civil Service Commissioner. He said that he was unhappy that many features rarely show up in City and County surveys. He spoke of having comparison with metropolitan cities, and direct comparison in other cities. Mr. Quimby told the Council that San Diego is always lagging behind. He stated that there is not a craft in San Diego that has not received many increases and benefits. He said "the government has to raise its sights". He said that industry is recruiting; offers scholarships, with work doing on during vacation. He repeated that it is going to have to be necessary to raise the sights. He said it all adds up; and that people of the City deserve the increase. He said that if the City does not raise its sights, there is going to be a recruitment problem, which is serious. He said that recruitment could not be fulfilled at the present time. Mr. Quimby declared that the request follows the Charter on the Fire and Police requests.

Mr. Harmelink presented Fire Chief George Courser, who, he said, has been with the Fire Department 41 years.

Chief Courser said that it is true; there is a recruitment problem. He said that most of the men come to the Fire Department from the service - through Civil Service. He said that Civil Service makes an effort to supply the needs, but it sometimes takes 2 months. Chief Courser said that the department needs the proper types of men. He said that they want salaries as high as they can get - look over others and go there. As a result, the department

has to take what it gets. He said he has to take some men he does not want. He told the Council that saving to the taxpayers is reflected in reductions of insurance rates. He said that rates are set largely through efforts of the Fire and Police Departments. The Chief thanked the Council for the fire equipment, stations and streets, which he declared to be good. He said that there is need to raise salaries.

Captain Frank Luckel, USN-ret., assemblyman, told the Council that he was appearing at the request of constituents. He said he is working in Sacramento for the firefighters. He stated that presentations are complete, and that he won't repeat. He stated that he lives next door to Fire Station 22, and has the opportunity to observe that the firemen don't live normal lives: half the time they live in fire stations, and have haphazard meals.

Councilman Burgener spoke to Mr. Harmelink about the cost of living, in connection with the Charter.

Mr. Harmelink spoke to Councilman Burgener regarding labor statistics.

Mayor Dail spoke to Councilman Burgener, saying that the City is dependent on Bureau of Labor Statistics, in Los Angeles. He said the City should depend on requests in San Diego - which have been turned down.

Councilman Schneider said that it is nation-wide - not San Diego.

Reg Richardson, retired Captain of the Fire Department, told of having taken his first test in 1932 and in 1934. He said that at first there were several hundred, with Class A high school students among the applicants; now Civil Service has to advertise all over the United States. Capt. Richardson declared that benefits are not in the Fire and Police departments. He said that the City should set as good benefits as in industry, which surpass the City's. He spoke of handling insurance, without participation. He stated that many officers quit, and that something is wrong. He said that the department used to hold the men until they retired. Capt. Richardson said that wages are low.

Ray Shukraft, president of the Federated Fire Fighters Association of California, said that it is embarrassing to cite salaries and benefits. He told of there being a great difference, and said "don't make it like other departments", and then added that the Fire Department is not keeping up with other departments. He said the request is warranted.

Mr. Harmelink stated that he was ready to rest the case.

Chief Courser asked if it is necessary to meet all of the provisions mentioned by the City Attorney.

Mayor Dail said that all has to be covered. He said the men are doing a good job. He added that the Council has to decide on the request.

Bill Gore, representing the Police Department, appeared. He passed around to members of the Council copies of statements. He said that Mr. Harmelink has covered the situation well. He stated that the cost of living has gone up. He asked that if survey is based upon cost of living in Los Angeles, why salaries of police are not like those in Los Angeles. He said that "cost of living" includes such things as trips to Hawaii, medium rice, and okra which are said to have gone down. He said that haircuts are up for his 3 boys. Mr. Gore said that of 10 examinations since February 1, there have been 560 applicants, with only 42 qualified to make the eligible list. He said that since January of 1955, 16 regular police have resigned, with 3 of them going into the marshal's office. He said that an even dozen trained in the Police Department have gone to the Marshal's office; 1 to the California Highway Patrol, 1 to the Coroner's Office, and went on to relate jobs taken. He said that men are training in Police Department for jobs at higher wages elsewhere. He said that is not economical. Mr. Gore said that the City is even training a few for Los Angeles. He said 12 men have retired since January '55; few had over 20 years of service. He said that all but 1 are employed in the police profession. He said that if there had been adequate salaries, they would have stayed. He told the Council that 10 men were asked to resign, because "they could not cut muster". He stated that the Chief of Police says that the department has 8 vacancies that can't be filled without examinations. He said that the department still has good men, but he does not know how long they can be held. Mr. Gore said that it is a morale problem in the Police and Fire Departments. He said that they did not get raise entitled to. He said they will put out good jobs; they will fight for more money. He said that they are overworked, but they like their jobs. He told of there being a standing job in the department about high wages. He said that the wages can't be kept down, yet expect good work. He said he is asked why, as the mens' representative he does not do things, but pass the buck to the Council. He said he can't explain. He said it had been brought in conference that they would be taken care of in Los Angeles. He asked "will it?" He said San Diego is still behind. He said the departments are too good to be paid so low.

John Hughes, Police Sgt., said to the Council that "all has been gone over carefully". He spoke of there having been 1,000 applicants, with 650 eligible to take the examination; 5 men were appointed; 1 has quit and is doing well on the outside. He said 10 men are ready to quit now, and that in 5 years many have! He said that in 15, 20 years, the Department has gained a reputation, there have been changed trends, with outstanding record. He said that to maintain the efficiency, the City has to have adequate personnel. Sgt. Hughes said that the men have to have adequate salaries, or fringe benefits. He spoke of being interested in the request, and said that all parts of Section 70 of the Charter have been covered.

Mary E. Harvey, executive secretary, San Diego Municipal Employees' Association, read a statement of the executive committee of MEA. She urged granting of requests for adjustments of salaries. She said that there is talk about 18 months' cost of living; and urged "don't think of 6 months".

Councilman Williams spoke to City Attorney J. F. DuPaul about the cost of living index.

Mr. DuPaul said that it "is significant".

Mayor Dail said that cost would amount to \$12,000 per month.

Otto Hahn, who is secretary of a City Employees' local, spoke as a taxpayer and citizen. He said he is a happy taxpayer. He spoke of efficiency of firemen and policemen. He said this is an open hearing to see if they can qualify. He told of findings to be made, and referred to former surveys. He said "take the Los Angeles survey; no qualified person in L.A. can say it is higher". He said the Council should ask if there is higher cost of living. He said there are no facts or figures. He said that "Dutch" (Harmelink) has given figures - but not in San Diego. Mr. Hahn declared that cost has risen in San Diego. He said he can determine on his own cost of living an increase. Mr. Hahn said that Fire and Police can't be compared with private industry. He said that charts have shown that San Diego's men are the lowest paid in California, and that increase is justified on that point. He said that the Chiefs of Police and Fire can say if request is justified, and they have both recommended increase. Speaking of jeopardy, he asked the Council not to let that take place. He said the Council should take steps to have no jeopardy. He said there is a possibility of jeopardy if San Diego can't recruit fire and police to protect. He said he does not agree that it would be a dangerous precedent, and read a Resolution adopted in 1934 regarding a 5% increase at the first of the year (instead of at the beginning of the next fiscal year). He said machinery was put into effect, January, 1953. He said the Council had letters from Fire and MEA which thanked them for the increase. Mr. Hahn said that the City has the facts to justify the increase. He said that there are the same provisions, answering Mayor Dail - except the 1951 amendment.

John Leppert, manager of San Diego Taxpayers' Association, passed around a statement, with letter signed by Colin A. Stillwagen, president. Mr. Leppert read the Stillwagen statement. He said there was no reason to read section 70 of the Charter, which had been. He said that this morning's Union had an article Bureau of Labor Statistics. He said that one can take any month, and go month-to-month to prove that in Los Angeles living cost has not gone up 1 point. He said there has been a stable influence. He continued to read. Then, he said that Civil Service says it has no unfilled orders for policemen and firemen.

Councilman Schneider spoke to Mr. Leppert regarding personnel in the departments, in comparison with population. He said that the saving of hundreds of thousands of dollars is important.

Councilman Kerrigan was excused

Mr. Leppert said that various factors have to be weighed. He said that efficiency is not a measurement.

Chief Courser said that Mr. Lepper has made statements; he has figures.

Mayor Dail said that facts should be referred to the Civil Service.

Councilmen Burgener and Schneider asked for a report.

Answering Mayor Dail, Raymond Krah, Personnel Director, recommended reference to the Civil Service Commission.

Chief Courser presented Chief Sheehan

Battalion Chief Sheehan said there was a delay in the opening of the Clairemont station. He told of request for men, and of certification. He told the Council that some men had waived certification, and had taken other jobs. Chief Sheehan read about holidays, and told of having sent requisition on July 1 for men; 2 men reported July 1; 7 men were certified. He told of there being holidays, but that they could not be allowed - because of not being enough men. He said 1 of the 7 men came and worked 1 day. He told

of various requests, certificates and of reporting dates. Chief Sheehan told the Council that Chief Courser is supposed to select 1 man from 3, but that he can't follow the rule. Instead, the Chief had to take 1 at the time - as certified. He said there is an acute situation on the Fire Department, regarding the 24 hour service. He continued to read figures from his paper on certifications.

Councilman Burgener stated that it is no question that a real problem exists. He said that the problem to be resolved is regarding the cost of living. He said that his company manages apartments, and has notified tenants that rent is to be raised.

Mayor Dail spoke about presentations made regarding significant cost of living increase.

The City Manager said that this is the first time he has heard of the cost of living. He said that the Bureau's cost of living is not significant, because it doesn't show San Diego. He said that evidence is valid, and that it should be reviewed.

Councilman Schneider said that the City Manager would have to make a recommendation.

The City Manager said that if he can do so legally, he would recommend the increase, but not if it is not legal.

Councilman Williams said that food cost has increased, but he cannot determine if it is sufficient to raise salaries. He said he thinks the raise is justified.

Councilman Williams moved to refer the question to the City Manager for expeditious recommendation. Motion was seconded by Councilman Schneider.

Councilman Kerrigan spoke to Mr. Leppert regarding a clipping he had read.

Mr. Leppert identified it as from the Labor Department labor statistics - by way of A.P.

Councilman Kerrigan referred to statements made by Mr. Leppert.

Mr. Leppert referred to the clipping.

Councilman Kerrigan then read from the clipping.

Otto Hahn stated that purchasing power has risen, because of increases (in wages) - but not by City employees. He declared that the City employees' purchasing power has not increased.

Councilman Burgener asked how long it would take to develop the figures.

The City Manager said it would be "pretty quick - 1 week from today".

The roll was called on the motion, resulting in

RESOLUTION 130389, requesting the City Manager to make an expeditious recommendation in connection with request of the Firefighters and Police Relief Association for an increase in salary as of January 1, 1956.

At the hour of 12:03 o'clock, the Mayor declared a recess until 2:00 o'clock P.M., this date.

Upon re-convening, at 2:04 o'clock P.M., the roll call showed the following:

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

The hour of 2:00 o'clock P.M., having arrived, following the time of 10:00 o'clock A.M. to which the hearing on assessment for installation of sewer mains and appurtenances in Winett Street, portions of Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street had been continued, Councilman Schneider said that it had been held over for a property division.

RESOLUTION 130390, overruling and denying appeal of Gail M. Sheets, Mrs. Marilyn M. F. Thompson, from the Street Superintendent Assessment 2417 made to cover expenses

Hearing
Recess
Meeting reconvened
Hearing
130390

of installation of sewers in Winnett Street, Tooley Street, Fulmar Street, Republic Street, Oriole Street, Swan Street and Paradise Street, Resolution of Intention 121533; overruling and denying all other appeals; confirming and approving Street Superintendent's modified and corrected Assessment 2417 made to cover expenses; authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating portion of Lot 18 Ex-Mission Lands into R-4 and C Zones, the Clerk reported no protests.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance incorporating portion of Lot 18 Ex-Mission Lands into R-4 and C Zones, as defined by Sections 101.0408 and 101.0411 of San Diego Municipal Code, and repealing Ordinance 35 (New Series) insofar as it conflicts, was introduced.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating portions of Clairemont Units 9 and 15, portion of Pueblo Lot 1237, Clairemont Regional Business Center No. 1 and portion of C. C. C. Tatum's Bay Hills Mesa into R-4, RC-1A and C1A zones, the Clerk reported no protests.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance incorporating portions of Clairemont Units Nos. 9 and 15, portion Pueblo Lot 1237, Clairemont Regional Business Center No. 1 and portion of C. C. C. Tatum's Bay Hills Mesa into R-4, RC-1A and C-1A Zones as defined by Sections 101.0408, 101.0409.2 and 101.0411.1 of San Diego Municipal Code, and repealing Ordinances 13456, 6183 (New Series) and 6377 (New Series) insofar as they conflict, was introduced.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating Lots 35 and 36 Block 28 La Jolla Park into RC Zone, and repealing Ordinance 13294 insofar as it conflicts, the Clerk reported no protests.

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

On motion of Councilman Kerrigan, seconded by Councilman Evenson, Ordinance incorporating Lots 35 and 36 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.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating portion of Pueblo Lot 1219 into RC-1A Zone, and repealing Ordinance 13456 insofar as it conflicts, the Clerk reported no protests.

Councilman Williams entered

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portion of Pueblo Lot 1219 into RC-1A Zone as defined by Section 101.0409.2 of San Diego Municipal Code, and repealing Ordinance 13456 insofar as it conflicts, was introduced.

The next item was numbered at this point, although listed later on the agenda, by request:

RESOLUTION 130391, accepting deed of Louis P. Zinke and Mina C. Zinke, December 12, 1955, conveying easement for right of way for easement for storm drain, public sewer, water pipe line together with all incidents and appurtenances and for any and all public utilities in portions of Lot 17 and Lot 18 Block E of Resubdivision of Villa

Tract, La Jolla Park, and portion of Soledad Avenue closed; authorizing and directing City Clerk to transmit deed, together with certified copy of the resolution, to Properties Department for recording, when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of W. V. Hutchison Co., Inc. for Small Water Main Replacements, Group 25 - \$101,657.90; 4 bids, was presented.

RESOLUTION 130392, accepting bid of W. V. Hutchison Co., Inc. for Small Water Main Replacements, Group 25; awarding contract, authorizing and instructing City Manager to execute on behalf of The City of San Diego contract, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Continued communication from Planning Commission approving tentative map for resubdivision of Lot 6 Block C Romero Heights, was presented.

Sherwood Roberts, attorney, said that David Paine (whom he opposed) was not here. He said it was held for additional information.

The item was held over.

Communication from Planning Director recommending approval of final map of Muirlands Crest Unit 2 (Revised), subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by the City Engineer, was presented.

RESOLUTION 130393, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Muirlands Crest, Inc., a Corporation, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Crest Unit 2 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130394, adopting Map of Muirlands Crest Unit 2 Subdivision, a subdivision of portion of Pueblo Lot 1255; accepting on behalf of the public portion of La Jolla Scenic Drive, Castjon Drive, Merida Court, Murcia Court and unnamed easements shown for public purposes; declaring 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 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 Curran, adopted.

Communication from Planning Director recommending final record of Survey Map approval for Resubdivision of Lots 17 & 18 Block E, pors Soledad Ave. and Kearsarge Road, Villa Tract, was presented.

RESOLUTION 130395, approving filing of Record of Survey Map in lieu of Final Subdivision Map under section 102.02.1 of San Diego Municipal Code, in Lots 17 & 18 Block E of Resubdivision of Villa Tract, Map 1535, etc., was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Councilman Curran entered the meeting

Communication from City Planning Director submitting recommendations of Civic Design Committee of American Institute of Architects - for Master Plan for Civic Center, was presented. It suggests preparation of a new master plan, and offers assistance.

RESOLUTION 130396, referring to Council Conference communication from City Planning Director, submitting recommendations of Civic Design Committee of American

Institute of Architects relative to a new Master Plan for the Civic Center, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Councilman Burgener entered the meeting

Communication from Planning Director, stating that office of Richard G. Wheeler and Paul J. Eklund, as members of Board of Architectural Review, will expire January 5, 1956, was presented.

RESOLUTION 130397, re-appointing Richard G. Wheeler and Paul J. Eklund, whose terms will expire January 5, 1956, as members of the Board of Architectural Review for a full term of 3 years, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Communication from the Planning Director submitting Ordinance amending Division 5 Article 1 Chapter X of San Diego Municipal Code, granting greater powers to Zoning Administrator by permitting him to grant all types of variances and certain types of conditional uses; also creating Board of Zoning Appeals to consider appeals from decision of Zoning Administrator, was presented. It says that decision of Board of Zoning Appeals shall be final and cannot be appealed to the City Council. It states that in another section, the City Planning Commission is authorized to grant certain conditional use permits, such as golf courses, hospitals, educational institutions, airports, public utilities, and establishments involving large assemblages of people or automobiles, and that decision on those larger conditional uses may be appealed to the City Council for final action. The communication points out that matter of appeals from decision of Planning Commission, City Council's decision shall be restricted to same 4 findings of fact as imposed upon Planning Commission (see page 11). It states that the Planning Commission held a public hearing on the proposed ordinance after officially advertising in the newspapers and after several articles were written by the press; that at Planning Commission hearing there were no objections to the proposed ordinance, and it was unanimous recommendation of Planning Commission, by vote of 6 to 0 that it be adopted.

(The ordinance was in the Clerk's file)

P. Q. Burton said that it would provide the Zoning Administrator with the right to act

Councilman Kerrigan said that it is delegating the authority. He said that "he (the Zoning Administrator) has authority on practically all variances, with use permits by the Board of Appeals.

Councilman Schneider and Kerrigan spoke about difference between Zoning and Planning.

The Mayor said "it was read this morning. No one came to the hearing". Councilman Kerrigan said he was ready to see what happens in a couple of months.

City Attorney J. F. DuPaul told the Council that the ordinance may be introduced today.

On motion of Councilman Schneider, seconded by Councilman Curran, Ordinance amending Division 5 of Article 1 of Chapter X of the San Diego Municipal Code, Regulating Zoning Administration, was introduced.

Communication from Alan M. Firestone, Deputy City Attorney, dated December 19, 1955, stating that the Council requested in Resolution that the Attorney's Office prepare a resolution accepting offer of dedication for street purposes of land across Pueblo Lot 1286, was presented. It says that petitions signed by property owners offering to dedicate the right of way necessary for street are inadequate in form of execution. It suggests that matter be referred to City Manager so that proper rights of way may be obtained.

RESOLUTION 130398, adopting recommendation of City Attorney suggesting that matter of Street dedication in Pueblo Lot 1286, approved for acceptance by Resolution 130115, be referred to City Manager so that proper rights of way may be obtained for dedication of the street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Street Superintendent, approved by Assistant City Manager, reporting on petition "to close 10 feet on each side of Oliphant Street between Locust and Willow Streets", was presented. It recommends that petition, contained in Document 521428 be only partially approved, and that 10 feet of Oliphant Street be closed adjacent to Lots 7 and 8 Block 121 Roseville, and to Lots 5 and 6 Block 132 Roseville, and that additional closings be made in the intersection of Oliphant Street and Evergreen Street at N'ly and W'ly corners, to give a 10 foot property line radius at said corners of the intersection.

RESOLUTION 130399, adopting Street Superintendent's recommendation for partially approving petition for closing portions of Oliphant 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 the closing, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Before Resolution had been adopted, Councilman Schneider said it is "to tie in, if this ties in".

The City Manager stated that it is a different street.

Councilman Williams said that it is the same intersection (as a previous closing). He said he opposes, if it involves expense.

The City Manager showed a plat.

The report was read at this point.

Councilman Williams asked if expense would be borne by the immediate property owners. He said he opposed it, if the closing involves property owners on the hill.

P. Q. Burton, from Planning Department, said there were no protests; property owners would bear the expense. He stated that the City Engineer required property owners to deposit the expense involved in the closing - before proceeding.

Councilman Williams said that if it encompasses people a little further up, he opposes it.

City Attorney J. F. DuPaul told of the cost.

Councilman Williams asked if it would "round off".

Councilman Kerrigan said improvements would be under the 1911 Act.

Councilman Williams said that it is an unpaved street.

There was discussion between Councilmen Williams and Kerrigan.

Mr. DuPaul pointed out that if closed, the street would be less costly to improve.

Mr. Burton explained to Councilman Kerrigan from a plat. He said it is steep, as pointed out by the City Engineer. He said the Engineer will ask petitioners to bring in the cost of the closing, in cash, with expense to be paid from the deposit.

There was discussion by Councilman Kerrigan from the plat, regarding 1911 improvement.

Councilman Schneider said there would be no harm.

Councilman Williams said that property owners could protest, later.

There was discussion between Councilmen Kerrigan and Williams regarding cost of future improvements.

It was at this point that the resolution shown above was adopted.

Communication from American Society of Professional Estimators, 4256 Leimert Boulevard, Los Angeles 8, signed by W. T. Belcher, was presented. It lists men in various fields, and says "when you need their services just phone the one of your choice for further information".

On motion of Councilman Schneider, seconded by Councilman Burgener, the Mayor was requested to thank the organization.

Communication from Balboa Park Citizens Group, asking questions relative to leases with Boy Scouts of America, Girl Scout Council, on lands in Balboa Park, and requesting exclusion of certain areas - for trails and passageways - was presented.

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

Communication from James R. Irwin, YNC, USN, Flag Allowance, Com Phib Gru ONE c/o Fleet Post Office, San Francisco, dated 15 December 1955, was presented. It speaks of traffic accident, and of relatively slow ambulance service in San Diego. It says that as tragic as it is, it is comforting to know that his wife's death was not caused by a delayed ambulance. It concludes "I just can't bear the thought that some unfortunate person may lose his own life or may be deprived of what he holds dearest in life because of a system that is more concerned with automobiles than people".

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

Communication from Joint Interim Committee on Transportation Problems, the California Legislature, signed by Randolph Collier, Chairman, dated December 15, 1955, was presented. It has to do with hearings in San Diego January 30 and 31, 1956, and requests that councilmen and certain road or street officials attend hearings, was presented.

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

Copy of letter from La Jolla Town Council, addressed to the City Manager, favoring establishment of a Science School in the La Jolla area - dated December 15, 1955, by Millard W. Smith, president - was presented.

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

Communications from John C. Ray relative to operations at the amusement center "Belmont Park", Mission Beach, and listing improvements to be made prior to May 30 opening next year, were presented.

Both were read.

The City Manager told the Council that he has not analyzed the letters.

After the 1st letter was read, Sherwood Roberts, attorney, said that the item is of interest to David Paine, attorney.

Mayor Dail, who had been reading, continued.

Councilman Schneider said that it is not quite accurate.

Councilman Burgener moved to refer the letters to the City Manager and the City Attorney.

Councilman Burgener said that it was he who "made the illegal entry", referred to in 1 of the letters. He said it was in the ballroom, and that he telephoned and apologized for his action.

Communication from William F. Reed, attorney at law, 630 San Diego Trust & Savings Bldg., San Diego 1, dated December 19, 1955, requesting cancellation or vacation of easement over Pueblo Lot 1255, attaching "Notice of Revocation of Easement by Kesling Modern Structures, Inc.", was presented.

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

Communication from Rio San Diego Municipal Water District, dated December 14, 1955, signed by Carl C. Miller, secretary, was presented. It refers to first meeting of Board of Directors held December 8, 1955, and attaches copy of Resolution 7. It asks for the commencing of negotiations with City of San Diego re 36" pipeline running from El Monte Pumping Basin to Mission Gorge.

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

Communication from San Diego City-County Camp Commission, by Edwin E. Pumala, director of camping, dated December 16, 1955, was presented. It thanks the Council for favorable consideration of the Commission's request for additional funds to finance construction of Cuyamaca staff house in its entirety.

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

Copies of communications from David G. Fleet, chairman, subdivision committee, San Diego Realty Board, addressed to Frank M. Hope, Chairman, City Planning Commission; from David G. Fleet, addressed to Harry Haelsig, City Planning Director; from Harry C. Haelsig (then Assistant Planning Director), addressed to David G. Fleet, were presented. They have to do with new Ordinance 6756 pertaining to side and rear yard requirements.

Councilman Burgener spoke to Mr. Haelsig about the letters.

Mr. Haelsig said there was no sideyard, originally.

Councilman Burgener said he had a call about handling the item.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the communications copies were referred to Planning.

RESOLUTION 130400, ratifying, confirming and approving Cancellation and Surrender of Lease, copy filed as Document 526676, entered into between the Harbor Commission of the City of San Diego and the Public Works Department, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130401, authorizing and empowering Port Director to do all work in connection with construction of a Small Boat Launching Ramp on Shelter Island, by appropriate City forces in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130402, authorizing and empowering City Manager to do all work in connection with installation of a 12" connection to the Kearny Mesa Pipe Line for Clairemont Unit 7 and the necessary 24" main-line valve, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130403, approving request of Sequoia Landscape Company, by W. A. Lee, November 4, 1955; Change Order 2, for extension of 30 days to and including January 22, 1956, Document 526771, in which to complete contract for Kellogg Park Sprinkler System, contract Document 519464, and extending the completion time, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130404, approving request of Griffith Company, December 6, 1955, Change Order 1 for extension of 136 days, to and including May 31, 1956, filed as Document 526773, in which to complete contract for resurfacing of 3rd Avenue, University to Walnut, et al., Specification 114, contract Document 521777, extending the completion time, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130405, granting revocable permit to Marvin K. Brown, 1302 First Avenue, San Diego 1, to install and maintain underground electrical conduits:

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one 3" and one 1-1/2" for use and benefit of owner's property, under sidewalk at northeast property line: Lot G Block 197 Horton's Addition, at 1st and Ash, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130406, granting revocable permit to Dr. and Mrs. James H. Higgins, 826 Asphen Court, to install and maintain 55 feet of 3/4" G.I. Water line for use and benefit of owner's property under Ibis Street from owner's property: Lots 31 and 32 Block 405 Horton's, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130407, granting revocable permit to Dale A. Worm, 4011 Moffet Street, San Diego, to install and maintain 2 asphalt driveways for use and benefit of owner's property, over and across Mission Gorge Road in Lot 1 Block 46 Grantville outlots: 5845 Mission Gorge Road, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130408, approving claim of Mr. & Mrs. John G. Anderson, Document 525974, in amount of \$18.15; directing City Auditor & Comptroller to draw warrant in favor of Mr. and Mrs. Anderson, P.O. box 4302, No. Park Sta., San Diego 4, in amount of \$18.15 in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130409, authorizing City Attorney to settle claim of Lewis C. Freed of San Diego, in sum of \$230.00, Document 506308, for the sum of \$100.00; directing City Auditor & Comptroller to draw warrant in favor of Lewis C. Freed, 3579 Madison St, San Diego, in amount of \$100.00 in full settlement of the claim, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130410, denying claim of Glenn A. Wilcken, Document 521970, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130411, authorizing Paul Beermann, Director of Water Department, to travel to Sacramento to attend a meeting of the Pollution Control Board and to San Francisco, Oakland and Fresno to discuss Feather River projects, during period January 3 through January 6, 1956; authorizing incurring of necessary expenses therefor, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130412, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of the City, a quitclaim deed quitclaiming to County of San Diego all its right, title and interest to an easement and right of way for public highway across portions of Block 29 and Block 30 Fletcher Hills Unit 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130413, accepting quitclaim deed, November 2, 1955, executed by Soledad Realty and Development Company, a corporation, 2223 El Cajon Boulevard, 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 "San Rafael Unit No. 3"; authorizing and directing

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City Clerk to file deed together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130414, accepting deed of Cathleen A. Failing, beneficiary, and Land Title Insurance Company, a corporation, trustee, November 28, 1955, subordinating all 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130415, accepting subordination agreement executed by Robert J. Failing, beneficiary, and Land Title Insurance Company, a corporation, trustee, November 29, 1955, subordinating all 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130416, accepting subordination agreement executed by First Federal Savings and Loan Association of San Diego, a corporation, beneficiary, and Fidelity and Guaranty Company, a corporation, trustee, December 2, 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 Lots 8 and 9 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130417, accepting deed of P. M. Phinney, December 12, 1955, conveying portions of Lots 37 and 38 Block 420 Duncan's 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130418, accepting deed of Orillia S. Steele and Earl B. Steele and Adelina Rocha Steele, November 25, 1955, conveying Lots 1 to 5 inclusive Block 11 American Park Addition; naming Parcel 1 Morena Boulevard; 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 130419, accepting deed of Albert Steinbaum and Morris Steinbaum, November 9, 1955, conveying easement for right of way for public sewer and appurtenances, in portion Lots 21 and 22 New Riverside; 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 130420, accepting deed of Olen L. Burger and Lois Burgener, and

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Frank L. Van Wormer and Anna L. Van Wormer, December 5, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portion Lot 10 Block 21 Fairmount 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 Burgener, adopted.

RESOLUTION 130421, accepting deed of Fred Lewin and Catherine Lewin, November 29, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portion Lots 8 and 9 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130422, accepting deed of United States of America, November 10, 1955, conveying easement and right of way for water main, together with all incidents and appurtenances in portion Lot 31 Block 78 Linda Vista Unit 3; 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 Burgener, adopted.

In connection with the next item, Councilman Kerrigan asked about a cancellation.

The City Manager said that lease is from year to year - for 11 years.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance authorizing leasing of Pueblo Lots 1326 and 1330 to The United States of America, acting by and through Secretary of Agriculture, was introduced.

Rental is \$50.00 per year, for horticultural field station, property has value of \$65,000.00 as disclosed by report of last appraisal, leased for reason that the City will derive revenue not otherwise obtainable. (This is the U.S. Agricultural experimental station in the Torrey Pines area, leased from the City by the government for a great many years).

The City Manager requested, and was granted unanimous consent to present the next item, not listed on the agenda. He said that it had been explained, and discussed in Conference.

RESOLUTION 130423, authorizing and directing City Manager through Property Department, to purchase from United States Government Lots 7 and 8 Block 72 Linda Vista Unit #5 at price not to exceed \$3000.00 per lot, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Then, the City Manager said that the City has the rights; the boys (it is for a boys' club) are willing to pay. He said the offer is limited.

In connection with the next item, the City Manager said that ordinance had been explained and discussed in Conference.

On motion of Councilman Curran, seconded by Councilman Burgener, Ordinance amending Chapter IV of San Diego Municipal Code by amending Sections 41.06, 41.07.1, 41.07.2, 41.07.3 and 41.11 and by adding thereto Section 41.07.4, Regulating Health Permit Fees and Penalties, was presented.

(The Ordinance is to conform to that adopted by the County, in connection with the City-County Health Department).

Councilman Williams requested, and was granted unanimous consent to present the next item not listed on the agenda. He asked that the Council instruct the City Manager

to acquire a plaque in connection with Mayor Dail's 12 years with the City.

RESOLUTION 130424, requesting the City Manager to have prepared a resolution and plaque commending Mayor Dail on his 12 years of service, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution presented by the City Planning Commission on the next item -- on which hearing had been closed -- approving tentative map for resubdivision of Lot 6 Block C Romero Heights resulted in the "re-opening of the hearing".

The Resolution contains conditions for tentative map for the resubdivision as directed by the Council.

Sherwood Roberts spoke of having map introduced at the last hearing. He said there are 2 duplicates; it is up to date. He spoke of opposition to the lot split with 2 neutral -- or did not object. He said it was not put on the map unless there was objections. Letters from the Clerk's file show there are 40 lots opposed, with 18 for the lot splitting. He said all people touching the lot are neutral, or oppose. It was stated that lot was sold to new owner; Drusky is with petitioners; Lee Park has an architect's letter. It was stated that in addition, to the people, La Jolla Town Council is against it. Country Club Heights people oppose. He said it would establish a precedent if split. He agreed that after split 1 or 2 would be smaller. He said the "character is for larger lots". Mr. Roberts said that Planning Came to the right conclusion.

David Paine started to speak, but was interrupted by a quotation, as result of a question to the Clerk.

Mr. Paine said there are lots of pictures in the file (they were withdrawn after the hearing by Sherwood Roberts (as attorney for petitioner) who receipted from them. He said it is true that the lot can be built upon, but is not ideally suited. He stated that vacant lot created by split would be on the north. He said it would not be to the advantage of the neighborhood. He told the Council (again) that the average lot is 12,000 square feet, within a 300-foot circle. Mr. Paine said that Union Title came up with 15,000 sq. ft. figure. He agreed that on Remly St. there are some smaller lots, but there is no access to Romero off to the side. He said they don't conform. He spoke of neighbors being not happy with splits made some years ago, and of their not wanting more. He said that the door should not be opened for a present to split. He said that the present character should be maintained. Mr. Paine said that Mr. Parker to the north drew up a fine statement, and submitted it to the Council. He said it summarizes feeling of people in the neighborhood. He said that Mr. Parker has engaged Fred Mitchell who has stated that to split would devalue.

Frederick S. Parker, the adjoining property owner, told the Council that he asked Mr. Mitchell to come up and make an appraisal. He read to the Council the Mitchell letter, and said he appreciates the opportunity to be present and be heard again. Mr. Parker told of having bought while he was on an extended trip to New York City. He stated that "all are of the same opinion". He said that when he came here from the East he looked for a place to live. He stated that "across is a physical depression". Mr. Parker stated that a banker had advised him that it was a good place to buy. He told the Council that Mr. Hunt "bought the lot with his eyes wide open". He charged that it was premeditated (the splitting) by shoving over the house to one site of the property. Mr. Parker said the 2 properties would be approximately 8,500 and 9,000 sq. ft.; only 100 x 110 -- 50 ft in the back. He stated that the only thing would be a stone wall, cutting out light and air. He appealed to the Council to turn down the subdivision map so as to deny the division of the property. Mr. Parker declared that too many people would suffer because of the detriment which would result.

Councilman Schneider asked Harry Haelsig, Planning Director, if the property is in R-1 Zone (he answered that it is). Then, he spoke to Mr. Parker and said that it should be R-1C -- or something. He said that because of the present zoning the property owners "will be up against something again."

Mr. Parker said it is his intent to protest.

Councilman Burgener spoke about there being some smaller parcels across the street. He said the owners should apply for and received R-1C Zoning.

Councilman Kerrigan spoke to Councilman Burgener regarding size on the split.

Mr. Parker said 9,000 sq. ft. -- there are only 18,000 sq. ft. He referred to Union Title's statement of 17,000 to 18,000 sq. ft. (apparently in the entire area).

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Councilman Burgener spoke to there being 19,875 feet on the map.

Mr. Paine told of not having asked for additional time. He said Mrs. Hunt has, and prizes friendship of neighbors. He said she started circulation of petition for signatures, but discovered there might be strained relations; that's why the other side has more signatures. He spoke of having had calls regarding untrue situation. He said that precedent had been established across the street - and pointed it out. He said that the Council has photos. He quoted from Planning Commission. He said there are a handfull of lots with 30,000 sq. ft. of area, on hillsides and canyons - not usable. He said the Remley Place sites are in the area, and across the street. Mr. Paine stated that lots were split, and there is a precedent. He said the question is if this lot proper to be split, and its best use. He stated that it is a vacant lot now, and the southerly 1/2 will remain vacant and unimproved (if subdivision is not granted, to permit the splitting). He declared that they should not be thwarted; they don't want to hurt anyone. He stated that the Hunts have a \$35,000 house, and want a similar one on the other 1/2. He said they should be permitted to have the best use of the property.

On motion of Councilman Schneider, seconded by Councilman Burgener, hearing was closed (again).

Councilman Burgener spoke of being in a jam again. He spoke to Mrs. Hunt about denial by the Planning Commission, and said it was indicated that "it didn't look too bad". He said there was no indication that there would be 95% of the people within 300 feet opposed. Then, he spoke to Mr. Paine.

Mayor Dail said that discussion should be among members of the Council - for information.

Councilman Burgener said that he was trying to point out how it looked at the Parker house, and that he thought it "would not be too detrimental". He said he has looked again, and "has changed his mind".

Councilman Schneider moved to grant the appeal; and uphold action of the Planning Commission, in denying the subdivision map.

There was then discussion among various members of the Council over the report. By request, the report was read.

Mr. Haelsig said that at the Council's request, Resolution had been prepared approving the Tentative map, and setting out conditions. He said that if the Council wants the split made, it should adopt the new resolution.

Councilman Williams moved to adopt the Resolution to deny the split. Motion was seconded by Councilman Schneider.

Councilman Williams said that unless one sees the land, it is difficult to get the picture. He said the split should not be allowed.

Councilman Williams read the "little resolution of denial."

Councilman Schneider moved to file the Resolution which the Council had ordered prepared (permitting spitting of the lot, as a subdivision).

Councilman Kerrigan said "the ordinance says that people have the right to use of their property, if it complies with the law". He stated that "this meets all the qualifications".

City Attorney J. F. DuPaul said that requirements are being discussed, and that Council Kerrigan talks about minimum sizes of lots - before subdivision. He said that the Council has adopted ordinances regarding use of land, by subdivision, and that map has to be filed. He said that heretofore splitting had been accomplished by zone variance. He said that this is in effect a zone variance, by subdivision map. He told the Council that the property owner is not entitled, by right to split; it would be a matter of grace.

Councilman Kerrigan spoke to Mr. DuPaul about a 30-lot subdivision, in relation to lot sizes.

Mr. DuPaul replied to the Council that Planning and Council could deny.

Mayor Dail then read the Resolution.

On motion of Councilman Schneider, seconded by Councilman Williams, the "long Resolution" - to permit the subdivision was filed, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-Councilman Kerrigan. Absent-None.

Next, the Mayor read the resolution to deny.

RESOLUTION 130425, denying Tentative Map of Romero Heights, division of Lot 6 Block C La Jolla Country Club Heights, in that lot sizes do not conform to adjacent divisions within the area, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the Mayor declared the Council adjourned at 3:15 P.M. He announced Council would go into conference

ATTEST:

FRED W. SICK, City Clerk

By August W. Hadatum Deputy Mayor of the City of San Diego, California

Hearing

130425

Meeting adjourned

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 27, 1955

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

Mayor Dail presented the Reverend Sidney J. Lawson, pastor of St. Mark's Methodist Church, who gave the invocation.

Resolutions and Ordinances for this meeting are recorded on Microfilm Roll 106.

Minutes of the Meetings of Tuesday, December 20, 1955, and of Thursday, December 22, 1955, were approved without reading - after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution of Intention 129454 for paving and otherwise improving Noyes Street, Missouri Street, portions of Beryl, Law, Academy and Diamond Streets -

RESOLUTION 130426, continuing the hearing until 10:00 o'clock A.M., Tuesday, January 3, 1956, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129854, for paving and otherwise improving Alley Block 334 Choate's Addition, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129855, for paving and otherwise improving Newton Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129856, for sewers in Woodman Street, Imperial Avenue, Boston

Meeting Convened
Invocation
Minutes approved & signed
Hearings
130426

12/27/55

Avenue, and other streets, written protest of Marcia G. Cook et al, was presented.

The City Engineer pointed out to the Council that the protestants (because of not being served) are outside of the district. He said he had tried to comply with their request to include their property, but it would have been necessary to put the sewer down 35 feet, which would have become prohibitive.

Mrs. Marcia Cook asked that if her property is outside the district, the area was posted.

The City Engineer showed a map, over which a conference was held. He said that Mrs. Cook - and other ladies who came to the microphone with her - are outside of the district, and are not assessed. He told the Council that he has the sewer "down as deep as he cares put it". He said that their property can't be reached at the present time. Others joined in looking at the map. Again, the City Engineer said that they can't be reached, and they are not assessed. He stated that in order to reach their property, the sewer would have to be put down 35 feet. He said that they will have to wait till the sewers "come the other way". He pointed out that there is a lot of property unserved, although it is good property. Captain Fogg, the Engineer, said that if it were tunneled, it would be prohibitively expensive. He stated that sooner or later the sewer will come from the south.

Mayor Dail stated, also, that they were outside the district, and not assessed.

City Attorney J. F. DuPaul said that "protest" ought to be overruled to clear the record - and although not in the assessment district.

RESOLUTION 130427, overruling and denying protest of Property Owners, Document 526097 against installation of sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchie Street, Pagel Place, Skyline Drive, et al., Resolution of Intention 129856; overruling and denying all other protests, was on motion of Councilman Schneider, 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, time set for hearing on Resolution of Preliminary Determination 129864 for paving and otherwise improving Alley Block 50 Park Villas, 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 130428, determining that improvement of Alley Block 50 Park Villas, Resolution 129864 of Preliminary Determination, is reasible, and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129865 of Preliminary Determination, for grading and sidewalking Hughes Street, for its entire length in Redwood Village Unit 8, and portions of Boren, Gayle, Nelson, Kerch and Rock Streets, the Clerk reported written protest from George E. Hudgins, Jr., 3804 Boren Street.

The Mayor inquired if anyone was present to be heard.

Charles Gray said "there is no reason to pave Gayle." He stated that property owners have to put in retaining walls - if the sidewalk goes in. He said "if you curb anything, curb the speed to protect the school children". Mr. Gray said he understands that petition was "by an employee, or contractor". He stated that people in Redwood Village have put in extra rooms in their garages. He said that as a result, driveways are blocked. Mr. Gray said that 9/10 of the children would not use the sidewalks.

The City Engineer told of there being a petition of 62%, which he showed.

Mayor Dail said that Mrs. Hall (according to the Clerk's file, names shown on petitions as circulator, are Mrs. Marjorie Wilson and Mrs. S. M. Hall, and George E. Hudsins) circulated the petition and that her property is in the assessment district. He

said that the Council is not familiar with the origin of the petition. The Mayor said that it is a 62% petition, and that it would be difficult to fool 62% of the property owners.

Councilman Burgener said that work will be done under competitive bids.

Councilman Schneider said that the City is bound by law to O.K. the petition. He said the Council is complying with State law.

Mr. Gray said that the "people to the south and across the street, don't want it". He added that persons down the hill don't want it.

Mayor Dail said that the City has a 62% petition.

Councilman Kerrigan said that hearing today is on the "6-vote resolution" regarding the debt limitation proceeding. He said that people can protest at the next hearing (which would be on the Resolution of Intention).

Councilman Schneider spoke to the City Attorney regarding withdrawing the petition.

George E. Hudgins, Jr. said that he is here to reverse the statements made by Mr. Gray. He spoke of having had 60% signed up. He said he is for his "part that was left out".

Councilman Schneider said to Mr. Hudgins that if property owners don't petition for the work they can be left out.

City Attorney A. K. Fogg told of having had so many objections, that their property was left out.

Councilman Schneider showed plat of work to be done to Mr. Hudgins.

Mr. Hudgins asked "how come it is not for the whole work?"

The City Engineer replied that because there were so many protests, some was left out.

Mr. Hudgins stated that Councilman Schneider had said it was the law. He asked "how come?"

The City Engineer said that others can petition their property in, if they want. He said he is willing to give sidewalks where they are wanted. He said that the improvement plan can be changed if wanted; he left in only 1 who wants the sidewalk.

Mayor Dail spoke to Mr. Hudgins about the procedure, by the Engineer, and to the Engineer about desires.

Willard Olson, from the City Engineer's office said that one had withdrawn (apparently from petition requesting the work).

The City Engineer spoke about this being the 1st time.

Mr. Hudgins said that he has been to the Engineer's office 4 or 5 times, over a year. He said there are 56 kids on the street; over 75% are under 7 or 8 years of age. He said that there is a road racer who comes down the street; the neighbors have told him to slow down.

Councilman Curran spoke to the Engineer about the deletions.

The City Engineer said that is done quite often, on sidewalk jobs, where property owners don't want them. He said he would not have thrown out the job; there is a small protest.

Councilman Kerrigan spoke to the City Engineer regarding property owners' desires.

Councilman Kerrigan spoke to Mr. Hudgins regarding his experience on sidewalks.

Mr. Hudgins asked that all be put back in the set-up.

The Mayor said if that were done, all might be protested out. He said that is not up for debate.

Mr. Hudgins said that the petition is in.

Frank Simino protested, saying that it is a banjo, dead-end. He told the Council that there is no place to go. He said there is a setback of 5 feet, and that people would walk by his windows. He said that if there was a place to go, he would say "O.K.". He identified his lot as 939.

Councilman Schneider spoke to the City Engineer about the 5-foot setback. He had a conference over a map with the Engineer regarding distance between curb and property line.

The City Engineer said that distance between curb and property line is 13 feet. He identified it, in detail, on a map.

Councilman Kerrigan read the petition

Mr. Simino said that he does not want it.

Councilman Kerrigan said that his name is on the petition.

Mr. Jaeger, 3857 Gayle Street, said that property was not designed for side-

walks. He stated that "no child has been injured in 3 years". He said that with bicycles there will be more children injured than without. Mr. Jaeger said that children would be endangered because of parking on sidewalks; also. He said there should be sidewalk "on the school side". He said he was protesting "now".

Councilman Kerrigan said the situation is still the same; this hearing is on a "6-vote Resolution of Feasibility". (Actually the hearing is on Resolution of Preliminary Determination, which might lead to the Resolution of Reasibility). He said that the Council can direct the City Engineer to include sidewalk, if property owners desire it.

Councilman Burgener asked if property owners could be polled by card.

Councilman Kerrigan spoke to Mr. Hudgins regarding including sidewalks in the entire district - with the possibility of all being protested out.

Mr. Hudson replied that some might be for it, even if they did not sign the petition.

Councilman Schneider spoke to Mr. Hudgins about not wanting this.

Mr. Hudgins said that he did not go back for 100%; that would not be fair.

City Attorney J. F. DuPaul recommended that the Council abandon the proceedings, and instruct the City Engineer to do the work as petitioned.

Councilman Williams moved to abandon the project, and instruct the City Engineer to draw plan as in the original petition. Motion was seconded by Councilman Kerrigan.

Mayor Dail said it "will be on a straight protest basis"; all will have the opportunity to protest.

Councilman Kerrigan said that petition is for sidewalk in the entire area. He added that proceedings can be abandoned again.

RESOLUTION 130429, sustaining protest of George E. Hudgins, Jr., Document 527035, against proposed sidewalks in Hughes Street, Boren Street, Gayle Street, Nelson Street, Kerch Street and Rock Street, Resolution of Preliminary Determination 129865; abandoning proceedings taken under Resolution of Preliminary Determination, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Councilman Scheider spoke to the City Engineer about segregating Boren and Gayle Streets.

Willard Olson, of the City Engineer's office, said that there is sufficient petition on Boren.

The City Attorney said reconsideration would be needed, and the Council instruct the City Engineer to follow the petition as filed.

Councilman Schneider made a motion in line with his comment to the City Engineer, but he withdrew it. The Mayor said he need not, since there was no second.

RESOLUTION 130430, directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of installation of sidewalks on Boren Street, Gayle Street, Hughes Street, Demus Street, Kerch Street and Nelson Street - in accordance with original petitions - was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 129866 for paving and otherwise improving Rosefield Drive and portion of 67th Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130431, determining that improvement of Rosefield Drive and 67th Street, Resolution 129866 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed improvement; finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 129937 for paving and otherwise improving Alleys Blocks 13, 14, 16 Ocean Beach, and in Blocks 97 and 98 Point Loma Heights, the Clerk reported no protests.

no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130432, determining that improvement of Alleys Blocks 13, 14, 16 Ocean Beach and Alleys Blocks 97 and 98 Point Loma Heights, and Guizot Street, Resolution 129937 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 Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on paving and otherwise improving Alley Block 13 La Jolla Park and right of way in Ravina Street closed and in Alley Closed in Block 13 La Jolla Park, Resolution of Preliminary Determination 129938, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130433, determining that improvement of Alley Block 13 La Jolla, Park, Public Right of Way in Ravina Street Closed and in Alley Closed in Block 13 La Jolla Park, Resolution of Intention 129938 of Preliminary Determination, is feasible and that lands to be assessed will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 129939 of Preliminary Determination for sidewalk in Nipoma Street and Amaryllis Drive, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130434, determining that improvement of Nipoma Street and Amaryllis Drive, Resolution 129939 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 Schneider, adopted.

Petition for naming North-South Freeway through San Diego in honor of Junipero Serra, was presented.

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

Report of Purchasing Agent, approved by City Manager, on low bid of Schafer & Stowers for Cast Iron Water Main Replacements, Group 101 - \$44,535.80; 2 bids, was presented.

RESOLUTION 130435, accepting bid of Schafer & Stowers for Cast Iron Water Main Replacements, Group 101; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code in connection with Tentative Map of Allied Gardens Unit 9, a 605-lot subdivision of portion of Lots 64, 65 and 66 Rancho Mission, was presented.

Councilman Kerrigan asked if it was a new subdivision.

Mr. Van Cleave said that the property is now in the unincorporated area of the County. He said there is the possibility of 1 church site adjoining Unit 7, and that there may be rezoning later.

Councilman Burgener asked "if they want a church, should it not be included?" He asked, too, that if they are sure, why not mark it? He said the property adjoining is R-1, and that it would want a zone hearing.

Councilman Kerrigan said that the zoning is a different problem.

RESOLUTION 130436, suspending 102.09-1 & 2, 102.11-2, 102.07-5, 102.12-6, 102.12-8, 102.17-c of the Municipal Code in connection with tentative map of Allied Gardens Unit 9, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of Allied Gardens Unit 9, a 605-lot subdivision of portion of Lots 64, 65, 66 Rancho Mission, located between Mission Gorge Road and Allied Gardens Units 3, 7 and 8 - most of the area within unincorporated County of San Diego, and will have to be annexed to the City before final map can be filed - subject to 14 conditions, was presented.

RESOLUTION 130437, approving Tentative Map of Allied Gardens Unit 9, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

(Discussion on this was held during the preceding action).

Communication from Planning Commission recommending suspension of portion Municipal Code in connection with tentative map of La Jolla Country Club Heights, a resubdivision of Lots 7 and 8 Block G, was presented.

RESOLUTION 130438, suspending Section 102.17-c of the Municipal Code in connection with Tentative Map of La Jolla Country Club Heights, a resubdivision of Lots 7 and 8 Block G; also approving the Tentative Map (in the same resolution) subject to 5 conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Encanto Heights Unit 2 Block 17, portion of Lot 14, was presented.

RESOLUTION 130439, suspending Section 102.02.1 of Municipal Code in connection with tentative map for portion Lot 14 Block 17 Encanto Heights - as amendment to Resolution 128904 adopted October 4, 1955 - was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

(This has been designated - although resolution does not say so - Kaiser Sub.)

Communication the Planning Director, approved by City Manager, directed to the City Manager, reporting on communication from Wm. F. Reed, attorney for Muirlands Crest, Inc., was presented. It encloses form of resolution amending former resolution of approval, and incorporates recommendation in connection with condemnation of center portion of Nautilus Street and La Jolla Scenic Drive at developer's expense, etc. The communication says that if the Council desires to comply with Mr. Reed's request, it is suggested that right of way for entire width of La Jolla Scenic Drive and southwesterly 75 feet of Cardeno and Nautilus Streets be acquired at subdivider's expense in that the City would not later have the opportunity to acquire the right of way by subdivision. It says that will leave the problem of paving full width of La Jolla Scenic Drive and Nautilus Street, adjacent to the isolated portions of Mrs. Golee's property.

RESOLUTION 130440, amending Item 1 of Resolution 126903 which approved tentative map of Muirlands Crest Unit 3: "Item 1. That right of way and access rights on the southerly side of Nautilus Street shall be provided and Nautilus Street easterly from the boundary of the tract to a connection with La Jolla Scenic Drive shall be dedicated 75 feet in width and that La Jolla Scenic Drive from the easterly boundary of the tract to connect with proposed Nautilus Street shall be dedicated 75 feet in width as shown on attached drawing", was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending denial of request for redivision of Lot 20 Block 15 Sunset Cliffs into 2 lots, located at ~~corner of~~ northwesterly corner of Alhambra and Novarra Streets, in that it would not conform with lots in the area, was presented.

RESOLUTION 130441, denying petition for redivision of Lot 20 Block 15 Sunset Cliffs, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Frank L. Hope, chairman, was presented. It tells of the growing fringe of development beyond the City's boundaries, expanded fringe in a haphazard manner with harmfully mixed land uses and inadequate public facilities. It tells of consideration for various annexations which is names, combining to make many square miles. It speaks of various community development plans, as well as master plans for Kearny Mesa north and east of Clairemont. The communication tells of separation of advance planning and subdivisions from activities relating to day-to-day administration and endorcement of planning regulations. It states that the sections will require 4 professionally trained technical men experienced in the broader phases of master planning and subdivisions, to bring newly acquired areas up to standards of the City and to do future advance planning that is necessary in a rapidly developing city. The communication says that on November 16, 1955, the Commission approved request for 3 additional personnel and a position reclassification (and details them), as well as expenditure of necessary funds to pay salaries and provide office furniture for remainder of the fiscal year.

The communication says that the Commission wishes to meet with the City Council in conference as soon as convenient to explain the immediate need.

RESOLUTION 130442, referring to Council Conference communication from City Planning Commission, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

Before adoption of the Resolution, Councilman Curran asked if the item should go to conference.

The City Manager said there is a conference on another matter - a planning proposal.

It was here that the resolution was passed.

Application from Robert L. Doana for Cabaret License at 1111 Broadway, was presented, together with recommendations from interested City departments for granting.

RESOLUTION 130443, granting petition of Robert L. Doane to conduct cabaret with paid entertainment at 1111 Broadway, where liquor is sold but no dancing conducted, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from County Board of Supervisors referring to the Council a petition signed by M. Gleason and 53 other persons, requesting naming the North-South Freeway in San Diego in honor of Junipero Serra, OFM, was presented.

On motion of Councilman Burgener, seconded by Councilman Evenson, it was referred to Planning.

Communication from San Diego County Planning Commission requesting formal reply to a series of questions relative to proposed preparation of a County-wide Master Plan of Small-Craft Harbors, etc., was presented.

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

Before the action was taken, the City Manager said he had not read the communication.

Councilman Kerrigan said it should go to the City Manager and to City Planning. The letter was then read to the Council by the Clerk.

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The City Attorney said it should be referred to the City Manager.
It was here that the Council referred the item.

Communication from California Aeronautics Commission, Sacramento, California, dated December 20, 1955, signed by Clyde P. Barnett, Director of Aeronautics, was presented. It says that the Commission looks with pride to San Diego and extends its best wishes for success in proposing an International Airport Plan for a joint facility with Tijuana, Mexico.

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

Before its reference, the letter was read to the Council.

Communication from Imperial Beach Fire Protection District, Imperial Beach, California, dated December 19, 1955, relative to dividing assets of the District after South Bay annexation (on which election has not been called), was presented.

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

Communication from San Diego Chamber of Commerce, San Diego 12, dated December 19, 1955, signed by John F. Borchers, General Manager, was presented. It says that the Board of Directors on December 14 passed a resolution urging integration of City and County park acquisition and development. It quotes resolution passed, and says that it is the belief of the Chamber of Commerce that factual data and professional planning, if given joint consideration, will result in great good for the City and County alike.

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

Communication from San Diego Chamber of Commerce, San Diego 12, dated December 19, 1955, signed by Robert M. Golden, president, was presented. It stresses importance of utilizing private capital to develop areas within Mission Bay Park, and makes suggestions for development by bids, establishing of a firm priority rating, financing, exploration of the Woolacot Report, etc.

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

Communication from Western Mutual Corporation, 390 E. Street, Chula Vista, California, dated December 19, 1955, by Palmer Conner, president, referring to suggested changing of name of Deauville Street to Dittman Street - later abandoned, was presented. It tells of the company owning most of the property on the street and having not been consulted on the suggested change. It requests that a new resolution be passed to change the name from Deauville to Rancho Hills Drive - which would be an extension of main entrance to a very large subdivision now being planned, known as Rancho Hills.

On motion of Councilman Burgener, seconded by Councilman Williams, it was referred to Planning.

RESOLUTION OF AWARD 130444, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for paving and otherwise improving Alley Block 1 Walker's Addition, and Public Right of Way, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 130445, accepting bid of V. R. Dennis Construction Co.,

a corporation, and awarding contract, for paving and otherwise improving Gregory Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 130446, accepting bid of Daley Corporation, a corporation, and awarding contract, for paving and otherwise improving Orange Avenue, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 130447, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 130448, for current in Crown Point Lighting District 1, for 1 year from and including February 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 130449, for current in Garnet Street Lighting District 1, for 1 year from and including February 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 130450, for current in Presidio Hills Lighting District 1, for 1 year from and including February 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 130451, for current in Sunset Cliffs Lighting District 1, for 1 year from and including January 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING IMPROVEMENT 130452, for current in La Jolla Lighting District 1, for 1 year from and including January 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130453, directing notice inviting sealed proposals for electric current in Seventh Avenue Lighting District 1, for 1 year from and including January 1, 1956, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130454, directing notice inviting sealed proposals for electric current in Eighth Avenue Lighting District 1, for 1 year from and including January 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 130455, for installation of sewers in Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, public rights of way, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 130456, for sidewalk on Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, Susan Place, Lyle Drive, Maring Place, Silk Place and 54th Street, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 130457, 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 130458, for installation of ornamental street lighting system on 3rd, 4th, 5th, 6th Avenues, A, B and C Streets, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130459, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition; approving Plat 2808 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 130460, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Roanoke Street, Rachel Avenue, Hopkins Street, et al; approving Plat 2794 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 OF INTENTION 130461, for paving Alleys Blocks 29 & 30 Ocean Beach, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 130462, for installation of sewer main, etc. 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 130463, for paving and otherwise improving Birch Street, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION 130464, for closing Alley Block 45 Paradise Hills Unit 3, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130465, for furnishing electric current in College View Estates Lighting District 1, for 1 year from and including May 1, 1956, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130466, for paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130467, for paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, Morningside Street, Reo Drive; Alley Block 44 Paradise Hills Unit 3; public rights of way in Lots 9 to 11 inclusive, Block 44, and Lots 22 and 23 Block 52 Paradise Hills Unit 3, and Lot 36 Block 39 Paradise Hills Unit 2, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130468, appointing time and place for hearing protests, and directing notice of hearing, electric current in University Avenue Lighting District 2, for 1 year from and including March 1, 1956, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130469, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 6 Chester Park Addition, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130470, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 36 Fortuna Park Addition, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130471, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 9 Wilshire Place, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130472, for installation of sewers in Inspiration Drive, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130473, for grading and otherwise improving Thorn Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130474, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleys Blocks 222, 223, 224, 225, 229, 228, 227, 226, 230, 231, 232, 233, 235 and 236 Mission Beach, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130475, 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 12 and Block 15 Block D Sterlingworth; Alley Block C Sterlingworth; Alley Block B Teralta; Alley Block 37 Resubdivision of Blocks H and I Teralta, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130476, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Northerly and Southerly Alley Block 262 Pacific Beach; Easterly and Westerly Alley Block 262 Pacific Beach, Resolu-

tion of Intention 124571, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130477, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 13 Swan's Addition, Resolution of Intention 122086, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130478, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Boundary Street, Resolution of Intention 126987, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130479, directing City Engineer to furnish diagram of property affected and benefited by work and improving on paving and otherwise improving Alley Block 34 Ocean Beach, Resolution of Intention 126465 and to be assessed to pay expenses, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130480, directing City Engineer to furnish diagram of property affected and benefited by work and improving on paving and otherwise improving Thomas Avenue, Resolution of Intention 128157 and to be assessed to pay expenses, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130481, granting petition, Document 526209, for installation of sewers to serve portion Block 4 G. H. Crippens Addition and Blocks 73 and 80 Wetmore and Sanborn's Addition; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of installation of sewers to serve the portion of Block 4 G. H. Crippens Addition and Blocks 73 and 80 Wetmore and Sanborn's Addition, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130482, prohibiting parking of automobiles between 6:00 a.m. and 9:00 a.m., Sundays excepted:

North side of B Street, between 19th and 20th Streets;
prohibiting commercial vehicles over 2 tons gross weight at all times:

B Street between 20th and 21st Streets;
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130483, authorizing Director of Water to sell and deliver to J. B. Stringfellow Co. 3,000 hundred cubic feet of water under conditions set out in the Resolution, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution said that the Council has been advised of agreement to supply rock for construction of 10th Street Pier from quarry located in Mission Gorge, and that it will be necessary to secure water from the City from El Capitan pipeline and that it will be in the interest of the City to supply the water to the company.

RESOLUTION 130484, directing Property Supervisor to file petition with

Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lots 6, 7, 8, 9 Block 3 Asher's Clover Leaf Terrace, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130485, granting Donald E. Beck, owner (Doyle Baird Plumbing Co., plumbing contractor) permission to install 1-1/2" copper waste lines in lieu of 1-1/2" cast iron waste lines in construction 1510 Monmouth Drive: copper to be of Type "M", was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130486, granting revocable permit to Stanley P. Compton, 3247 Geddes Drive, San Diego 17, to install and maintain a 1" G.I. water line for use and benefit of owner's property under Soledad Road, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 130487, granting revocable permit to William E. Glasson, 1262 Savoy Street, to install and maintain 2 1" water lines, 235 feet in length (each) for use and benefit of owner's property under Falcon Street, from owner's property: Lots 12 and 13 Block 2 Osborn Hill, was on motion of Councilman Evenson, seconded by Williams, adopted.

RESOLUTION 130488, granting Doyle Baird Plumbing Co., plumbing contractor for W. F. Troop, owner, to install 1-1/2" copper waste lines in lieu of 1-1/2" cast iron waste lines in construction at 828 Ormond Court, San Diego - to be Type "M", was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 130489, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, a contract with San Diego Gas and Electric Company for furnishing street lighting electric current, etc., for Class "A" and Class "B" lamps for street lighting purposes for 1 year beginning July 1, 1955, re contract document 527203 - copy - was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6789 (New Series), establishing grade of Alley Block 9 Bird Rock City by the Sea, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Burgener, seconded by Councilman Evenson, read-

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

ORDINANCE 6790 (New Series) establishing grade of Alley Block 260 University Heights, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6791 (New Series), establishing grade of Broadway, between northwesterly line of Madera Street and westerly line of 69th Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6792 (New Series), establishing grade of Euclid Avenue between westerly prolongation of north line of Manzanares Way and line parallel to and distant 208.00 feet southerly therefrom, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6793 (New Series), establishing grade of Eureka Street, between northerly line of Gaines Street and southerly line of Lauretta Street, and between southerly line of Mildred Street and southerly line of Ruby Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6794 (New Series), establishing grade of Evelyn Street, between northerly line of Broadway and southeasterly prolongation of line parallel to and distant 119.80 feet northeasterly from southwesterly line of Lot 13 Block 8 Sunny Slope Addition to Encanto Heights, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6795 (New Series), establishing grade of Fresno Street, between northerly line of Gaines Street and southerly line of Riley Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6796 (New Series), establishing grade of Goshen Street, between northerly line of Riley Street and southeasterly line of Linda Vista Road, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6797 (New Series), establishing grade of Lauretta Street, between westerly line of Hueneme Street and line drawn southerly from and at right angles to northerly line of Lauretta Street from intersection of northerly line of Lauretta Street and easterly line of Brunner Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6798 (New Series), establishing grade of Mildred Street, between northerly prolongation of westerly line of Hueneme Street and easterly line of Eureka Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

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ORDINANCE 6799 (New Series), establishing grade of Riley Street, between easterly line of Goshen Street and easterly line of Colusa Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Evenson, the next ordinance 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 a written or printed copy.

ORDINANCE 6800 (New Series), establishing grade of Ruby Street, between westerly line of Goshen Street and line drawn northerly from intersection of southerly line of Ruby Street with westerly line of Eureka Street to intersection of northerly line of Ruby Street with southeasterly line of Linda Vista Road, was on motion of Councilman Burgener, seconded by Councilman Evenson, 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 to present the next item, not listed on the agenda:

RESOLUTION 130490, authorizing City Manager to issue building permit to Coast Packing Material Co. on Lot 3 Unit 2, Mesa Industrial Tract, on condition that final map will be filed prior to use and occupancy of the building, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 130491, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Paul V. Borgerding and Lucyle E. Borgerding, Alvin A. Stadtmiller and Harriett Grace Stadtmiller, for installation and completion of unfinished improvements and setting of monuments required for Mission Valley Inn 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 130492, adopting Map of Mission Valley Inn Subdivision, being portion of Pueblo Lot 1119; accepting on behalf of the public portion of Camino del Rio, named and unnamed easements together with any and all abutter's rights of access in and to Camino del Rio, adjacent to Lot 1; rejecting dedication for a public street of land shown as "Reserved for Future Street"; authorizing and directing City of the City to endorse upon the map, as and for act of the Council that portion of public street, named and unnamed easements, as dedicated, together with any and all abutter's rights of access in and to Camino del Rio, adjacent to Lot 1 are accepted on behalf of the public, and that the Council rejects offer of dedication marked "Reserved for Future Street"; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

The City Manager made a brief explanation on the subdivision, which had been before the Council previously, and 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 130493, authorizing and empowering City Manager to acquire on behalf of the City, for purpose of widening Washington Street, portions of Lots 2 and 3 Block 66 Arnold & Choate's Addition, at the sum of \$25,000.00, and use the money available in Project 30 Fund 219 for acquisition of the property and improvement, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The 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 Kerrigan, adopting a "Site for Public Assembly Facilities", as part of the master plan of The City of San Diego, California, particularly affecting area lying between Ash and Cedar Streets and between First and Third Avenues, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilmen None.
(Auditorium, Convention Hall, etc.)

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

The City Manager said that it was a Resolution authorizing acquisition of land for the public assembly facilities.

Councilman Kerrigan said he thought it was an ordinance.

RESOLUTION 130494, authorizing and directing City Manager and City Attorney to take appropriate action to commence acquisition of Blocks 198, 199, 206 and 207 Horton's Addition, in The City of San Diego, County of San Diego, State of California, for purpose of constructing thereon public assembly facilities, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

There being no further business to come before the Council, the Council, on motion of Councilman Curran, seconded by Councilman Kerrigan, adjourned.

The Mayor announced that the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Clay W. Burgener
Vice Mayor of The City of San Diego, California

12/29/55

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, December 29, 1955

Ordinances and Resolutions are recorded on Microfilm Roll 106.

Present—Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail
Absent—None
Clerk—Clark J. Foote, Jr.

Mayor Dail called the meeting to order at 10:02 o'clock A.M.

Application of Joseph A. Adams, 7639 El Cajon Blvd., La Mesa, for license to operate 1 ambulance, was presented.

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

Application of Ralph V. Wright, 4415 New Hampshire, San Diego, for permission (license) to operate "X Automobiles for hire without driver", was presented.

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

In connection with the next item, Councilman Burgener asked how many units there are.

The City Manager said about 1200.

City Attorney J. F. DuPaul said "1120".

RESOLUTION 130495, accepting bid of Rodal, Inc., dba Superior Mattress Co., for cleaning, repairing and sterilizing mattresses, couches and cushions as required by The City of San Diego, for Municipal Housing during period January 1, 1956, through June 30, 1956, including option on part of The City to renew contract for additional 6-month period: Mattresses, Studio Couches, Chair and Couch Cushions - totaling approximately \$2,949.75 terms 1% 10 days, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130496, referring to Council Conference the matter of disposition of Municipal Housing, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Fairbanks, Morse & Co. for furnishing 3 Gasoline Powered Generator Sets for the Public Works Department - \$1,378.50 plus State Sales Tax; 6 bids, was presented.

RESOLUTION 130497, accepting bid of Fairbanks, Morse & Co. for furnishing 3 Gasoline Powered Generator Sets; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130498, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Gate Valves and Tapping Valves, Document 527123, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Meeting convened
Applications for Ambulance & Autos for Hire
Purchasing reports
130495 - 130498

RESOLUTION 130499, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 75 Steel Sheet Piling, Document 527124, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next item, Councilman Schneider asked if "contract is effective yet"?

The City Manager replied "not yet; Mr. Bell (the golf architect) is here; he can show the design.

Mr. Bell came forward with plans, which he did not present immediately.

The City Manager said that Mr. Bell supervises the work.

Councilman Schneider moved to adopt the proposed Resolution. Motion was seconded by Councilman Curran.

When asked if the proposed golf course had been moved (to avoid Torrey Pines Park area, which had caused a controversy), Mr. Bell said "a little to the south, and that Flemming (Guy Flemming, custodian of the park) is happy.

Councilman Schneider asked Mr. Bell if he is happy.

Mr. Bell said that he likes it better. He explained from a map which he laid on the Council table.

There was discussion between Councilmen and Mr. Bell.

Mr. Bell stated that both courses can be adapted to tournament play. He said that the Bing Crosby tournament is played on 2 courses. He stated that construction can be within limits of funds. Asked for date of opening, he replied about March of 1957.

RESOLUTION 130500, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Rental of Earth Moving Equipment and for labor for Construction Work on the new Municipal Golf Courses at Torrey Pines Mesa, Document 527121; 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 Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of Gazley-Wieand Tract, a 2-lot subdivision of portion Blocks 158 and 161 La Playa, located in Point Loma, on westerly side of San Elizo (should be Elijo), between Qualtrough and Owen Streets, subject to 5 conditions, was presented.

RESOLUTION 130501, approving tentative map of Gazley-Wieand Tract, subject to conditions of the Resolution; suspending Sections 102.11-1, 102.17-c and 102.02.1 of Municipal Code in connection with the Tract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Prior to adoption of the Resolution, Councilman Curran said that he can't understand it, and spoke of having been "misread".

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Hubbard Manor, subject to posting of adequate bond to insure installation of required improvements, unless they have been completed and approved by City Engineer, was presented. A note at the bottom of the communication reads: "No improvements required - F. G. Peters, Assoc. Civil Engineer, City Engineer Dept."

RESOLUTION 130502, adopting Map of Hubbard Manor Subdivision, being a subdivision of Lot 12 La Jolla Lomas; accepting easements shown for public purposes and declaring them to be 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 Williams, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION 130503, 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 Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code in connection with Tentative Map for subdivision of portions of Lots 1 & 2 Block 427 Old San Diego, was presented.

RESOLUTION 130504, suspending Section 102.06 of San Diego Municipal Code in connection with tentative map for resubdivision of Lots 1 & 2 Block 427 Old San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final Record of Survey map for portion Lots 1 & 2 Block 427 Old San Diego, was presented.

RESOLUTION 130505, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, in portion Lots 1 and 2 Block 427 Old San Diego, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Robert E. Duffield, 4021 33rd Street, San Diego 4, dated December 23, 1955, commending the Council for its action of last Tuesday to incorporate the Stanford site (for convention hall, auditorium, etc.) into the City's master plan, was presented.

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

Communication from San Diego Chamber of Commerce, Broadway at Columbia Street, San Diego 12, dated December 22, 1955, signed by John F. Borchers, general manager, was presented. It congratulates the Council on action taken Tuesday, December 20, in voting unanimously to place in the City's Master Plan the site recommended by the Stanford Research Institute for public assembly facilities. It says it is felt that action is a significant step in San Diego's efforts to secure adequate facilities for fulfilling the cultural, entertainment, sports and convention requirements of a growing, dynamic city. It calls attention to the Chamber's recommendation urging purchase of the property, which it is believed is absolutely necessary before a bond issue is placed before the voters for construction of the recommended buildings.

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

Communication from San Diego Convention and Tourist Bureau, 924 Second Avenue, San Diego 1, dated December 27, 1955, signed by Mitch Angus, executive manager, was presented. It expresses gratitude for Council action concerning the Stanford Research Institute Report on Public Assembly Facilities for San Diego, and renews pledge of cooperation in continuing effort necessary to achieve the goal to secure an adequate civic auditorium.

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

Copy of letter from Public Utilities Commission, State of California, dated December 20, 1955, signed by E. L. Ebright, assistant secretary, for R. J. Pajalich, secretary - addressed to Division of Highways, Division XI P.O. Box 390 San Diego, Attention:

R. A. Hayler, assistant District Engineer, was presented. It offers suggestions relative to a conversion of U.S. Highway 80 to a full freeway between cities of La Mesa and El Cajon, location of bus stops to accommodate San Diego Transit System's service.

At the request of members of the Council, it was read.

Councilman Kerrigan left and returned to the meeting during the reading.

Councilman Curran asked if there is still a conference pending with the State.

Mayor Dail said that there have been a couple of conferences. He asked if "that conference" had not been held.

Councilman Burgener said "no".

The City Manager spoke about being not the State road.

Councilman Curran said it could be referred to "conference, if it is still on the books. He moved to refer it to conference, but withdrew the motion.

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

RESOLUTION 130506, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of India Street between Maple and Natmeg Streets; authorizing establishment of parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

RESOLUTION 130507, authorizing and empowering the City Manager to enter into negotiations with the United States of America to purchase Lots 7 and 8 Block 32 Linda Vista Unit 5, at price not to exceed \$3,000.00 per lot, to be used "for public purposes by The City of San Diego"; rescinding Resolution 130423, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Proposed Resolution, directing the City Manager to carry out all of the terms and conditions of the lease with Mission Beach Amusement, Inc., and to put into effect as soon as possible the Master Plan under the lease, was presented.

Councilman Burgener asked why it would be necessary to direct the City Manager to do what is set out in the resolution.

The City Attorney told the Council that he was directed, in Conference, by the Council to see that it was carried. He said that the resolution is not necessary, but that he was just carrying out the wishes of the Council in presenting the resolution. He stated that the Council - especially Councilman Evenson - had been emphatic on the point. He said, again, that it was unnecessary.

Councilman Kerrigan moved to file the resolution. Motion was seconded by Councilman Williams.

Councilman Evenson announced that he votes "no".

The roll was called, resulting in: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Mayor Dail, Curran. Nays-Councilman Evenson. Absent-None. As a result, the proposed resolution was filed.

Councilman Schneider said that the "status quo is still in effect".

Mayor Dail stated that the City attorney has said that conference action is sufficient - and that adoption of the resolution would have been redundant.

Councilman Burgener said that no action is necessary, unless the lease is amended. He said he had advised "the people" that there will be no action.

Councilman Schneider said that it is still under terms of the original lease.

The City Attorney told Councilman Evenson that it is still necessary to pass on certain things, from time to time - unless the City buys the lease.

Councilman Burgener spoke to the City Attorney. He asked that if Mr. Ray wants to build a new roller coaster, where it would be built.

The City Attorney replied "where the master plan shows". He said that if elsewhere, it would have to get Council approval. He told the Council that he can't answer details.

Councilman Williams said that the point of contention is regarding location, in the master lease. He spoke of necessity to change.

The City attorney replied "or agree".

The City Manager spoke of it being except on the present site.

Councilman Schneider asked if there is stipulation regarding the size.

The City Manager said it is his understanding that it would be a "big one".

Councilman Williams said that before there is another roller coaster, it would have to receive the approval of the Council. He said that otherwise the little one would be taken out, and replaced.

No action following the discussion was taken, other than the filing of the proposed resolution, as shown.

In connection with the next resolution, the City Attorney told of having been directed to take action.

RESOLUTION 130508, directing City Attorney to institute legal proceedings against the Mission Beach Coaster Company, was adopted, by the following vote: Yeas-Councilmen Burgener, Schneider, Evenson, Mayor Dail. Nays-Councilmen Williams, Kerrigan, Curran. Absent-None.

In connection with the next resolution, the City Attorney said it was because of a tax lien.

RESOLUTION 130509, authorizing and empowering the City Attorney to file, on behalf of the City, a disclaimer in and to quiet title action filed in Superior Court of the State of California in and for the County of San Diego entitled "Carl W. Hotten vs. Union Title Insurance & Trust Company, a corporation, No. 201925" disclaiming any right, title, interest or estate in or to Lots 27, 28, 29, 30 Block 2 American Park, which is the subject of the action, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution says that \$30.65, City's interest in the property, has been paid.

RESOLUTION 130510, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Cleaning and Cement-Mortar Lining of Interior of portion of Otay Second Main Pipe Line extending from Pipe Line Station at Paradise Hills to Station at Chollas Wye, Document 527122; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

In connection with the next 4 resolutions, Councilman Curran asked "what is the land to be used for?"

The City Manager replied that it will be for Morena Blvd., Paradise St., and Merlin Road.

RESOLUTION 130511, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 57 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130512, directing Property Supervisor to file petition with

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RESOLUTION 130525, accepting deed of Lawrence O'Connell and Mabelle Jean O'Connell, September 24, 1955, conveying portion Pueblo Lot 256; 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 130526, accepting quitclaim deed of Mrs. William P. and Mr. E. H. Kessling, of Muirlands Crest, Inc., December 8, 1955, conveying 8" sewer main shown on drawings 2758D, 2759D and 2760D; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to City Manager for appropriate action in connection therewith, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130527, accepting deed of Mission Investment Corporation, a corporation, December 15, 1955, conveying for street purposes, Lot 17 Waterville Heights (street not named); 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 Burgener, adopted.

RESOLUTION 130528, accepting deed of John R. Howard and M. A. Howard, October 27, 1955, conveying for street purposes portions Lot 16 Boulevard Gardens; naming land 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 Burgener, adopted.

RESOLUTION 130529, accepting deed of Mission Investment Corporation, a corporation, December 15, 1955, conveying easement and right of way for drainage purposes and appurtenances, across portions of Lots 17, 18, 19, 20 Chollas Road and 61st Street (closed) adjoining Lot 20 on the east, all lying within Waterville 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 Burgener, adopted.

RESOLUTION 130530, accepting deed of San Diego Associates, Incorporated, December 15, 1955, conveying easement and right of way for drainage purposes and appurtenances in portion Lot 1 Block G El Cerrito Heights 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130531, accepting deed of William B. J. Allen and Rose L. Allen, December 8, 1955, conveying public easement and right of way in portion Lot 15 Block 3 Sunnyslope 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130532, accepting deed of Gilbert J. Vinta and Agnes Vinta, November 28, 1955, conveying public easement and right of way in portion Lot 1 Block 427 Old 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130533, accepting deed of Elbert M. Fox and Janet L. Fox, November 7, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot A Resubdivision of La Jolla Hills 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130534, accepting deed of George W. Hearn and Margaret W. Hearn, December 15, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot 62 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130535, accepting deed of Charles E. Klappert and Dorothy Briggs Klappert, November 7, 1955, conveying easement for right of way for public sewer and appurtenances in portion Lot A of Resubdivision of La Jolla Hills No. 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130536, accepting deed of Roger W. Martin and Patricia L. Martin, December 12, 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130537, accepting deed of The San Diego Unified School District, March 10, 1942, conveying easements for rights of way for public sewers and appurtenances in portions of Blocks 112 and 115 Mission Beach, and Block 192 Roseville; 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 Burgener, adopted.

RESOLUTION 130538, accepting deed of Polly W. Smith, December 9, 1955, conveying permanent easement and right of way for water main or water mains together with fittings, etc., 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 Schneider, seconded by Councilman Burgener, adopted.

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

ORDINANCE 6801 (New Series), incorporating portion of Lot 18 Ex-Mission

Board of Supervisors of County of San Diego, State of California, requesting that all taxes against Lot 82 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130513, 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 62 Del Norte Addition to Encanto Heights, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130514, 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 Burgener, seconded by Councilman Evenson, adopted.

In connection with the next item, Councilman Schneider asked if granting, and request, are for a customary time.

The City Manager said that was not known; the project is to be intermittent - once a week.

RESOLUTION 130515, granting permission to the National Foundation for Infantile Paralysis to conduct March of Dimes solicitations on the public streets, intermittently, from January 3, 1956 until March 31, 1956, for specific purposes and times as set forth and described in recommendation of City Manager, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Report from the Director of Department of Social Service, to the City Manager, reporting in detail the types of projects to be conducted, was presented with the Resolution. It says that it is hoped that The National Foundation For Infantile Paralysis, through its annual March of Dimes Drive, will raise a gross amount of \$300,000., of which approximately \$18,000.00 will be absorbed by expenses incidental to the Drive.

RESOLUTION 130516, granting The Share With Others Club permission to sell chenille flowers on the sidewalks of San Diego January 3, 4, 5, 6, 7, 8, 9, 10, 1956, for raising funds for the National Foundation for Infantile Paralysis "March of Dimes", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Report from Director of Department of Social Service, to the City Manager, reporting in detail the hours and locations - with all proceeds to go for the National Foundation for Infantile Paralysis "March of Dimes". It says that it is hoped that a gross amount of \$500.00 will be raised, of which approximately \$51.00 will be absorbed by expenses.

In connection with the next resolution, Councilman asked what is unusual. The City Manager replied that it has to do with the Plumbing Code.

RESOLUTION 130517, granting San Diego Paint & Glass Co. (I. E. Mitchell, president) to install 3 sand traps and 5 indirect drains running into sand traps to provide proper drainage for special equipment being installed in new glass and glazing shop of San

Diego Glass & Paint Co., 1837 Main Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130518, granting Margaret Smith, owner (Doyle Baird Plbg Co., plumbing contractor) permission to install 1-1/2" copper waste lines for 1-1/2" cast iron waste lines in construction at 1491 Buckingham Drive, to be type "M", subject to the resolution conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130519, authorizing City Manager to attend annual meeting of American Society for Public Administration in Washington, D.C., March 8 through 10, 1956, also to attend annual meeting of National Committee on Urban Transportation in Detroit March 12 and 13, 1956, and to incur necessary expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130520, authorizing the Director of Water, the Assistant City Manager, and the City Attorney and his Assistant, to attend conference in San Francisco, January 4, 1956, with representatives of California Water and Telephone Company, for purpose of arranging for delivery of water to San Ysidro Irrigation District, and to incur necessary expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130521, authorizing City Manager to enter into and execute right of way contract with State of California Department of Public Works Division of Highways - portions of Lot 24 Block 4 Cable Line Addition, Lots 1 to 6 incl. Block 1 Marilou Park, Blocks 32, 40, 41 Marilou Park, Pueblo Lot 1347 - upon terms and conditions under Document 527242, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the preceding Resolution, Councilman Schneider said he had a question.

The City Manager said that it covers a series of properties for freeways.

RESOLUTION 130522, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, a national banking association, beneficiary, and The First National Trust and Savings Bank of San Diego, a national banking association, trustee, December 16, 1955, subordinating all right, title and interest in and to easement for street purposes in Lots 19 and 20 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130523, accepting deed of Robert Ponce and Rose Ponce, December 16, 1955, conveying Lots 23, 24, 25 Block 22 Lexington 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130524, accepting deed of Clairemont Business Properties, a co-partnership, December 1, 1955, conveying portion Lot 141 Morena; 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.

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Lands into R-4 and C Zones, as defined by Sections 101.0408 and 101.0411 of San Diego Municipal Code, and repealing Ordinance 35 (New Series), insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman 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 6802 (New Series), incorporating portions of Clairemont Units Nos. 9 and 15, a portion of Pueblo Lot 1237 Clairemont Regional Business Center No. 1 and a portion of C. C. C. Tatum's Bay Hills Mesa into R-4, RC-1A and C-1A Zones as defined by Sections 101.0408, 101.0409.2 and 101.0411.1 of The San Diego Municipal Code, and repealing Ordinance 13456, Ordinance 6183 (New Series), Ordinance 6377 (New Series), insofar as they conflict, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman 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 6803 (New Series), incorporating Lots 35 and 36 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 Burgener, seconded by Councilman Evenson, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Schneider, 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 6804 (New Series), incorporating portion of Pueblo Lot 1219 into RC-1A Zone as defined by Section 101.0409.2 of San Diego Municipal Code and repealing Ordinance 13456 insofar as it conflicts, 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.

Ordinance listed next on the agenda, amending Division 5 of Article 1 Chapter X of the Municipal Code, regulating Zoning Administration, etc., was presented (it had been introduced at the meeting of December 22, 1955).

Councilman Kerrigan moved to refer it to conference.

The City Attorney asked why not continue it.

Councilman Kerrigan moved to continue the ordinance 1 week. Motion was seconded by Councilman Curran.

Mayor Dail said that the Council could recess this meeting, discuss the ordinance in conference - then dispense with its reading, and adopt it.

Following the Mayor's suggestion, the item was continued temporarily.

Action will be found shown again, later.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by vote of not

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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 6805 (New Series), authorizing leasing of Pueblo Lots 1326 and 1330 to United States of America, acting by and through the Secretary of Agriculture - for "agricultural experimental station" - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

(Explanation of property value, and other details, is made on minutes of December 22, 1955 - the date upon which the ordinance was introduced).

On motion of Councilman Williams, 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 6806 (New Series), amending Chapter IV of San Diego Municipal Code by amending Sections 41.06, 41.07.1, 41.07.2, 41.07.3 and 41.11 and by adding thereto Section 41.07.4 regulating Health Permit Fees and Penalties, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

(This ordinance conforms to the County ordinance).

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

RESOLUTION 130539, requesting Board of Supervisors of County of San Diego to appropriate sufficient amount of money necessary for Planning Committee for development of San Diego Bay to employ services of George Fox Mott to furnish at earliest convenient time a survey indicating extent of and kind of development and by whom made of San Diego Bay so that it may be fully utilized for promotion of commerce, navigation and fisheries, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Resolution says that cities of San Diego, Coronado, Chula Vista and National City, the County of San Diego, the United States Navy and other interested public organizations have appointed representatives to act as a Planning Committee for complete development of San Diego Bay and how it should be accomplished. It says that George Fox Mott, an expert on harbor development, has offered to do work for \$12,000. and that a majority of members of the Planning Committee believe that the Board of Supervisors of the County of San Diego should appropriate sufficient moneys to pay cost of survey upon the theory that development of the Bay will benefit not only the 4 cities adjacent, but also the County at large, and that the Council is of the opinion that appropriation by the County would be in the direct interest of everybody concerned, including particularly the City of San Diego.

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

RESOLUTION 130540, authorizing and directing Councilman George Kerrigan to attend a conference of delegates at Los Banos, California, January 5 and 6, 1956, in connection with development of Feather River Project, and incur necessary expenses on behalf of the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Manager told the Council that he wanted to make a report on the salary request (Policemen and Firemen for 5% increase as of January 1, 1956). He said that the City Attorney has pointed out to the Council the charter facts, required, which would have to be found. City Manager Campbell stated that the Budget Office has tried diligently to find that in this community there has been a significant increase (in the cost of living). He commented that the basic facts are such that they are not sufficient to allow the increase. He stated that he would like to increase the wages, but that he can't. He commented that it was gone about in several ways, including the Bureau of Labor Statistics'

figures. He said there were studies made, locally, tied in with Los Angeles. Mr. Campbell told the Council that it was determined there was no significant variation. He said food and housing are higher - rentals are lower city-wide. He said that food accounts for 30%. He said that there are some spotty exceptions of rentals, of course, especially in the rapidly growing areas. He said that the city-wide trend is "down". He remarked that food, generally, is down - in the main. He said he could not find significant rises. The City Manager stated that electricity is up; gas and water are not. His observation was that "the facts are not there"; he tried, but he can't find justification.

Councilman Burgener spoke to the City Manager about what the Civil Service is doing.

Mayor Dail and the City Manager both said that Civil Service has letters out.

Mayor Dail said that request has been made that the Department of Labor make a price index, but that request had been turned down. He said that it would be well to have the Council request a study (for the San Diego area).

Councilman Kerrigan commented that would cost about \$10,00 - and that somebody would have to pay for it.

Mayor Dail said that San Diego is entitled to a permanent price index, and thought it would be at the complete expense of the Federal Government.

Councilman Kerrigan remarked that it would be by contractual arrangement, and cost \$10,000. He spoke of wanting to be set up on a national basis. He said that if there is not enough difference between Los Angeles and San Diego the Federal Government might refuse.

The Mayor said that the subject should be referred to Conference.

Councilman Schneider said that when there was discussion last midsummer regarding uniforms, that the subject must be taken up at salary time. He said that item is not necessarily salary. He asked the City Attorney if that could be taken up, separately.

The City Attorney replied that he "thinks not".

Councilman Burgener said that he is puzzled by this thing; it was the recommendations of the chiefs (of Fire and Police Departments); and it is the City Manager who says that it is illegal. He stated that the Council is sympathetic. He wonders in view of the request, what was wrong with the salary ordinance last year.

Councilman Curran said that last Spring, when he came on the Council he thought that the new men "were not prepared". He said he feels that the Council "goofed", but that this is a fiscal problem.

Councilman Schneider said that everybody has a lot to learn when he comes on the Council. He said that he did not realize things that he knows now.

The Mayor said that there is no timing on "goofing". He said there can be better consideration by the Council and Civil Service at next budget time. He said there is a good precedent for the next budget session. He said the Council should study the schedule; the employees are going to study it. He stated that Civil Service commission is to sit with the Council.

Councilman Burgener said that the Council did not shift the problem to the City Manager; his finding had to come first.

Mayor Dail said that the charter provision (regarding findings to be made by the Council) does not apply at the regular time.

Councilman Williams said that he hates to see this go by; he sites almost every week with employees (his) for negotiations. He said he does not want this to go on a State-wide basis, where the City would lose local thinking. He told of being faced with the possibility of grocery clerks on a State-wide basis, and that he does not want to jeopardize this. He said he would vote "yes" and put this through.

Councilman Curran told of having been impressed with delegates in Miami (the League of Cities), regarding statements made about Police and Fire salaries. He said that because of salaries in Miami, men are trained there and going to Miami Beach.

Councilman Schneider said that "some have to make up in some illegal way".

Councilman Curran said that 26 men were lost to Miami Beach in 6 months.

The City Manager said that the request needs no report or action.

Councilman Burgener asked if the Civil Service had been asked for an opinion.

Mayor Dail said that was done.

The City Manager said that Civil Service concurs.

Harvey C. Harmelink, of the Fire Department (who made the main verbal presentation requesting the increase) said that he has only the docket. He said that the City Manager and staff have gone into the subject ably. He said there have been borne out facts presented regarding cost of living. He said that the City Manager, Council and Mayor have

done all they can, "unless employees can dig up information". He said that it is difficult to dig up costs. Mr. Harmelink stated that he is glad that he lives in San Diego. He said that ground work has been laid. He stated that San Diego has the best fire department; men in Miami are under paid. He assured the Council that the San Diego men "never want back-door money". He thanked the Council for its consideration. He assured the Council that the request will be in again - when the time is right.

Mayor Dail said that there is a request regarding the Southern California Interscholastic Federation Football Championship, won by San Diego High School. The following resolution on the subject was presented under unanimous consent at the request of the Mayor.

RESOLUTION 130541, commending and congratulating Coaches Maley and Slater and the entire San Diego High School Football Team for winning the Southern California Interscholastic Federation Football Championship, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

The Resolution states that the championship had been won the first time in 33 years, and for the 3rd time since 1916. It speaks of the fine team spirit, and of the fine moulting of the team by Head Coach Duane Maley and Line Coach Birt Slater.

(Copy was sent to the Mayor for preparation and presentation of formal resolutions).

At 10:55 o'clock A.M., the Council took a recess until 11:15 o'clock A.M.

The attendance, upon re-convening at 11:19 o'clock A.M. showed the following:
Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail
Absent--Councilmen None.

The following ordinance, which had been held, temporarily, was presented again.

On motion of Councilman Williams, seconded by Councilman Burgener, Ordinance amending Division 5 of Article 1 of Chapter X of the San Diego Municipal Code, regulating Zoning Administration, was filed.

Frank J. Guthrie, of the Stadium Racing Association, referred to filing a letter with the Clerk regarding use of the Stadium (by Fiesta del Pacifico). Councilman Burgener said it was "not resolved". There was no action.

Mayor Dail left the meeting, and Vice Mayor Burgener took the Chair.

Councilman Williams said that possibility for use of some building has not been eliminated - for the roller derby. He said that it is in touch for the City Manager to meet with the interested people on the subject.

Letters from San Diego Council of Churches, by Dr. Leland Cook, Sr., president; Don Armbruster, president, San Diego County Badminton Assn.; Robert W. Smithwick, president, San Diego Square Dance Association; Industrial Recreation Council, by Pete Beyrer, president, were presented. They all express view in connection with leasing of the Federal Building in Balboa Park for roller derby.

Councilman Schneider said that none (of the organizations which had written to the Council) are rent payers in the park.

130541
Meeting recessed & re-convened
Ord re Zoning Administration filed
Stadium Racing Assn. comment re Stadium
Roller Derby in Balboa Park

Councilman Curran asked if the people who are protesting use the facilities.

The City Manager replied that "the badminton people are".

Councilman Curran asked if there is no reason to transfer.

The City Manager said that they can be moved; the Recreation Department, Park & Recreation Commission are opposed - regarding a general policy.

Councilman Curran told of having checked to see if there is a commercial building available for the roller derby, but there is none.

Councilman Burgener asked about the arena.

Councilman Curran said that is taken.

The City Manager said there are "1104 parking spaces available - these people need 500".

Vice Mayor Burgener said that there is a policy regarding commercial events in the park. He said that when people had taken the trouble to write in to the Council, the letters should be read.

Councilman Curran said that special events are scheduled in the park buildings.

The City Manager said that badminton is.

L. C. Cobler, representing the square dance convention, spoke. He told of being on the board of directors for the convention, at which there will be 12,000 and 15,000 people. He stated that brochure had been prepared 2 years ago, on assurance that the facilities would be available. Mr. Cobler said that there is a key building, and of having to dance outside. He told of June 22, 23, 24 being convention dates, and said that there are accoustical problems.

The City Manager spoke of having to get out by the 1st of June (the roller derby).

Mr. Cobler said that effort has been made to correct the accoustics, and money has been spent for that purpose, which they are still trying to correct.

Councilman Curran said he understands use would be Friday, Saturday, and Sunday.

Mr. Cobler said there would be use of the floor - and there would be a track. He said that plans had been made for families to come for a vacation.

Councilman Schneider asked Mr. Cobler if use of the Federal Building would be precluded because of the accoustics.

Mr. Cobler said that the building has to be tested; 400 to 500 people participate. He said it is "not dancable yet". He told the Council that the sound problems are terrific.

Councilman Schneider spoke to Mr. Cobler, who answer that the building had been draped at their own expense - \$500. - but that it is not sufficient. He spoke of having to have sound men come in - at their own expense. He said it presents no trouble for amusements; it is when people are milling around, for calling to be understood.

John Leib, representing San Diego Baminton Association, spoke. He said that San Diego has a badminton reputation second to none in the U.S. He told of the city being represented all over the world. He said that when at the peak, they are forced to the Federal Building, which they do not mind. He said that moving to another building in the Park is almost impossible. He said there are many non-organized badminton groups, not members of the Association. He spoke of wanting to see interest sustained. He spoke of being moved, and of interest of San Diego High School as well as San Diego Badminton Association.

Councilman Schbeider spoke to Mr. Leib regarding offer of another building.

Mr. Leib said that would be satisfactory - if there are proper facilities. He said that San Diego has one of the strongest badminton associations in the Country - and wants to keep it that way.

Councilman Curran spoke to Mr. Leib about the minimum over-head clearance.

He said it is a "little less than this room" (pointing to the ceiling of the Council Chambers. He spoke of the many fine players from around the country who come here.

The letters referred to earlier, were read to the Council by the clerk.

Mayor Dail said that the roller derby would be just 1 season - a proper facility is to be built with a baseball park.

Councilman Curran asked the City Manager if the conference building in Balboa Park had been surveyed for use as a roller rink.

The City Manager replied that he "does not know".

Councilman Schneider pointed out that the building is for use by conventions.

Mayor Dail said that every building in the park would be on a "policy basis" regarding commercialization of the park.

Councilman Schneider said that use for a roller derby would be toward the building of a baseball park.

Mayor Dail spoke of there being a small amount to the treasury (of the baseball park) from such events.

A man - identified later as Phil Hayes, roller derby promoter - had not looked into it regarding square dancing.

Mr. Cobler said that several groups use facilities, including classes conducted by the park and recreation department.

Mr. Hayes said it was in use.

Mayor Dail pointed out that there is a lot of activity in the conference building.

Mr. Hayes said he understands that badminton uses it 1 night a week.

Councilman Williams stated that the only people displaced would be the badminton and basketball people.

Mr. Hayes said that the event could be out by May 22; they do not want to interfere. He spoke of the roller derby having been held in the park in 1951, and of the motion picture made there, with Mickey Rooney.

Councilman Curran asked about building along Laurel Street being adequate.

Mr. Hayes replied that they could not get seats.

Vice Mayor Burgener said that it is a matter of opinion as to who would be displaced.

The City Manager said "the conference building is most used; when basketball is on, the Federal Building is used".

The Vice Mayor said that evidence is different from the letter.

Mr. Leib said that the trouble is regarding the low overhead for all the courts but 1. He told the Council that the Federal Building is in use every night; courts are filled every night, with people standing around and waiting to play. He said there are 10 courts; usually 4 on each, making 30 or 40 persons using the courts every 1/2 hour.

Councilman Curran said that the least disturbance would be to use the conference building.

The Vice Mayor said that it would be well to check with the convention bureau (regarding use of the convention building).

Councilman Williams said that badminton in Mission Beach ballroom could be considered during convention.

Mr. Leib said that the Federal Building is in use more than the conference building.

The City Manager said that the "conference building is used for more different types of activities".

Mr. Leib spoke about being assured of use every night.

Councilman Schneider asked if Mission Beach ballroom could be used (for badminton).

Mr. Leib replied that had not been checked.

Councilman Curran said that the city misses sometimes; if everything is not done to encourage. He spoke about there being disturbance.

The Mayor was here to vote on the next motion.

Councilman Curran moved to deny request for use of the Federal Building, in Balboa Park, by the roller derby. Motion was seconded by Councilman Kerrigan.

Councilman Evenson said that it would be a temporary use. He wondered if occupants "can't give a little, to accommodate". He said that there is give and take for everything.

Councilman Williams spoke to the City Manager about accommodating.

The City Manager said that according to report of Earnest (Lester Earnest, the Budget Officer).....he read the report. He said that basically it had not been explored all shifts, because this would be a policy matter.

Councilman Burgener said that he would oppose use for more than 1 season.

The City Manager said that he could check out about the shifting - for next Tuesday.

The roll was called on the motion to deny, resulting in the following:

Yeas-Councilmen Kerrigan, Curran, Mayor Dail. Nays-Councilmen Burgener, Williams, Schneider, Evenson. (The motion lost).

Councilman Burgener said the City Manager could investigate use of another

building, and report for Tuesday.

Mr. Hayes said that he was instructed by Mr. Callan (Leo Callan, Park and Recreation director) - or his secretary - that it would upset things less by using the conference building.

Councilman Evenson moved to direct the City Manager to negotiate lease in the Federal Building, Balboa Park, for the roller derby. Motion was seconded by Councilman Schneider.

Councilman Burgener said that the City has to look at the roller derby as a recreational activity - not a commercial one.

Roll was called on the motion:

Yeas-Councilmen Williams, Schneider, Evenson. Nays-Councilmen Burgener, Kerrigan, Curran, Mayor Dail.

(That motion lost - so there was no action on that motion).

Then another motion was offered by Councilman Williams, seconded by Councilman Evenson, requesting City Manager to meet with interested parties regarding use of buildings in Balboa Park for the roller derby

Mayor Dail was out for that roll call.

RESOLUTION 130542, requesting the City Manager to determine the merit of using buildings in Balboa Park for operation of a Roller Derby, was adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson. Nays-None. Absent-Mayor Dail.

There being no further business to come before the Council, the meeting was declared adjourned at 12:04 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Headstrom
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 3, 1956

Present—Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail
Absent—Councilman Kerrigan
Clerk—Clark M. Foote, Jr.

The Mayor called the meeting to order at 10:01 o'clock A.M.

In the absence of a minister, all present stood for a silent prayer, at the request of the Mayor.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 106.

On motion of Councilman Schneider, seconded by Councilman Williams, minutes for December 27 and December 28, 1955, were approved without reading.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution of Intention 129454 for paving and otherwise improving Noyes Street, Missouri Street, portions of Beryl, Law, Academy and Diamond Streets, RESOLUTION 130543, continuing hearing on Resolution of Intention 129454 for improvement of Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, until 10:00 o'clock A.M., Tuesday, Manuary 10, 1956, 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 furnishing electric current in Rolando Lighting District No. 1, for 1 year from and including April 1, 1956, 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 130544, confirming and adopting as a whole Engineer's Report and Assessment for Rolando Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Street Superintendent's Assessment 2423 made to cover costs and expenses of work of paving and otherwise improving 70th Street, Resolution of Intention 122842, the clerk reported written appeal from Samuel Rose, 4911 - 70th Street.

The Mayor inquired if anyone was present to be heard.

Samuel Rose said that the contractor was supposed to put 5" mixed concrete base; he did not; he put paving on the existing paving.

The City Engineer said that there was narrow paving, with resurfacing upon the existing base. He said the contractor did what was called for in the specifications.

Mr. Rose said that the street was paved, and that he does not see why he has to pay for its upkeep. He spoke of putting in sidewalk and curb. He said that his charge for the assessment was over \$1400; it is not worth \$1400 & more dollars. He declared that is

Meeting convened
Silent prayer
Minutes approved
Hearings

exorbitant. He outlined prices for work, and said that across the street assessment was over \$1100.00. Mr. Rose said that it was to pay 1/2 of the street, or a 60 foot street. He said he wants to know where the contractor gets the prices.

Mayor Dail said that the City Engineer figures the assessment roll in equity, and he says that work has been done to the specifications.

The City Engineer gave the costs, in detail, to Mr. Rose from a plat which he showed the appellant. Willard Olson, of the Engineer's office also showed figures to Mr. Rose.

The City Engineer continued to explain to Mr. Rose the details.

There was discussion between Mr. Rose and the City Engineer. The Engineer explained the method of the assessment spread.

Mr. Rose remarked that the assessment looks out of reason.

The City Engineer said that it is the same as others.

Mr. Rose said that he is being assessed for the benefit to the public.

Mayor Dail said that the hearing is on equitable spread of assessment.

Councilman Burgener spoke to Mr. Rose about the petition, and about the estimates.

Answering Councilman Burgener, the City Engineer said that it was .04% over the estimate.

Mr. Rose said that "it does not make sense". He said that a corner of his property was sliced off for the street - for which he got peanuts for the sale. He said he was told at the time that improvements would not be over \$800., according to the Engineer. He told the Council that he objects.

Mayor Dail said use of property for the street has nothing to do with the spread of the assessment.

Mr. Rose asked where the money goes. The question was not answered.

RESOLUTION 130545, overruling and denying appeal of Samuel Rose from the Street Superintendent's Assessment 2423 made to cover costs and expenses of work of paving and otherwise improving 70th Street, Resolution of Intention 122842; overruling and denying all other appeals; confirming and approving the assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2424 made to cover costs and expenses of paving and otherwise improving Boston Avenue, Resolution of Intention 122301, the clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130546, confirming and approving Street Superintendent's Assessment 2424 made to cover costs and expenses of paving and otherwise improving Boston Avenue; 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 Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2425 made to cover costs and expenses of paving and otherwise improving East and West Alley Block 4 West Teralta, and Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130547, confirming and approving Assessment 2425 made to cover costs and expenses of paving and otherwise improving East and West Alley Block 4 West Teralta, Alley lying west of and contiguous to Lots 1 to 18 inclusive West Teralta; 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 Burgener, seconded by Councilman Schneider, adopted.

1/3/56

Communication from House of Ancaducros, "The History Hotspot of the Southwest", 6008 Arosa Street, San Diego 15, by Ben F. Dixon, archivist, dated 27 December, 1955, was presented. It encloses 3 more Serra Freeway Petitions with a total of 77 signatures, asking for that name to be used on the North-South Freeway.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to Planning.

Report of Purchasing Agent on low bid of William H. Clint for construction of sanitary sewer in Catalina Boulevard - \$1,334.00, 2 bids; was presented.

RESOLUTION 130548, accepting bid of William H. Clint for construction of sanitary sewer in Catalina 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 Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130549, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 500 tons of Liquid Sodium Silicate, for period February 1, 1956 through July 31, 1956, in accordance with Document 527324, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130550, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Furnishing and Installing 3 Vent Fans for Ballroom, Park Club Building, Balboa Park, in accordance with Document 527229; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending that tentative map of Betten Court, for resubdivision of Lot 2 Mira Dera, was presented. It says that tentative map which was approved several months ago and subsequently reapproved, reducing size of Lot 2 to a parcel approximately 100 ft. x 105 ft. in size. It says that at conclusion of public hearing December 14, 1955, the Commission recommended denial because of over all deficiencies and inadequacy of lot size for large house.

RESOLUTION 130551, denying tentative map of Betten Court, a resubdivision of Lot 2 Mira Dera, in that it does not conform to development of the area, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Garrison Heights, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by the City Engineer, was presented.

RESOLUTION 130552, adopting Map of Garrison Heights Subdivision, subdivision of Lot 158 of Fleetridge Unit 2; accepting on behalf of easements and declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map for resubdivision of Lots 9 through 12 Roseville, together with southwest-erly half of Yonge Street - to provide 2 lots by turning existing 4 lots so that they have

frontage on Willow Street, subject to 5 bonditions, was presented.

RESOLUTION 130553, approving tentative map of Roseville, a resubdivision of Lots 9 through 12, subject to conditions of the resolution; suspending Section 102,17-c of the Municipal Code, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from the Civil Service Commission, by Wm. P. Elser, president, dated December 29, 1955, was presented. It attaches a contract with Louis J. Kroeger and Associates, for the Mayor's signature if approved - pursuant to instructions to negotiate a contract for a salary study of administrative positions.

RESOLUTION 130554, authorizing and directing the Mayor, with the approval of the Civil Service Commission, to enter into contract with Louis J. Kroeger and Associates, personnel and management consultants, wherein they will furnish in writing a report containing position evaluation with audit of 55 positions in the unclassified service of The City of San Diego, to be enumerated by the Civil Service Commission, and to be delivered on or before March 31, 1956, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, The Resolution sets out the fee, and payment installments.

Communication from State of California Board of Public Health, 2151 Berkeley Way, Berkeley 4, California, dated December 22, 1955, signed by Malcolm H. Merrill, M.D., executive officer, was presented.

It quotes a resolution adopted by the State Board of Health regarding failure of voters to give the required 2/3 majority for a bond issue and of further engineering studies re sewage disposal to San Diego Bay waters. It tells of quarantine being required, and instructs that letters be sent to City Councils of San Diego, Coronado, National City, Chula Vista and La Mesa and to governing boards of Lemon Grove Sanitation District and the Rolando Sanitation District and to the Eleventh Naval District, U.S. Navy, calling for prompt action in correcting the existing hazardous offensive condition in the Bay waters due to discharge of sewage and sewage effluents, etc.

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

Communication from State of California Water Pollution Control Board, San Diego Region No. 9, 3441 University Avenue, San Diego 28, 1955, signed by Harold E. Miller, executive officer, was presented.

It says that it is certain that the City is in accord with a policy of Board Resolution 55-1, a copy which was forwarded April 22, 1955, which enunciates various beneficial uses of San Diego Bay waters.

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

RESOLUTION 130555, directing notice of filing Assessment 2431 and of time and place of hearing made to cover costs and expenses of work done upon paving and otherwise improving Guy Street, Resolution of Intention 123157, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130556, directing notice of filing Assessment 2430 and of time and place of hearing made to cover costs and expenses of work done on paving and otherwise improving Wanona Drive, Resolution of Intention 122704, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130557, directing notice of filing Assessment 2432 and of time

1/3/56

and place of hearing made to cover costs and expenses of work done on paving and otherwise improving La Jolla Hermosa Avenue, Resolution of Intention 120406, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION ORDERING WORK 130558, for paving and otherwise improving Treat Street and 28th Street, Resolution of Intention 129592, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130559, directing notice inviting sealed proposals, for electric current in Crown Point Lighting District 1, for 1 year from and including February 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130560, directing notice inviting sealed proposals for furnishing electric current in Garnet Street Lighting District 1, for 1 year from and including February 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130561, directing notice inviting sealed proposals for furnishing electric current in Presidio Hills Lighting District 1, for 1 year from and including February 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130562, directing notice inviting sealed proposals for furnishing electric current in Sunset Cliffs Lighting District 1, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130563, for paving and otherwise improving Alley Block 6 Chester Park Addition, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130564, for paving and otherwise improving Alley Block 36 Fortuna Park Addition, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130565, for paving and otherwise improving Alley Block 9 Wilshire Place, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 130566, for sewer main and manholes in Inspiration Drive, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 130567, for grading and sidewalking in Thorn Street, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 130568, for electric current in Collwood Lighting

District 1, for 1 year from and including June 1, 1956, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130569, approving plans, drawings, typical cross-sections, for storm drains storm drains in Main Street, Dalbergia Street, Osborn Street, et al.; approving Plat 2516 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 130570, approving plans, drawings, typical cross-sections, for paving and otherwise improving Seminole Drive, Acorn Street, et al; approving Plat 2668 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130571, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Ravina Street Closed and in Alley Closed Block 13 La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130572, ascertaining and declaring wage scale for paving and otherwise improving Alleys Blocks 13, 14, 16 Ocean Beach, and in Blocks 97 and 98 Point Loma Heights, and Guizot Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130573, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 50 Park Villas, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130574, ascertaining and declaring wage scale for grading and sidewalk on Nipoma Street and Amaryllis Drive, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130575, ascertaining and declaring wage scale for paving and otherwise improving Rosefield Drive and 67th Street, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130576, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 33 Fairmount Addition to City Heights, Resolution of Intention 127128, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130577, approving diagram of property affected or benefited by work

of improvement to be done on paving and otherwise improving Alley Block 2 Swan's Addition, Resolution of Intention 122085, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130578, for storm drains and appurtenances in Main Street, Dalbergia Street, Osborn Street, Cottonwood Street, Eta Street, 40th Street, 41st Street, 42nd Street, Alley Block 2 Nordica Heights, Alley Block 6 Nordica Heights 2, Alley Bloc, 498 H. H. Dougherty's Subdivision, and certain public rights of way, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130579, for paving and otherwise improving Seminole Drive, Acorn Street, 63rd Street, Public Rights of Way in Lots 20, 21, 22 La Mesa Colony, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Communication from Harbor Department, by John Bate, dated 29 December 1955, attaching for approval form of sublease to be entered into between Shelter Landings, Inc., a California corporation, and Andrew H. Krause, was presented. It says that sublease covers only rear 25% of storage building located on the premises - for operation of outboard motor repair shop and will be given free rent during first year by sublessor in exchange for assuming factory guarantee and 10 year motor tune-ups on all new motors sold. It is for 1 year with options to renew to 14th day of June 1958. It states that the Harbor Commission has established an additional rental of \$10 per month during time sublease is in effect and will review rental at each option period.

RESOLUTION 130580, ratifying, confirming and approving sublease, copy on file in office of City Clerk as Document 527313 between Shelter Landings, Inc., a California corporation, sublessor, and Andrew H. Krause, sublessee, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130581, prohibiting parking of automobiles at all times: North side of Thorn Street from Kettner Boulevard west to the dead end of Thorn Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130582, authorizing City Manager to accept work on behalf of The City of San Diego in Allied Gardens Addition subdivision (agreement 509092), and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130583, authorizing City Manager to accept work on behalf of The City of San Diego in Ridge View Manor Subdivision (agreement 516803), and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130584, authorizing and directing City Manager to acknowledge letter of R. J. Phillips, Vice President in Charge of Sales, San Diego Gas & Electric Company, November 30, 1955, concerning furnishing street lighting service in several Government owned housing projects in San Diego, letter being on file in office of City Clerk as 527448, and to authorize San Diego Gas & Electric Company to furnish The City of San Diego with

street lighting service for the housing projects as in the letter set forth for fiscal year beginning July 1, 1955 and ending June 30, 1956, and that authorization is directed in accordance with the letter of July 14, 1948 from City Manager to San Diego Gas & Electric Company filed in office of City Clerk as Document 527449, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130585, authorizing and empowering City Manager to execute, for and on behalf of the City, an agreement with City of La Mesa, in which the cities agree to perform and be bound by each and all matters set forth in agreement in connection with transportation, treatment and disposal of sewage, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130586, authorizing 2 representatives of the City Tabulating Section, to attend conference with State Highway officials in Sacramento, California, Thursday, January 5, 1956, and to incur expenses necessary, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

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

ORDINANCE 6807 (New Series), adopting a "Site for Public Assembly Facilities", as part of the Master Plan of The City of San Diego, California, particularly affecting the area lying between Ash and Cedar Streets and between 1st and 3rd Avenues, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Dail. Nays-None. Absent-Councilman Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance dedicating portions of Pueblo Lot 300 for portions of public streets and naming them Morena Boulevard, Grant Street and Sherman Street, was presented by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Dail. Nays-None. Absent-Councilman Kerrigan.

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

RESOLUTION 130587, extending time fixed in Resolution 127080 of December 31, 1955, for completion of building on portion of Lot 78 Rancho Mission of San Diego, by the Magnatron Company of America, Incorporated (property sold to the corporation by the City of San Diego) - 20 days from and after December 31, 1955; waiving the penalty of \$100.00 per day provided for each day that building remains uncompleted, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

The City Manager explained to the Council, before adoption, reason for extension caused by delays in delivery of materials - substantiated by letters from Victor L. Wulf, A.I.A.; United Steel fabricators, and L. C. Anderson Co.

At 10:30 o'clock A.M., the Council took a recess until 11:00 o'clock A.M., this date.

Upon reconvening at 11:45 o'clock A.M., the roll call showed the following:

130585 - 150586
130587 under U.C., with letters, etc.
6807 N.S.
Ord introduced
Meeting recessed & reconvened

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

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

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

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

ORDINANCE 6808 (New Series), appropriating and setting aside \$50,000.00 out of the Unappropriated Balance Fund for assisting in holding a celebration in The City of San Diego, to be called "Fiesta del Pacifico", was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

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

RESOLUTION 130588, declaring San Diego Symphony Orchestra Association exempt from payment of one-cent per ticket license tax provided in section 31.0201 of the San Diego Municipal Code, and that when, as and if proper claim for refund is presented, as set out in section 110 of the Charter of the City of San Diego, said claim be honored for fees paid within 6 months prior to such claim, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The City Manager brought up the next item, not listed on the agenda:

The City Manager, speaking about the roller derby (proposed for Balboa Park) said that in the Mission Beach ballroom, Mr. Hayes can't get enough spectators; the conference building is more suited. He said that however, a series of functions are scheduled for the conference building in Balboa Park. He outlined them.

Councilman Schneider said that the Federal Building seems the answer, although it would affect badminton.

Councilman Burgener said that he is willing to check about the Federal Building, and that existing activities are going to continue in the ball park regarding roller derby - regardless.

Suggestion was made that the item be held until Thursday of this week.

There was discussion between Councilman Williams and the City Manager regarding tie-in between baseball and roller derby.

There was no action.

Carbon copy of letter from Housing and Home Finance Agency Office of the Administrator, Washington 25, D.C., addressed to Joseph F. McGee, chairman, Linda Vista Citizens Action Committee, 2236 West Jewett Street, San Diego 11, was presented. (The copy is unsigned, but a transmitting letter identifies it as being from Albert N. Cole, administrator.)

Also transmitted by the Mayor was letter from Faye Hartman, special field representative, 2100 Linda Vista Road, San Diego 11, dated December 21, 1955, addressed to Mayor Dail.

Both letters were read to the Council, at the request of the Mayor.

The administrator's letter refers McGee letter of November 16 concerning representation that purchasers of units in San Diego secured less than they were entitled to. It says that reply made by Commissioner of Public Housing Administration, Charles E. Slusser dated November 3, has been made, and it is felt that reply adequately supports actions taken by Public Housing Administration for disposal of Linda Vista project. It states that Mr.

6808 N.S.

130588

Roller Derby discussion

Letters (copies) re Linda Vista housing - all the items under U.C.

Slusser's letter makes it clear that no deletions of work required by the final subdivision plats as accepted by the City and filed for record took place after property was offered for sale. It points out that purchasers were in a position to know what improvements were to be accomplished and could determine for themselves whether they wished to purchase at the established price. It states that as mentioned in Mr. Slusser's letter, demand for units at the established price has been so strong as to make it evident that the prices established for the property were moderate. It says that the McGee letter undertook to demonstrate that the Government was securing an unjustified enrichment at expense of purchasers of the dwelling units. It quotes the estimated original cost of accomplishment of improvement work at Linda Vista, the currently estimated total which was with a very high degree of accuracy. It says that it is apparent that amount of improvement costs prorated to each unit was smaller than appropriate, rather than greater. It states that purchasers therefore secured an advantage in pricing instead of a disadvantage as McGee had contended. It refers to statement that the Public Housing Administration grossly misjudged the cost of the improvement program, but Mr. Slusser informs the writer that in an improvement program of the magnitude and complexity, and where contracts were let over a period of many months, a final cost varying less than 5% from original estimates must be considered as unusually accurate. It says that although Mr. Slusser's letter did not emphasize the point, neither the Public Housing Administration nor the Housing and Home Finance Agency would be legally authorized to approve expenditures for making improvements beyond those provided for by the final subdivision plats, and further, if such limitation did not exist there would be prohibition by law from contracting for improvements affecting any units sold or under contract of sale.

Carbon copy of letter from Faye Hartman, submitting copy of the other letter to Mayor Dail was presented. Referring to it, that copy states "perhaps the enclosed will answer the questions directed to your honorable body by the recipients of the letter".

Councilman Burgener spoke of a detailed letter by Mr. Slusser, which tells more.

Councilman Williams said he feels that it is unfortunate if the unit purchasers think of it as wrong.

Councilman Schneider asked that the item be kept in the file for the Thursday night meeting.

Councilman Burgener said that as a result of the explanatory letters, it is unnecessary to contact Wilson (Bob Wilson, representative in Congress from this area).

As requested, the letters were put in the file for the adjourned regular meeting for the evening of Thursday, January 5, 1956.

Mayor Dail read to the Council "Border Cities Conference Mexico City Program", which says: This joint goodwill tour, planned and sponsored by the Border Cities Conference Board of Directors, is for the purpose of demonstrating the solidarity of the business and political peoples of the cities along the Baja-California/California Border; it will be a visit to Mexico City and Acapulco for the period - January 24 to January 31, 1956. It outlines dates and events. The Mayor then asked who is going from the Council to represent the City of San Diego.

Councilman Schneider said that if Vice Mayor Burgener is not going, he will - if he can.

RESOLUTION 130589, appointing Councilman Chester E. Schneider as the City of San Diego's official representative to attend the Border Cities Conference of the Board of Directors, visiting Mexico City and Acapulco from January 24 to January 31, 1956, for purpose of demonstrating solidarity of business and political peoples of the cities along the border, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Councilman Curran asked if San Diego has ever entertained the border cities.

The Mayor and the City Manager said that it has not, officially; the Chamber of Commerce has conducted tours.

The City Manager said that there is a South America Cities tour, which the City of San Diego might invite for 1958.

Mayor Dail told the Council that there were men present from Lemon Grove,

interested in annexation. He said that they have talked to the City Manager, and it is thought that it can be rushed.

The City Manager told the Council that the area in which interest is expressed, is uninhabited.

Councilman Schneider asked if the property is contiguous to the City, now.

The Mayor replied that it is contiguous, that the "little part" could be taken in first. He said applications have already been made.

The City Manager said that Tom Fletcher (Asst. to the City Manager) has them.

Councilman Curran asked about LaPressa Valley.

Mayor Dail said that is Bollenbacher & Kelton property; is a hog farm. He said that no immediate action can be taken, and that no election is needed.

The City Manager said he will report.

There was no action.

The Mayor declared the meeting adjourned at 12:02 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August H. Hadstone
Deputy

Chris Dail
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, January
5, 1956

Present--Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail
Absent--Councilman Burgener
Clerk---Clark M. Foote, Jr.

Ordinances and Resolutions for this meeting are recorded on Microfilm
Roll 106.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Ordinance incorporating portion Lots 24 and 25 Wadsworth's Olive Grove Addition into R-2 Zone and repealing Ordinance 184 (New Series), the Clerk reported no protests.

Report from the Planning Commission, signed by P. Q. Burton, reporting that property is now zoned R-1, giving location, character of property, and Planning Commission vote of 5-0 to recommend the rezoning to R-2, was read to the Council by the clerk.

Councilman Curran moved to introduce the ordinance. Motion was seconded by Councilman Schneider.

Councilman Kerrigan looked at a map, which Harry C. Haelsig, planning director, explained to him.

Councilman Kerrigan said that property is in the drainage channel.

Mr. Haelsig said 6 or 8 feet of it is; there is a requirement that the property be subdivided.

Councilman Burgener entered the meeting

Councilman Kerrigan said that a house is in the path of a flood; it is not developed according to the drainage. He said that if there is a flash flood, the water is terrific.

Mr. Haelsig said that according to the City Engineer, that has been cared for.

On motion of Councilman Curran, seconded by Councilman Schneider, ordinance incorporating portion of Lots 24 and 25 Wadsworth's Olive Grove Addition into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 184 (New Series) insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on ordinance for rezoning of portion Pueblo Lot 1151 from R-2 Zone to M-1, communication from Planning Commission signed by P. Q. Burton, was presented.

The report of Planning Commission said that petition is of 1 owner to rezone approximately 3½ acres; several property owners in the neighborhood have approved, and no protests have been received. It identifies property as being northerly of Federal Boulevard and along west side of Wabash Creek, accessible now from F Street by way of 33rd Street and Broadway and then through a narrow access road dead-ending against property in question. It says that from F Street both 33rd Street and Broadway are unpaved but are surfaced with an oil mix, which surfacing is not adequate for truck traffic which might be generated by M-1 zone. It reports that State's proposed construction of Federal Boulevard on a route leading into 18th Street between F and G Streets would involve enlargement of traffic interchanges at Wabash Boulevard and Federal Boulevard; proposed enlargements would cut off access to property by way of Broadway and it would be provided by way of C Street. It says that C Street, under State's proposal, would be extended westerly across a canyon to 30th Street; grades involved might be as much as 12% to 15%, not desirable for truck

Meeting convened
Hearings
Ord re zoning introduced

traffic. It points out that property is not adjacent to any commercial or manufacturing zone, but is entirely surrounded by residential zoning and development; it is in a trailer park district, but no trailer park exists in the district. It states that subdivision map has been filed on adjoining portion of the unsubdivided parcel of Pueblo Lot 1151. He said in the report, that it might be termed "spot zoning", a special privilege for a specific owner. It states that community development plan has been proposed by the Planning Department which would provide for development of the property along residential lines, as well as the adjoining properties to the north and to the west, not developed. It reports that it was unanimous feeling of Planning Commission that area in question was not suitable for M zoning, and voted 5-0 to deny the request as shown on accompanying sheet B-686.

Harry C. Haelsig, Planning Director, showed a map at which Councilmen looked.

Mrs. L. W. Whitehouse (the petitioner for the zone change) said that it is not residential property, and that no one has ever said that it can be developed for residences. She said that in the beginning there was over 5½ acres of property; land was taken for a road, then more land was taken. Mrs. Whitehouse said that property is too small for trailer development, with 3 acres left. She told the Council that there was no objection raised. She spoke of having had application for a laundry, which does not now want the property. She said that property is not hard to sell. She told, again, of land wanted by the City, and that the parcel is "now too small".

When the Mayor inquired if anyone was present to be heard, no one appeared to protest.

Mrs. Whitehouse said that people have said that the proposal would be an improvement. She said that she started with a variance, but so much property was wanted that she abandoned that.

Answering questions, Harry C. Haelsig, Planning Director, answered questions regarding uses allowed in M-1. Councilman Kerrigan wanted to know, specifically, if it would include auto wrecking in M-1. Mr. Haelsig said that is in M-2. He told the Council that community plan has been adopted, although the report says that one has been proposed. He pointed to a map, identifying property and access road. He told of subdivision maps approved. He pointed out the nearest M-1 zone, and answered a question that the bottling plant is in C Zone under a variance.

Mrs. Whitehouse spoke to Mr. Haelsig about existing developments between her property, and the proposed Gas Co.'s.

Mr. Haelsig said that as a result of such a zone change, there could be heavy trucking.

Mrs. Whitehouse told of having spoken to developers, and of no objection on their part.

City Attorney J. F. DuPaul read from the Municipal Code the uses allowed in M-1 zone.

Councilman Burgener asked if it would be helpful to look at the site.

Mayor Dail said he thought that the Council has, but there are new members who may not have seen it.

Mrs. Skelly (as the name was understood, but who did not identify her property), in the 1700 block on Essex Street spoke. She said that if property is rezoned, any number of light manufacturing establishments could go in and cause more smog (which the City does not want to admit, she said) and smoke. She said that nevertheless, smog is here.

Councilman Burgener said he felt it is important to look at the property.

Councilman Schneider said that he can look at it today.

On motion of Councilman Curran, seconded by Councilman Burgener, the hearing was continued 1 week.

(Council secretary was notified 1/6/56 that Council plans to look at the property).

RESOLUTION 130590, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of 1 3-Bedroom House and Attached Double Garage at Barrett Dam, Document 527368; 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 from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of O. D. Arnold Heights 2 for 35-lot subdivision of portion of east half of Lot 33 Horton's Purchase - located adjacent to O. D. Arnold Heights 1, in Ridge View area overlooking Chollas Canyon and Clingman Dairy, subject to 13 conditions, was presented

Also submitted, was communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion San Diego Municipal Code.

RESOLUTION 130591, approving tentative map of O. D. Arnold Heights 2, subject to conditions of the resolution, and suspending Section 102.17-c of San Diego Municipal Code, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack VanCleave, recommending approval of Tentative Map of La Jolla Mesa Vista, an 88-lot subdivision of portion Pueblo Lot 1782, located on hillside adjacent to and westerly of La Jolla Mesa Drive, above Bird Rock, subject to 14 conditions, was presented.

Also, communication was submitted from Planning Commission, by Jack Van Cleave, recommending suspension of portion San Diego Municipal Code.

RESOLUTION 130593, approving tentative map of La Jolla Mesa Vista, subject to conditions of the resolution, and suspending Sections 102.09-1 & 2, 102.11-2, 102.11-1, 102.17-c of San Diego Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack VanCleave, recommending approval of tentative map of La Jolla Mesa Vista, for resubdivision of Lots 18 & 19 Block 34 La Jolla Hermosa No. 2, located at corner of Folsom and Dodge Drives in La Jolla - to add back portion of Lot 18 to Lot 19 in order to provide adequate space for higher level building side on Lot 19, subject to 4 conditions, was presented.

Also submitted, was communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion San Diego Municipal Code.

RESOLUTION 130592, approving tentative map for resubdivision of Lots 18 & 19 Block 34 La Jolla Hermosa 2, subject to conditions of the resolution, and suspending Section 102.17-c of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final record of Survey Map on Lot 9 Block 9 Las Alturas 3 and acceptance of Record of Survey in lieu of final subdivision map, was presented.

RESOLUTION 130594, approving filing of record of survey map in lieu of final subdivision map under Section 102.02.1 of San Diego Municipal Code, on north one half of east one half Lot B Block 9 Las Alturas 3, subject to the Code, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Loma Villas Subdivision, a 141-lot subdivision of Pueblo Lots 210 and 220, located on the hillside easterly of Midway Drive, adjacent to Plumosa Manor subdivision, a portion of what was once Frontier Housing development, subject to 15 conditions, was presented.

Also submitted, was communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion San Diego Municipal Code.

RESOLUTION 130595, approving tentative map of Loma Villas Subdivision, subject to conditions of the resolution, and suspending Sections 102.09-1 & 2, 102.11-2, 102.11-1 and 102.17-c of San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Madera Manor, 6-lot subdivision of east half Lots 1, 2, 3 Blk 1 Sunny Slope Addition to Encanto Heights, located on westerly side of Madera Street between Bittern Street and Broadway, subject to 5 conditions, was presented.

Also presented, was communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code.

RESOLUTION 130596, approving tentative map of Madera Manor, subject to conditions of the resolution; suspending Section 102.17-c of San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending reapproval of tentative subdivision map of Mitchell Heights, approved by Resolution 121698, except addition of conditions 5(a) and 11, was presented.

RESOLUTION 130597, reapproving tentative subdivision map of Mitchell Heights, approved by Resolution 121698, subject to conditions of the resolution, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending denial of tentative map, submitted by John Ashton, for 3-lot subdivision of portion of Pueblo Lot 1280, located on Avenida de la Playa, easterly of La Jolla Shores Drive - zoned R-1B, which requires minimum of 20,000 sq. ft. in area and minimum of 75 feet of street frontage per lot - in that it does not conform with development of the area and does not meet zoning requirements, was presented.

RESOLUTION 130598, denying tentative map for subdivision of portion Pueblo Lot 1280 (Ashton), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from W. S. Sargent, M.D., recommending allowing roller derby to use the Federal Building in the Park; Board of Governors of the Southwest Pacific Border Association of Amateur Athletic Union, by Dick Grihalva, Pres., George Courser, Anderson Borthwick, Don N. Anderson, O. W. Todd, Jr., Darrell Smith, Edward Goodwin, Dr. W. C. Terry, Frank Alessio, expressing protest against commercial exploitation of public recreation facilities in proposed lease of Federal Building, in Balboa Park to the roller derby which it is understood will eliminate play in basket ball, badminton and other sports; petition of Sue Daniels and others, A. Berkell, Vice Pres. Bart Sales Co., Naomi D. Yates, Balboa Park Concessions, by Edward L. Ohler (the last 4 mentioned, favoring roller derby in the Park), were presented.

Names for and against the proposal were read to the Council by the Clerk, and the documents handed around.

Protestants appeared, and were heard.

Blossom Kennedy, president of Volley-Tennis Assn., said that the group plays 3 nights each week in the Federal Building. She said that the gymnasium building can't be used on account of a basketball tournament. She said the group she represents has a tournament scheduled. She opposed use of the Federal Building by the roller derby. Answering a question, Miss Kennedy said that she represented about 300.

A woman, identified later, as Mrs. Joe Medina, said that 7, 8 or 10 use the gym weekly. She said that if roller derby were to use the Federal Building, it would mean moving to the gym, and that several envy the use of the gym. She said that after the baseball park being turned down in the Park, she was shocked at this proposal for use by the roller derby. She said other groups would be affected because of parking by the roller derby. She said she understands that it would be for just 1 season. Mrs. Medina spoke of the pressure having made for use of the Park for cultural activities (not commercial). Referring to San Francisco, she said there (Golden Gate Park) is something to be proud of. She said persons would not be able to go to any other activity in the Park, because of parking being all taken. She asked about Glacier Gardens (which has been converted from an ice skating arena to the San Diego Arena).

Mayor Dail said that is not available, because the roller derby would have to put in a track.

Mrs. Medina said that it would be permanent (in the park), and that they would be shoved out.

Bud Nixon, chairman of square dancers's convention, protested again, as he had previously. He said if not possible to get in early, it will cripple the convention.

Pete Byer, of the San Diego Recreation Council, stated that his organization represents the major companies in San Diego area, and has for 15 years. He said it is a non-profit organization. He said that the group is working closely with the City. He said that activities would be lost if buildings in the park were not available. He said if there was assurance of use 3 days, and could use the other 4, it would be O.K. He said that equipment would have to be left, and that Federal Building would be lost, and there would be an affect on the gym. He said that while he has not met with all company heads, there has been discussion. He stated "the roller derby should be kept on a professional basis - outside of the Park". Mr. Nixon told the Council that the derby is wanted here - but not in the Park. He made the plea "keep Federal Building for amateur sports".

Mayor Dail asked if anyone was here in support of the request for the roller derby in the park. He said that support has been filed with the Council. He said it has already been rejected. He said the Council could state its policy. The Mayor said there seems to be a doubt of what the Council's action was; the policy is not clear.

Councilman Curran spoke of permitting use of the Conference Building.

The City Manager stated that there are more uses for the Conference Building. He said that if they want to go to the Conference Building.....there is another delegation.

The Mayor said that it is a question of policy.

Councilman Williams moved that use of Park Buildings and facilities be limited to amateur events - and present activities. Motion was seconded by Councilman Schneider.

Mayor Dail said that he is willing to vote on the Williams motion.

Councilman Schneider pointed out that the Stadium (which has commercial activities) is in the Park.

Councilman Williams spoke about exposition.

Councilman Curran said that he is opposed to the motion, because of having other activities scheduled.

Councilman Williams said that the people interested are entitled to an answer.

Councilman Williams made a new motion, which was seconded by Councilman Kerrigan.

RESOLUTION 130599, denying the Roller Derby use of any building in Balboa Park, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Communication from Automobile Club of Southern California, by G. P. Parmelee, Manager, Sign Posting Department, dated December 30, 1955, was presented.

It informs the Council that the Club plans to cease sale, installation and maintenance of traffic signs as soon as possible, consistent with public convenience. In addition to statements, it says that after 50 years of sign posting experience, it offers assurance of continued interest in the important matter, and of desire to better serve the City and the motoring public.

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

Communication from Robert M. Golden, president, San Diego Chamber of Commerce, San Diego 12, California, expressing appreciation for cooperation and assistance given so consistently during the year to the Chamber of Commerce, was presented. In addition to statement of fine spirit of cooperation, it wishes a good year for 1956.

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

Copy of letter from H. W. Merkeley, 3655 Fifth Avenue, San Diego 3,

dated January 1, 1956, was presented.

It expresses the opinion that "a twenty minute round table with the both sides where you would get the true facts in the case would save both time and money for all concerned" - relative to City Attorney having been ordered to take proceedings against the Mission Beach Co.

On motion of Councilman Williams, it was read to the Council, ordered filed, and the Mayor requested to answer. Motion, which carried, was seconded by Councilman Kerrigan.

Communication from David H. R. Pain, attorney, 1951 Cable Street, Odean Beach, San Diego 7, dated December 30, 1955, was presented. It says, in part, "As attorney for the Mission Beach Property Owners Committee, please be advised that we oppose the erection of a new roller coaster at any location at Belmont Park. It is our opinion that Mr. Ray complied with the conditions of the Master Plan when he erected the small roller coaster on the site provided in the Master Plan". It says that he may not erect another roller coaster on the site of the small roller coaster, or at any other location, without first having obtained an amendment to the Master Plan, and that any such amendment would be opposed by the Property Owners. It states that in checking on disbursements made by Mr. Ray, for which he was reimbursed by the City, it was found that records of the City were inadequate in that there was no breakdown, and it suggests that any further disbursements be more accurately accounted for. The communication says it does not imply that Mr. Ray cheated the City, but feel that recording by the City was inadequate.

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

Notice of State of California Department of Public Works, Sacramento, dated December 29, 1955, signed by G. T. McCoy, State Highway Engineer, was presented. It gives notice to the City of San Diego of the Department's intention to request the California Highway Commission, on or after 90 days from date of receipt of notice, to relinquish portions of State highway - XI-S.D.200-SD described in attached proposed Vote of Relinquishment (portions of Federal Boulevard).

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

Communication from State of California Water Pollution Control Board, 3441 University Avenue, San Diego 4, dated 3 January 1956, signed by Harold E. Miller, executive officer, was presented. It expresses concern over delay in achieving solution to San Diego Bay Area sewerage problem. It outlines the Board's concerns. In addition to a long letter which goes into detail, it says that the Board would be happy to discuss the problem further, if the Council desires, at its convenience.

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

(The communication is being sent by the clerk to the City Manager, for his information).

Two communications from La Jolla Town Council, Inc. submitting additional sheets of signatures by property owners fronting on Electric Ave. requesting closing of old abandoned railway right of way in La Jolla and removal from Master Plan of the City.

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

RESOLUTION 130600, authorizing City Manager to accept on behalf of The City of San Diego the public work and improvement required to be done in Campanile Manor Subdivision (Agreement, Doc. 427849) and to execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130601, authorizing City Manager to accept work on behalf of The City of San Diego required to be done in Clairemont Manor Unit 6 Subdivision (Agreement, Doc. 499551), and to execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130602, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light in Conrad Terrace Subdivision, at Livingston Street at Nassau Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130603, authorizing City Manager to sign agreement by and between The City of San Diego and City of La Mesa concerning street lights, copy on file in office of City Clerk as Document 527467, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Agreement provides that City of San Diego agrees to request San Diego Gas & Electric Company to add the lights on attached list to the agreement between City and Company for fiscal year July 1, 1955 to June 30, 1956, request the Company to bill The City of San Diego at same rate as San Diego enjoys; that City of La Mesa agrees to pay City of San Diego upon receipt of monthly bill.

RESOLUTION 130604, authorizing and empowering City Manager to enter into agreement with C. P. Sikes and Garrick O'Bryan, lessees of portion Mission Bay known as Quivera Basin, lease agreement as Document 516032, in connection with construction of service road for access to entire Quivera Basin, under Document 527468, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130605, granting request of California Electric Works, December 19, 1955, Change Order 1, for extension of 60 days to and including February 2, 1956, Document 527401, in which to complete contract for installation of traffic signals and safety lighting on Ash Street between 9th Avenue and Kettner Boulevard, contract Document 519519; extending time of completion to February 22, 1956, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130606, approving Change Order 2, December 19, 1955, filed as Document 527402, issued in connection with contract between The City of San Diego and Johnson-Western Constructors for construction of Los Penasquitos Creek Bridge, contract Document 519700; changes amounting to increase in contract price of \$304.61, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130607, approving Change Order 1, December 22, 1955, Document 527403, issued in connection with contract between the City of San Diego and Rogers Construction Company for construction of Sunset Point Sewer Pump Station, contract Document 524723; changes amounting to increase in contract price of \$208.00, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130608, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northerly 5.0 feet Lot J Block 5 Las Alturas Unit 2, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; and that Property Supervisor be authorized and directed

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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 130609, granting revocable permit to V. J. Lloyd, Inc., 4283 El Cajon Boulevard, San Diego, to install and maintain foot bridge for use and benefit of owner's property over and across alley, to gain access between owner's 2 buildings for safety of pedestrians: Lots 4 and 45 Block 22 Teralta Resub of Lots K-L, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130610, granting revocable permit to The Texas Company, 929 Broadway, Los Angeles 15, to install and maintain 60-foot sewer lateral 4" C.I., for use and benefit of owner's property: Lots 25, 26, 27, 28 Block 43 W. P. Herbert's subdivision, under Cherokee Avenue north of El Cajon Boulevard from owner's property to City sewer main in Alley Block 43 W. P. Herbert's Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130611, expressing sympathy with widow of Earl F. Thomas, an employee and distribution superintendent of the Water Department for 28 years, who had given outstanding and conscientious service to the City and to the public; directing the City Clerk to send certified copy of resolution to Mrs. Earl F. Thomas, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

(The Mayor's office is sending the Resolution).

RESOLUTION 130612, in recognition of outstanding services devoted by Earl F. Thomas to The City of San Diego, naming proposed new distribution reservoir at Alvarado Filtration Plant EARL THOMAS RESERVOIR, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The Mayor's office is sending the Resolution).

RESOLUTION 130613, authorizing Paul Beerman, Director of Water Department, to attend meeting of State Water Resources Board, Sacramento, January 6, 1956, and incur all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130614, authorizing Edward M. Hall, Transportation Research Director, to attend meeting of Sub-Committee II of National Committee on Urban Transportation, Washington D.C., January 20, 1956, and incur all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

In connection with the next item, Councilman Burgener moved that claim be denied.

Councilman Curran said he had a question.

City Attorney DuPaul told about the claim and its size (Mission Beach Amusement Center).

RESOLUTION 130615, denying claim of M.B.A., a California Corporation, signed by John C. Ray, president, on file in office of City Auditor and Comptroller, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Williams, 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 6809 (New Series) appropriating \$3,000.00 from Unappropriated Balance Fund, for cost of position evaluation audit of 55 Unclassified City Positions, to be made by Louis J. Koreger and Associates, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Schneider, 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 the Council prior to day of passage a written or printed copy.

ORDINANCE 6810 (New Series), appropriating \$1,200.00 out of Capital Outlay Fund, for providing funds for preparation of plans and specifications and furnishing architectural services and supervision in connection with construction of comfort station in Kellogg Park, in accordance with contract between the City and Roy Drew, dated December 23, 1955, Document 527153, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Schneider, seconded by Councilman Williams, reading was dispensed with by 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 6811 (New Series), establishing grade of Elm Street, between easterly line of Pacific Highway and line parallel to and distant 225.00 feet easterly therefrom, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Schneider, seconded by Councilman Williams, reading was dispensed with by 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 6812 (New Series), establishing grade of Marlow Drive, between westerly boundary of Rolando Park Unit 2 and northerly prolongation of easterly line of Lot 190 Rolando Park Unit 2, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Schneider, seconded by Councilman Williams, reading was dispensed with by 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 6813 (New Series), establishing grade of Vista Grande Drive, between southerly line of Celia Vista Drive and northerly line of Racine Road, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

Mayor Dail said that there is a State law section which has been included,

Asked about the last section, City Attorney J. F. DuPaul told the Council that some occasion may arise when the Council might be embarrassed if it had not set a definite rule. He said that some might not be wanted in the conference room.

RESOLUTION 130616, stating that it is necessary for the Council to be briefed and informed regarding items appearing on the Council agenda; that it is necessary for officers of the City government to report to and inform the Council regarding the matters appearing on the agenda; that Council conferences are necessary to facilitate the even flow of Council business at official Council meetings.

Following the previous statements, the resolution says:

"That all meetings of the Council conferences shall be open to all members of the Public who have registered with the City Clerk. In the form of registration the person requesting admission to the Council conferences must furnish his name, address, occupation, age, and the group, organization or association, if any, that such person is representing and must specify the legislation which such persons is interested in and whether such person is trying to influence the passage of or the defeat of such legislation. The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed and includes any other matter which may be the subject of action by the City Council. Upon admission to the Council conference such person must remain silent except when such person is requested by the Council to speak.

The provision as to registration shall not apply to accredit representatives of newspapers, radio or television stations, or to any officer or employee of City, County, State, or Federal government.

The Council conference may, at its discretion, hold closed executive sessions to consider the employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing. The legislative body may also exclude from any such public or private meeting during the examination of witnesses any or all of the other witnesses in the matter being investigated by the legislative body", 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:

Councilman Kerrigan said that the question is if there is a difference between living costs in San Diego and Los Angeles.

The resolution says that the metropolitan area surrounding City of San Diego has within recent years grown to nearly one million and, as a result there is a demand for a special price index survey, and that the large aircraft industries working on national defense contracts would each considerably benefit by a special price index survey. It says that there appears a difference exists between conditions in City of Los Angeles area and area in and surrounding The City of San Diego, which can only be estimated, and their condition appears to be only one available for reference, which leads to much dispute. The resolution says that it appears to members of the City Council that recent rapid growth in local population indicates an immediate need for a special price index survey and that would be of valuable assistance to local aircraft industries national defence effort, and to the Council in intelligently passing upon City salaries for fiscal year of 1956-1957; that it appears no local facility for ascertainment of field facts on which to predicate a price index, and the United States Department of Labor, through its extensive experience and manifold facilities, can make a special price index in The City of San Diego.

Following the previous statements, the resolution says:

RESOLUTION 130617, respectively urging and requesting the United States Department of Labor to begin a special survey in order to create a current price index in The City of San Diego, so that results of the survey may be available to several aircraft industries employing thousands of personnel and to the City Council at the coming budget sessions in the second quarter of 1956; authorizing and directing City Clerk to forward certified copy of resolution to Senators Knowland and Kuchel and to Congressmen Wilson and Utt, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The City Manager's office is transmitting the resolution, although the City Clerk is directed to do so - in order that he may supplement the request).

Councilman Curran referred the City Manager and the Mayor to an article in Fortune Magazine for January, which he felt they would find of interest.

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

RESOLUTION 130618, reappointing George A. Scott, Richard A. Nelson and Harry Burnaugh as members of the Mission Bay Advisory Commission, to serve until January 1, 1957, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Manager requested, and was granted, unanimous consent to present Ordinance amending the San Diego Municipal Code regulating operation and parking of Food Vending Vehicles.

Mayor Dail said that the Council should introduce the ordinance, or set a hearing. He pointed out that several hearings have been held.

Councilman Curran said he understood that the proposal is a compromise, and that the Police have many problems.

City Attorney J. F. DuPaul said that the City Manager will have to answer for the police regarding distinguishing vehicles.

Councilman Curran said that it is a problem.

City Attorney DuPaul said that the Council all knows why.

Councilman Schneider said that it "is for the elimination of competition".

The City Manager said that there is generally some compromise; the police is told what the ordinance is, and the police use their best judgment. He spoke of getting together on this compromise, which had been worked out.

Councilman Evenson said that the question is of who is served. He said that the basic thing is the problem of the traffic area. He spoke of "going back in months", and increase in size of map. He asked if it is a good ordinance or not. He asked why a general map should not be included (to outline, specifically, where there may or may not be operation).

The City Manager replied that is all right with him.

Councilman Curran said that there has been an altering of the traffic pattern.

Mayor Dail referred to the central traffic district, and there is availability for food purveying in that district; this is for the outside areas. He said there is no sense to tie up a food vending truck by a restaurant.

Councilman Evenson said that the Council is talking of 2 types of service. He said it is a restricted type of activity, in the first place.

There was general discussion between members of the Council - not hears by the clerk.

Mayor Dail pointed that if the ordinance, as presented, is modified it would have to go back to the people who had agreed on this draft. He said that the City Attorney says it should go back to (Deputy City Attorney) Firestone, if changed.

Councilman Kerrigan said that in the central traffic district there are not some services, and they have been served by trucks for 30 years.

On motion of Councilman Burgener, seconded by Councilman Schneider, ordinance amending San Diego Municipal Code, by adding Sections 42.0130, 42.0131, and 42.0132, and repealing Section 42.0123 - Regulating operation and parking of food vending vehicles, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

The City Attorney told the Council that he was having Ordinance regarding Zoning Administration, typed. Following the comment, the ordinance was brought to the City Attorney. He read from the ordinance, and told the Council that there is need for action by 3 members - a majority - the same as the Council has to have a majority action for any of its actions.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance amending Division 5 of Article 1 of Chapter X of The San Diego Municipal Code, Regulating Zoning Administration, was introduced, by the following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Mayor Dail said to the Council that Ken Williams (Associate Administrative Analyst, has been appointed City Manager of San Pablo, and that he will be leaving soon for his new position. He said that Mr. Williams has been helpful, and that he has done a good job with the City of San Diego. He wished Mr. Williams success, and thanked him for his activities with the City of San Diego.

Mr. Williams told the Council that it does not seem like 3 years that he has been with the City of San Diego, and that he has a lot of memorial for the period. He thanked the Council.

RESOLUTION 130619, requesting the City Manager to draw a resolution regarding the services of Ken Williams with the City of San Diego, was on motion of Councilman Kerrigan seconded by Councilman Schneider, adopted.

Councilman Williams said that the Council has been concerned regarding attendance at Council conferences. He said that he hopes action taken this morning will continue confidence of the people. He said that an unkindness may have been rendered to Mrs. Merrick and her group. He spoke of hoping that all can go along, and that it will be better.

Mrs. Louise Merrick told the Council that there was no intentional disruption of the Council (in conferences). She said that she has respect for the Council.

Mayor Dail told Mrs. Merrick that he feels she has not had the confidence of the Council. He said that Mrs. Merrick has not given her confidence; the Council will give it, when she gives consideration to the Council.

Mrs. Merrick replied that she was sorry the Mayor said that.

The City Manager said that Paul Beermann had reminded him of water use by others. He told the Council that the Council Water Authority is to consider the item next Wednesday. He said that he wants to discuss the subject with the Council next Tuesday, regarding policy.

Mayor Dail declared a recess, at this point, to 2:00 o'clock P.M., this date.

Upon reconvening at 3:35 o'clock P.M., the roll call showed the following:
Present-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Absent-Councilman Kerrigan
Clerk--Clark M. Foote, Jr.

Ords introduced
Comments re Ken Williams leaving City for San Pablo, as City Manager (Res 130619)
Comments by Mgr re water use-"by others"
Meeting recess & reconvened

The City Manager told the Council that he had a resolution on which he asked Council consideration.

City Attorney stated that there is a subdivision pending on the Mesa.

RESOLUTION 130620, confirming the determination and declaration of Resolution 128234 of The City Council that public interest, convenience and necessity of The City of San Diego, and the inhabitants thereof, require construction, operation and maintenance of a public street and slopes across portions of Pueblo Lot 1202 and portions of Lot 3 Subdivision of East Half of Pueblo Lot 1215; and that public interest, convenience and necessity demand acquisition of property to be used by the City for property to be used by the City for purposes aforementioned; declaring intention of The City of San Diego to acquire property under Eminent Domain Proceedings; directing City Attorney of the City of San Diego to take any action necessary to acquire the property, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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

RESOLUTION 130621, authorizing Councilman Chester E. Schneider to attend the Joint Goodwill Tour and Border Cities Conference, to be held in Mexico City and Acapulco, Mexico, January 24 to January 31, 1956; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

At 3:37 o'clock P.M., the Council took a recess to 7:30 o'clock P.M., this date.

Mayor Dail called the adjourned regular meeting to order at 7:33 o'clock P.M., inasmuch as there was a quorum present, he announced.

Attendance was as follows:

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

In opening the session, Mayor Dail stated that this was the second night meeting, held to allow citizens to appear and to be heard. He announced that rules had been set by the Council, limiting speakers to 5 minutes. He stated that a register had been made prior to the meeting, of people to be heard, giving their names, addresses, telephone numbers and subjects on which they proposed to speak. He announced that others can address the Chair, after the registered persons have been heard.

Joe McGee, address not given on the register, told the Council that the organization is the Linda Vista Action Committee. He told the Council that Public Housing has received funds to cover sidewalks. He spoke of having petitions to put back the sidewalks. He said that Mrs. Hartman (Mrs. Faye Hartman, Special Field Representative for the Public Housing Administration) had said that estimates "were off" - as he had said before. (The talk by Mr. McGee were repetitions of several previous statements before the Council, both verbally and in writing). He said that deletions were made after portion had been sold. He said that some have received all, while other have received only a portion of the improvements, although all have been charged for the improvements. He said he has been advised by Mr. Cole (Albert N. Cole, Administrator of the Housing and Home Finance Agency) that extra funds will be spent. He stated that PHA has made a gain of \$52,000 and \$28,000 when received by Cole. He asked for restoration of improvements, and charged that this has been pending months. He asked for a decision early. He said there was an article on the subject in the Linda Vista Press, from which he read a quote.

Councilman Burgener entered

Mr. McGee said that civic associations have gone on record as favoring sidewalks.

There was discussion between the Mayor and Mr. McGee regarding letter from Mr. Cole of PHA. He said that Mrs. Hartman had said that estimate was off \$28,000. He charged that collection had been made twice.

Mr. McGee, answering the Mayor, said there were no changes in improvements. He said that the first 2 (units, presumably) sold received all the improvements; others did not.

Councilman Williams spoke to Mr. McGee regarding charges he had made at the previous meeting, and that he had investigated the charges.

Mr. McGee stated that there was \$511.25 in each unit for improvements. He said that original improvements are listed in agreement on file in City Clerk's office as Resolution 117175 adopted March 18, 1954.

Councilman Williams asked Mr. McGee where he finds the \$511.

Mr. McGee told of the Cole letter, the amount collected, and division among the owners.

Councilman Williams said that Mr. McGee's charge is without basis of fact; it is not in the agreement.

Mr. McGee said \$5,500 was for improvements.

Councilman Williams spoke of owners having received.....(was not finished). He pointed out to Mr. McGee that he has damaged a person (Mrs. Faye Hartman), who is doing a fine job. He stated that the owners have received more than they bargained for. He said that the figures referred to do not appear on any contract of purchase. He repeated that charge is without basis of fact; that it is mean and unjustified.

Councilman Schneider asked Mr. McGee if he did not get a good buy.

Mr. McGee replied that price of the homes was not an important question.

Councilman Schneider declared that Mr. McGee got a bargain; he got it at a good price, which under other circumstances would have cost more.

Mr. McGee spoke to Councilman Williams about figures. He said that Mrs. Hartman had stated that total price was 5% for improvement; it is 10% or greater.

Councilman Schneider stated that he did not believe it, and declared that he thinks the McGee statements are not sincere.

Mr. McGee said that PHA officials did not give an opportunity to respond. He said that prior to sale of Linda Vista, PHA endeavored to estimate the cost of improvement program. He said that details were outlined, and Linda Vista was put on sale with the understanding that improvements were to go in. He said that they were off (the estimate) in 1955, because they had to ask for deletion of \$52,000. for sidewalks. He stated that a gain of \$22,000.00 was made. He stated that Mr. Cole says that PHA is furnishing \$28,000, and that there is no need for the City to delete sidewalks.

Councilman Schneider spoke to Mr. McGee about sidewalks in Linda Vista new unit. He told Mr. McGee that he lives in a simple house. He stated that many times subdivisions have been put on without sidewalks, but paid for later by the property owners under 1911 Act proceedings. Mr. Schneider said that he went out, and that he was impressed with the plea. He stated that if he could buy a house for the same in Linda Vista he would be happy. He said that if improvement is wanted in the front, and it were his, he would get together with the neighbors to have the work done. He stated that the City cannot give the Linda Vista people sidewalks, and that there is just shooting at critics. Mr. Schneider said that the criticism is not sincere. He said that remedy lies with the Federal Government.

Mr. McGee maintained that the only recourse is with the City. He said, again, that request resulting in deletion of sidewalks had come from Mrs. Hartman. He said that Mrs. Hartman then asked for the installation; minds can be changed again.

Councilman Evenson spoke to Mr. McGee about deleting alleys.

Mr. McGee said it is felt that the owners should not have to choose between sidewalks and alleys.

Councilman Evenson spoke to Mr. McGee about the requests. He said "FHA has agreed"; the City cannot force them.

Mr. McGee asked for a decision. He stated that what he says may seem ridiculous, but he is sincere. He said he wanted to hear from others.

Mayor Dail said that this is not a Linda Vista forum; Mr. McGee was going to speak for all in the Linda Vista Citizens Action Committee; he has already taken up 25 minutes.

Councilman Schneider said that if the City could do something, he would be inclined to do something. He said that the contract is made, and completed. He said the City can't do anything; it can do nothing now.

On motion of Councilman Evenson, seconded by Councilman Schneider, RESOLUTION 130622, filing the petition(s) asking for restoration of sidewalks, deleted from Resolution 117175, in Linda Vista; filing the "whole matter", was adopted.

Mr. Estey, who was not identified further, asked if the property is accepted as it stands, when the City is going to build up the sidewalks.

Mayor Dail replied that the owners in Linda Vista have remedy under the 1911 Act - as is the case with all other property owners in the city.

Mr. Estey said that the City is going to accept substandard property.

The Mayor said that evening meetings are not to be sounding boards on a particular subject, and that they are not to be monopolized.

Art Burns, 146 So. 58th Street, who had registered to speak on waste reclamation, said that he would yield to Robert McPherson who was here on the same subject. (It had been presented at the first evening meeting, also).

Robert McPherson, who had registered to speak on waste reclamation, but whose address was not shown, said that attempt had been made to prevent discussion or debate on sewer reclamation. He asked the Council "to consider the evidence". He stated that news stories refer to 3 proposals. He read them. He said that a 4th plea was not mentioned: costs \$22,000,000+. He said that there are several benefits; they have deliberately been suppressed. He said there would be much reclamation, with less pollution. He said the City can have fresh water, which is wasted as sewer effluent. He said the 4th plan has been kept from the (Mayor's) sewer committee. He stated that Col. Drake is in favor of reclamation of wastes. He said that the other 3 plans are costly: (1) \$26,800,000 sewage system with treatment plant and ocean outfall at Imperial Beach; (2) \$30,900,000 sewage system with treatment plant and outfall on Point Loma; \$26,000,000 split system with plants and outfalls at both Imperial Beach and Point Loma. He said that "some would like to line their pockets". He said that the City owes it to the people to bring it out in the public. He said that people of San Diego have the right to know how funds are spent. Mr. McPherson said he has copy of his letter to the 3 papers; none was printed; copy of letter to chairman of taxpayers' committee was not acknowledged. He demanded to know why it has been kept quiet. He said he knows that the plan would pay for itself in 10 years. He said the people are going to have to vote; people say that they will vote against bonds for sewer project, unless there is reclamation. He said that Chicago is making a fat profit out of waste.

Councilman Williams spoke to Mr. McPherson about Chicago disposal system. He said the situation is different in Chicago from San Diego's; with fresh water there is no way to remedy it by tide. He said that in Milwaukee there is the same problem; Milwaukee has not made 1 cent - it costs more. He said that he has corresponded with Milwaukee; and they will not let out the information regarding the cost because they don't want it known.

There was discussion between Councilman Williams and Mr. McPherson about figures.

Mr. McPherson said he had mailed copies.

Councilman Schneider spoke to Mr. McPherson about the channel disposal of 60,000 gallons per day - including other cities, for which they pay. He asked where water would be stored, if recovered.

Mr. McPherson answered that he has a report; he is not here to say.

Councilman Schneider spoke of need to be realistic, and asked again where the city would put that water. He said the City has evidence that the water contains salt. He stated that the proposal poses an almost insurmountable problem.

Mr. McPherson asked for consideration. Answering Councilman Burgener, Mr. McPherson said that he is employed at Convair.

Councilman Burgener said that \$28,000. was paid for the report.

Mr. McPherson said that the Kinney-Greenbaum report was made free.

Councilman Williams asked Mr. McPherson if he was familiar with the Zimmerman report.

Mr. McPherson's reply was "no".

Councilman Curran said that copy is available.

The Mayor and the City Manager spoke of having it.

Mayor Dail said that policy had been decided just today.

Mr. McPherson said that his letters had not been printed - as was said before.

Councilman Curran said that it is only fair to advise Mr. McPherson that at this afternoon's conference plans were discussed.

Mr. McPherson said that the Kinney-Greenbaum is intensive.

Art Burns, 146 So. 58th Street, of San Diego Industrial Council, who had

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registered to speak on waste reclamation, was heard. He said that the Industrial Council is interested in new industry, and that water reclamation is a good new project. He told of the cities that have plants. He read an article from the Tribune re USC. He said, "think of the barren land that there would be in South Bay area." Mr. Burns said that salt intrusion can be blocked. He continued to read, and said that he was glad that the City Council was willing to hear from 2 engineers.

Kall Meyer stated that between his house, and the next, it calls for a future road. He said that it has reverted back, since having been rejected. He told the Council that the land is taxed. He said that the Engineer and the Council say that it is his, so he wanted to know why he can't build a fence on the property - if he is taxed for it. He said the setback is kept being brought in - about 30 feet. He said he lives in Linda Vista - on Judson. (Mr. Meyer had registered 2585 Judson Street, to speak on the subject of variances on streets and reversion of ownership). He said he lives across from Highway 395 and the Juvenile Home. Asked the question, Mr. Meyer said that he bought about 4 months ago.

There was discussion between Councilman Williams and Mr. Meyer.

Mr. Meyer asked, again, why when property had reverted back he is taxed, but can't use the property.

Harry C. Haelsig, City Planning Director, was asked for a report. Mr. Haelsig said that the situation is common throughout the city. He said that "future streets" are placed on maps for access in future developments. He spoke of being a triangular piece owned by the government. He said there are 15 or 16 future streets in Linda Vista, which would lead to future areas. He said dedications have been offered, but rejected. He said it can be dedicated later. He said the Council has had to accept dedication of 2 future streets. Mr. Haelsig said that the practice is common in California.

Councilman Williams spoke to Mr. Haelsig about accepting the land now.

Mr. Haelsig said that it would then become a liability on the City. He said that in the east, a portion had been acquired.

Councilman Schneider asked if the property can be used.

Mr. Haelsig replied that it can be, but may not be built upon.

Mayor Dail asked how much the tax is.

Mr. Meyer said \$115.

Mayor Dail said that would not be "on that piece".

Mr. Meyer said he would have to get a variance to build a fence. He asked "why should it lay there, and have to take care of it".

Mayor Dail said that there are many such all over the city. He asked Mr. Meyer to write a letter to the City and offer the land. He said that should bring definite results.

Mr. Meyer said it looks like a burden on taxpayers.

Councilman Burgener asked if there is need for comparison, regarding taxes.

Councilman Schneider asked what would happen if Mr. Meyer were to build a fence.

Mr. Haelsig said that he would be taken to court for violation.

Mayor Dail said that this is a proper legislative field of the City.

Councilman Williams said this is not too unlike any neighborhood area.

There was discussion between several on the subject of setbacks.

Mr. Meyer said that he can go to the City Engineer for a permit, and get an encroachment permit for \$15.00.

Councilman Burgener pointed out that there are many "paper streets"

Mr. Haelsig said that the Council has a policy not to accept the future street dedications.

The City Manager said that most property owners want to reserve the property (as was done in this case).

Mayor Dail asked why land should not be offered to the City.

Councilman Curran said that if there is a considerable number, property might be made as a conditional use permit.

Mr. Meyer said he would remove the fence, if the City wants to build a road.

City Attorney DuPaul said that the Council has adopted an ordinance regarding conditional use, and deliberately left this out. He stated that the owner "owns to the center of the street - subject to provisos for uses by the public". He said that when property is bought, certificate of title can be obtained, subject to continuing offer of use for street.

There was discussion between the City Attorney and Mr. Meyer about taxes.

The City Attorney said that tax on the parcel would be nominal - if any. He said that the condition exists all around the city. He said the City can take a continuing offer for the future, so land won't have to be condemned. He said that restrictions are on the books, on that account. He said it can be accepted, and that Mr. Meyer knew when he bought the property that the conditions existed.

Councilman Burgener said that the County Assessor takes the situation into consideration.

Councilman Williams pointed out that there are 3 courses available. He said that if the owner does not want the property, he can offer it to the City, and he can also get a variance. He said the owner has to make up his own mind if he wants to use the property.

Mr. Meyer is the one who has to take the steps, according to the Mayor.

Mr. Meyer said he has been told to build on the land - and let the City sue.

Councilman Schneider pointed out that the Board of Supervisors meets each year as a Board of Equalization, and that Mr. Meyer can go before the Board with his taxes.

Asked for a legal description of the property, Mr. Meyer replied 45-7 Linda Vista Subdivision 8.

Councilman Curran recommended checking with the Assessor's office.

Councilman Williams said that is the property owner's prerogative.

Mr. DuPaul said that Mr. Meyer is "treated like everybody else".

The Mayor pointed out to Mr. Meyer that there are certain things which he has to do himself.

Councilman Burgener spoke to Mr. Haelsig about Kearny Mesa.

Ray Hogue, who had not registered, spoke as a member of San Diego Industrial Council, spoke about salt water seepage (in connection with waste reclamation). He said that report will show that construction of 2 plants would be used to handle effluents tainted by salt water seepage. He said that a vast majority could go into another plant. He said there would be 2 types of reclamation plants. He said that on return there would be less contamination to the Bay. Mr. Hogue told the Council that there are lots of water sheds that could be used for the storage of water, and for putting to work the water sheds. He stressed the importance of water. He said that water can be purified by the Atomic Energy Commission. He said that it can be held in storage, and purified.

Councilman Burgener spoke to Mr. Hogue about salt water, due to use of water softeners.

Mr. Hogue discussed the item with Councilman Burgener, and then said to the Council as a whole that the ball can start rolling for the metropolitan sewage system.

Councilman Schneider said that the Mayor has asked other cities to come in and study the problem.

Mayor Dail said that the City has a committee of scientists, and that they are to hold meetings and conduct forums. He said that the first meeting will be publicized, and that they will expect questions.

There being no further business to come before the Council, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Burgener, at 8:46 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadistrom
Deputy

Charles D. Dail
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 10, 1956

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

Ordinances and Resolutions are recorded on Microfilm Roll 106

Mayor Dail presented the Reverend Erwin Wick, Assistant Pastor of St. Agnes Church, Point Loma. Father Wick gave the invocation.

Councilmen Burgener and Evenson entered

Councilman Burgener requested unanimous consent for an item not listed on the agenda. He went into the adjoining room, and returned with a lighted birthday cake. The large group present sang "Happy Birthday" to the Mayor. Vice Mayor Burgener said that the 12 candles did not represent the Mayor's age, but 1 for each of his years on the Council. The Mayor offered his thanks to the Vice Mayor, and then blew out the candles.

The Mayor introduced about 60 students from the Senior Problems Class, of Mission Bay High School, teacher Virginia Gilloon, principal Mrs. Mary Maull. He welcomed the group, and they stood at his request, for applause.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Council meetings of Tuesday, January 3, 1956, and of Thursday, January 5, 1956, were approved without reading, after which they were signed by the Mayor.

The Purchasing Agent reported in writing on 4 bids received for paving and otherwise improving Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, et al., received January 6, 1956.

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

The Purchasing Agent reported in writing on 3 bids received for paving and otherwise improving Worden Street, received January 6, 1956, was presented.

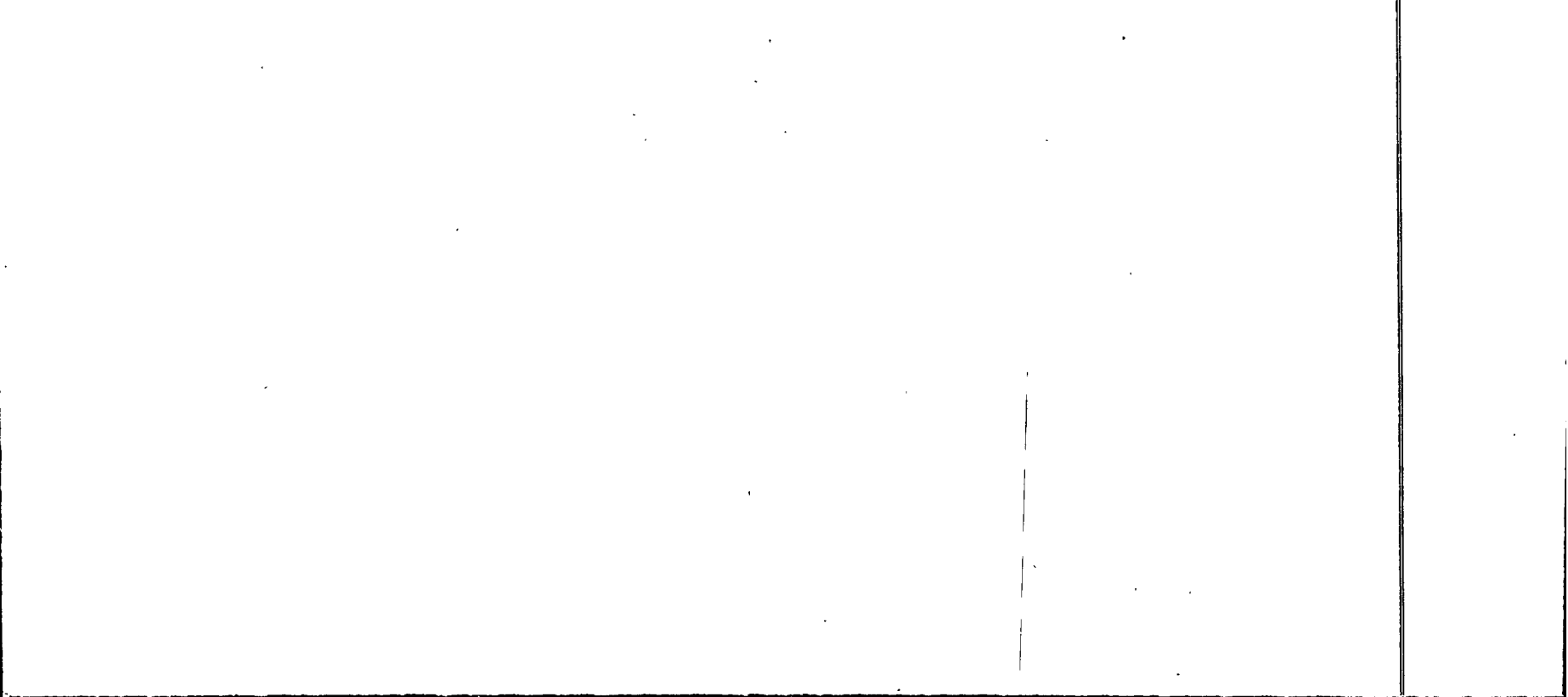
On motion of Councilman Kerrigan, seconded by Councilman Schneider, finding was made that bids had been opened as reported. They were referred to City Manager and City Attorney for recommendation.

The Purchasing Agent reported in writing on 4 bids received for paving and otherwise improving Alley Block 49 Ocean Beach, January 6, 1956.

Meeting convened
Invocation
Minutes approved & signed
Birthday greetings to the Mayor
Purchasing Agent's reports on 1911 bids

Pages 229 & 230

Not Used



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

The Purchasing Agent reported in writing on 4 bids received for paving and otherwise improving Alley Block 23 Ocean Beach Park, was presented.

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

The Purchasing Agent reported in writing on 5 bids received for paving and otherwise improving Gillmore Street, Southlook Avenue, Olivewood Terrace, et al., received January 6, 1956.

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

The Purchasing Agent reported in writing on 4 bids received for grading and sidewalking Grape Street, Sultana Street and 54th Street.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 129454 for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street - having been continued from week-to-week since December 13, 1955, Councilman Burgener spoke to members in the audience who were interested in the hearing. He spoke of meeting having been held in the district. He said that there were persons present to withdraw protests.

Milton Sessions, who had spoken earlier on the project, came to the microphone. He did not speak at this time, however.

The City Engineer said that there is protest of 51.4%. He said that if protest is withdrawn, it will be well under 50%.

Mr. Sessions told the Council that his position is still the same. He asked to "have the project cleared up". He said that time is critical. He spoke of there being not sufficient time to get out. He said he can effect a settlement with the City; if it works out, he would withdraw his protest.

Mayor Dail asked about the legal effect on continuances.

City Attorney J. F. DuPaul said that "hearings are noticed"; if the Council continues for hearings, it should be from week-to-week.

Mr. Sessions said that if he withdraws, he would have to go ahead, and the cost would be greater. He said he is "penalized under this project".

Mayor Dail spoke to Council about not solving the problem. He asked people in the audience if they could hear. When the reply was in the negative, he apologized, and said that study is being made for remodeling of the Council Chambers, so that all can be heard.

Several ladies came forward and stood along the east wall.

Joe Hespel said that all the ladies were from Missouri Street; most of their husbands had been at the Pacific Beach meeting (to which Councilman Burgener had referred). He said it is still not clear about the assessment.

Councilman Burgener asked Willard Olson, of the City Engineer's office, to bring out a map.

Mr. Hespel said that he wanted to protest, but did not sign.

Councilman Burgener said that it is in the record on the signed protests.

Mr. Olson laid out a plat, showing a solid protest on Missouri Street.

Mr. Hespel, asked for his property, said that he owns 4 lots on Missouri

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Street. He said that if the drain goes in, the drain would do no good; his trees would then not be watered. He said there was no mention of storm drain when paving started.

Councilman Burgener said that the record will show Mr. Hespel as protesting.

Mr. Olson showed the map again, and explained that Noyes Street can't be paved, without the storm drain.

Mr. Hespel said that nothing had been said about the storm drain, in connection with the paving.

Mr. Thompson, who did not give his first name or initials, asked if the protest stands, what about Missouri Street.

Mayor Dail said if any is abandoned, all would be.

Then Mrs. Thompson asked about plans for sidewalks on Noyes. She said it is important to have sidewalks.

Councilman Burgener said that the City goes on the wishes of the property owners for installation, or not, of the sidewalk.

Mr. Olson said that sidewalk is installed just where it is petitioned.

Mrs. Thompson asked if there is anything to do to separate Missouri Street.

Councilman Burgener said that petition can be filed for sidewalks.

Mrs. Thompson said "that was done".

Mayor Dail said that proceedings can't be modified now. If there is any change, they would have to be abandoned.

Mrs. Eckel, who did not give her first name, said there are 32 children in the block. She said there is need for the street, sidewalk and curb, for the children. She said that the storm drain was not in the petition. She said that it is the new Kate Sessions School (named in honor of Mr. Sessions, who had spoken earlier), and that children have to walk in the mud. She spoke of petition having been overruled 2 years ago. Mrs. Eckel said that her protest is against the drain.

Mayor Dail said that the City Engineer has the responsibility of putting in the job right.

Mr. Olson said that all had to be worked out as 1 project, in connection with grades.

Mrs. Eckel charged that it is all being put into a bundle, and property owners being railroaded.

Mayor Dail said that it is a case of necessity; the City Engineer has the responsibility of designing the project right.

Mrs. Eckel spoke of there being need to show property owners why the drain is needed.

Councilman Burgener asked about filing petition only on Missouri Street, and necessity for storm drain.

The City Engineer said that property owners would have to pay on the storm drain when it goes in. He said petition could be presented on Missouri Street.

Mrs. Eckel said that hers is the only block on the street that is not paved.

The City Engineer said that the grade would work out poorly, if Missouri Street were paved alone. He said that Noyes Street should be paved at the same time, because of the grades.

Councilman Curran asked if there would be increased cost on Missouri Street, if the drain were to come later.

The City Engineer replied that it would; incidentals are about the same on big jobs as on small ones. He said that the City also receives better bids on big jobs, and that it is cheaper to combine them. He pointed out that there are lots of fixed charges which have to be included on the small jobs, as on large ones.

Councilman Burgener spoke to members of the audience about protesting out the job.

Mrs. McNow asked if there would be grading on Noyes, even if proceedings are abandoned.

Mayor Dail's answer was "no".

Mrs. McNow said there is a drop, and a bad intersection. She identified property as Lots 21 to 24 Block 213. She asked to have sidewalks, this week. She said she had been told they could not have sidewalks now, and asked why they were not included.

City Attorney J. F. DuPaul said that 1911 Act provides that plans may not be changed, unless proceedings are abandoned. He said that the courts will not permit changes.

Mrs. McNow then asked the Council to postpone the paving 1 more week.

The Mayor pointed out that the City can't make a contribution.

Councilman Burgener spoke to Mrs. Eckel. He pointed out that 1/2 the cost would be borne by the City; 1/2 by property owners. He said that Mr. Sessions has a problem in connection with division of property. He said that there is a missing link of 1/2 block between the "Sessions property, and the end". He said that Mr. Sessions wants to see if he can work out a cash job.

There was discussion between Councilmen Burgener and Kerrigan regarding Mr. Session's agreement.

Councilman Burgener said that all the Sessions property is in the district.

There was discussion between Councilmen Burgener and Kerrigan regarding the "missing link".

Councilman Burgener said that Mr. Sessions wants to work out drain - outside the 1911 Act.

Councilman Kerrigan declared that Mr. Sessions is in the position of holding the balance of power.

Mayor Dail said that it is a bargaining wedge.

Councilman Curran said since there is still a question in Councilman Burgener's mind, the hearing should be continued 1 week.

Councilmen Kerrigan and Burgener held another discussion.

Mayor Dail said that the City has to have a district "for the benefit of everybody; not just 1". He said he wondered if continuances are proper. He said the project may, or may not, go forward. He said the Council has decided, and he would just as soon overrule the protest today. He said it would be serving no purpose in holding up the project; he is looking at the majority.

Mr. Sessions said that the Mayor is overlooking his responsibility as a public official. He said "it is obvious as it stands now; it is an inequitable position".

There was discussion between Mayor Dail and Mr. Sessions.

Councilman Burgener stated that Mr. Sessions is not trying to get something for nothing.

The Mayor said it would be holding up the project.

Councilman Burgener said that the City has to.

Mr. Sessions said that the missing link has been an aggravated situation for 10 years. He said it is a poor public situation to leave the missing link out. He said he had a 5-minute session with the City Manager yesterday, on the subject.

RESOLUTION 130623, continuing hearing on proposed improvement of Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street, Missouri Street, Resolution of Intention 129454 until 10:00 A.M., Tuesday, January 17, and referring the subject to Council Conference for discussion, was on motion of Councilman Curran, seconded by Councilman Even-son, adopted.

Mayor Dail said that it will still have to do with the 1-week continuance.

Mr. Bergman, who had spoken at earlier hearings, said that the main thing is that he is fighting is the assessment. He said that it is a trunk line, and can't see why a small group has to pay for a trunk line. He contended that the district is not spread out far enough. He said Mr. Sessions was assessed for a storm drain - but never got one. He said that drainage area runs to the top of Soledad, and the City owns property - 90% of the water comes from. He said there have been a lot of threats about not paving, if there is no storm drain. He said he can't see why have to pay for whole thing.

Councilman Schneider said that the Council may have to overrule protests, as the Mayor had said. He said it might be necessary to "have a more complete coverage".

Councilman Burgener spoke to Mr. Bergman, saying that the City pays 1/2. He said the City Engineer is not threatening. He said the Council has to look somewhere for advice, and that is to the City Engineer.

Mayor Dail said that it is the Council's responsibility to overrule protests, or abandon the proceedings. He said that the Council can't bargain.

Mr. Bergman said he would have no objection to a 6" water line, but would have to a 36" water line.

Councilman Burgener said that the Council started to discuss the item in conference this morning, but did not get far. He said it would be necessary to continue the hearing 1 week.

Mayor Dail said he would not vote to abandon the project on a 51% protest. He declared that the Council's responsibility is "to the people as a whole".

Councilman Burgener told people in the audience that if assessment district is enlarged, it means abandoning the proceedings.

Councilman Kerrigan said that the City has to abandon, or overrule. He pointed out that if the district is abandoned, it means also expanding the protest.

Mayor Dail spoke of having fooled around for years, and of not getting anywhere. He said that proceedings have to stand up in court. He said that there are several storm drains in the mill; several have been successful.

Mr. Bergman said that the City should not let the property owners down. He said it is confusing; nobody seemed to know in the area what is going on. He said that water is coming through the Sessions' property; people are getting no benefit, but would be paying.

Councilman Burgener spoke to Mr. Bergman

Councilman Kerrigan said that Mr. Bergman would not be affected by the continuance; it makes no difference if proceedings are abandoned. He said that the question is regarding the Sessions position.

Mr. Sessions spoke of missing link being susceptible to 1911 Act assessment, and of all being liable.

Councilman Kerrigan spoke to Mr. Sessions.

Mr. Sessions said that apparently there are no mechanics for his proposal, and that he can get it done on a cash basis.

The action was as shown earlier.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 130032 for paving and otherwise improving Alley Block M Tract 2 Alta Vista Suburb, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Curran, seconded by Councilman 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 130033 for sewers in Alley Block 8 Clifton Addition to City Heights, et al., the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

W. H. Nichols told the Council that he has 24 lots adjoining project, but only 4 would be served by the sewer. He said that in the area below, the City owns 116 lots. He said he doubted if it is the best development. He said he is just questioning - not protesting.

The City Engineer said this is just extending the existing sewer as far as it can go. He said that Mr. Nichols' property is outside the district, and has nothing to do with this project.

Mayor Dail said that there was a petition of 63% asking for this improvement.

The City Engineer showed a plat, and said, again, that it is being extended as far as it can go. He said the Nichols' property is somewhere else, and is another job.

Mr. Nichols asked by the City property is not taken in.

The City Engineer said that Mr. Nichols is promoting another job; it has nothing to do with this.

Mr. Nichols said he has 4 lots in the district, and pointed out the property on a map. He stated "this is being done piece meal".

Councilman Burgener said it is a question of engineering.

The City Engineer said it has nothing to do with this job. He said that if Mr. Nichols wants a sewer, he should put in a petition asking for doing of the work.

Mr. Nichols said that the City owns the majority of the property.

RESOLUTION 130624, overruling and denying protest of W. H. Nichols against work of installing sewers and appurtenances in portion of Alley Block 8 Clifton Addition to City Heights; Chamaine Avenue, Quince Street and Public Rights of Way, Resolution of Intention 130033; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 130034, for paving and otherwise improving Alleys Blocks 49 and 49-1/2 University Heights, the Clerk reported no protest.

The Mayor inquired if anyone was present to be heard.
 No one appeared to be heard, and no written protests were filed.
 On motion of Councilman Burgener, 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 130035 for grading and sidewalking Alleghany 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 Williams, 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, time set for hearing on Resolution of Intention 130036 for paving and otherwise improving La Jolla Avenue, the clerk reported no protests.

The Mayor inquired if anyone was present to be heard.
 No one appeared to be heard, and no written protests were filed.
 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, time set for hearing on Resolution of Intention 130037 for paving and otherwise improving Vancouver Avenue, the clerk reported no protests.

The Mayor inquired if anyone was present to be heard.
 No one appeared to be heard, and no written protests were filed.
 On motion of Councilman Williams, 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, time set for hearing on Resolution 130039 of Preliminary Determination for paving and otherwise improving Alley Block 18 Ocean Beach Park, 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 130625, determining that proposed improvement of Alley Block 18 Ocean Beach Park, Resolution 130039, is feasible and that lands to be assessed will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130040 of Preliminary Determination for paving and otherwise improving Celia Vista Drive and Rolando Boulevard, 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 130626, determining that improvement of Celia Vista Drive and Rolando Boulevard, Resolution 130040 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 130041 of Preliminary Determination for paving and otherwise improving Myrtle Avenue, with portions of 46th Street, Thorn Street, Menlo Avenue, Redwood Street, et al., the clerk reported written protests from Frank E. Thompson and Beverly J. Thompson, Sarah M. Hutchinson and other property owners, which were presented to the Council.

The Mayor inquired if anyone was present to be heard.

Mrs. Hutchinson said that she has protested Menlo and the "opening of the canyon". She declared that it is too expensive, and would gain nothing. She said that the petition did not call for sidewalks.

The Mayor said that the City has a petition of protest, and a withdrawal (the Thompson letter was a withdrawal of name from the protest headed by Sarah M. Hutchinson).

Asked for a report, the City Attorney (apparently answering for the Engineer) said there is an 11.6% written protest.

Councilman Burgener said that Menlo is a separate petition.

The City Engineer told the Council that petition for improvement of Menlo is 63%; Myrtle is 90%. He stated that it has become necessary to put in a "divided street"; there are 2 levels. He stated that there is a difference (in levels) of 6 or 7 feet. He stated that improvement, as improved, is about all that he can do with the street as it exists. He said that otherwise property owners can't get into their properties. He said he is "trying to satisfy everybody", by developing the divided street.

There was discussion between Councilman Schneider and the City Engineer.

Willard Olson, of the City Engineer's Office, said that grade has been established for the street, for this job.

The City Engineer said that extra expense comes in for the 2 grades. Answering question about assessment by Councilman Schneider, he said that it would follow "the usual assessment". He stated that this would cost less than "digging down".

Mrs. Hutchinson said that the street dead-ends on both ends.

Councilman Evenson spoke of there being a 35% protest on Menlo.

Councilman Burgener spoke to members of the audience, about Menlo, and asked if some (who desired to protest) had not filed.

Dorothy Meyers said that she did not know if she had signed.

The Mayor, referring to the petition of protest, said that she had protested.

The City Engineer showed a map of the right of way, and recommended continuance of the hearing.

Councilman Schneider moved that the hearing be continued 1 week - so that property owners can talk to the City Engineer.

Mrs. Meyers told the Council that when she calls she "can't get any answers".

Mr. Hutchinson spoke next. He said he objected about a prohibitive assessment. He said the property is already assessed for water and sewer. He declared that the property will not stand the assessment, and that the "job could be done more reasonably". He said it is not a through street, and "there is another canyon intervening, and there is no valid reason to fill it". Mr. Hutchinson told the Council that the 2-lane highway has no need to come down to where it is situated. He said that when improvement was petitioned no mention was made of sidewalk; no petition for concrete sidewalk; ordinary sidewalk of gravel would be acceptable.

On motion of Councilman Schneider, seconded by Councilman Burgener, hearing was continued 1 week, to 10:00 o'clock A.M., Tuesday, January 17, 1956, by RESOLUTION 130627.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current in Hermosa Lighting District No. 1, the clerk reported no appeals.

RESOLUTION 130628, adopting as a whole, and confirming "Engineer's Report and Assessment for Hermosa Lighting District No. 1", was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current in Kensington Manor Lighting District No. 1, the clerk reported no appeals.

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

RESOLUTION 130629, confirming and adopting as a whole "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1", 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 Rolando Lighting District No. 2, the clerk reported no appeals.

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

RESOLUTION 130630, confirming and adopting as a whole "Engineer's Report and Assessment for Rolando Lighting District No. 2", 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 furnishing electric current in Talmadge Park Lighting District No. 4, the clerk reported no appeals.

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

RESOLUTION 130631, confirming and adopting as a whole "Engineer's Report and Assessment for Rolando Lighting District No. 2", 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 2426 made to cover cost and expenses of paving and otherwise improving Alley Block 10 Normal Heights and Arthur Avenue, 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 130632, confirming and approving Street Superintendent's Assessment 2426 made to cover cost and expenses of paving and otherwise improving Alley Block 10 Normal Heights, and Arthur Avenue, Resolution of Intention 125824; 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 Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2427 made to cover cost and expenses of installation of sewers in Inez Street and Gage Drive, the clerk reported written appeal from Robert I. Landis.

Mr. Walkoe, attorney, of the firm of Walkoe and Dierdorf, 511 Spreckels Building, San Diego 1, objected to the assessment. He said that Mr. Landis had built a connecting sewer with his own money, which goes down Gage Drive. He said that prior to 1953, Mr. Landis had cesspools and septic tank, which ran over. He said that Mr. Landis spent his own money in 1953 for the sewer line. He told the Council that the City Engineer's office does not show the private line, which was installed in 1953 - in an easterly-westerly direction. He said that Mr. Landis made no objection to the sewer job being done under 1911 Act proceedings, because he knew that the neighborhood needed it. He said that City Attorney J. F. DuPaul is familiar with the 1911 Act regarding benefit derived, in connection with assessment. He said that the Council is given the right to correct and modify the assessment.

Willard Olson, of the City Engineer's office, said that the Engineer knows of the sewer line; it is not a main, but a lateral, according to him. He showed a plat, showing that it is under a ditch; that if assessment were eliminated, it would mean a higher cost on others.

Asked about the time work was done, Mr. Walkoe replied "2 years ago".

Mr. Olson repeated that it is a lateral; not a main.

Mayor Dail pointed out that the installation "is not standard".

Councilman Kerrigan talked to Mr. Walkoe about others doing the same.

Mr. Walkoe asked if Mr. Landis gets any benefit. He said there has to be a policy. He asked if a private owner shall wait for installation, or take it upon himself to do the work.

Councilman Kerrigan spoke to Mr. Walkoe about the development.

Mr. Landis said that no formal petition recommendations were made. He said that "cesspools were erupting". He told the Council that it was not possible to "wait for the slow wheels of the neighborhood" to get work done.

Councilman Curran asked if Mr. Landis has a house.

Mr. Landis replied that he has: built over Lots 43 and 44.

Mayor Dail said that during the war, items were hard to get, and it was agreed by the City that temporary work could be done. He said he understands that work referred to by Mr. Landis and Mr. Walkoe is not standard.

Councilman Kerrigan said that permits were given, connections would be made.

Councilman Schneider spoke to Mr. Landis about the 2 unoccupied lots.

Mr. Landis said (as had been said) that the house is on 2 lots.

Councilman Schneider said there would be a free ride for the Landis property, if Mr. Landis does not pay.

Mr. Walkoe told the Council that he does not know the size (of the line).

Councilman Kerrigan said that it is a 4" lateral, serving the property - to the line.

Councilman Burgener spoke to Mr. Walkoe about easements.

Mr. Olson said that "last 4 lots had been eliminated from the assessment".

Mr. Walkoe spoke of Lots 42, 43, 44, 45 being in the improvement assessment district.

Councilman Schneider spoke to Mr. Landis about use

Councilman Schneider moved to overrule the appeal.

Mr. Walkoe told the Council that the objection can be modified. He said "the benefit is the law". He contended that the Landis property should not be assessed the same as others.

Councilman Curran seconded the Schneider motion.

Councilman Burgener said he has not seen a case where the City "excuses the frontage".

Mr. Walkoe said it would add to the previous cost, for this assessment.

Councilman Williams spoke to Mr. Walkoe about fairness, and said that there had been no protest.

Mr. Walkoe said he thought that protest would be proper at this hearing; thought this was the time.

Motion was called on the motion and second, resulting in

RESOLUTION 130633, overruling and denying appeal of Robert I. Landis from Street Superintendent's Assessment 2427 made to cover costs and expenses of work of installing sewer mains and appurtenances in Inez Street and Gage Drive, Resolution of Intention 123287; overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment 2427; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion and seconded adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2428 made to cover costs and expenses of paving and otherwise improving Shafter Street, Upshur Street and Scott Street, the Clerk reported letter from the Street Superintendent which requests continuance of hearing so that Assessments 31 and 32 may be corrected.

No protests or appeals had been presented verbally or in writing.

RESOLUTION 130634, adopting recommendation of Street Superintendent, Document 526933, in connection with Assessment Roll 2428 made to cover costs and expenses of paving and otherwise improving Shafter Street, Upshur Street and Scott Street, Resolution of Intention 123288; directing Street Superintendent to modify and correct the assessment in accordance with his recommendation; continuing the hearing to Thursday, January 12, 1956, 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 2429 made to cover cost and expenses of paving and otherwise improving Dwight Street, the clerk reported no appeal.

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

RESOLUTION 130635, confirming and approving Assessment 2429 made to cover and expenses of paving and otherwise improving Dwight Street; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

The next item was numbered out of order, by request (to facilitate getting a subdivision map on file for the benefit of the State Highway Dept.)

RESOLUTION 130636, accepting deed of Ernest A. Schneider and Helena H. Schneider, December 27, 1955, conveying public easement and right of way across portion Lot B Block 9 Las Alturas; 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 Kerrigan, seconded by Councilman Curran, adopted.

Petition of property owners requesting that the City of San Diego initiate action necessary to procure northerly 13 feet of Lots 1160 through 1172 Redwood Village Unit 9, for constructing a covered storm drain and a paved street - at no expense for the improvements - was presented.

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

Petition of San Diego County Heart Association, 1651 Fourth Avenue, San Diego 1, signed by Elliott L. Cushman, general chairman, dated January 3, 1956, was presented. It asks for permit to allow students to solicit contributions on street corners, February 18, 1956.

(There is a resolution of this agenda which grants permission to the Association to conduct plastic heart sale).

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

Report of Purchasing Agent, approved by City Manager, on low bid of Griffith Company for construction of curbs in La Jolla Shores Drive - \$3,370.00; 4 bids, was presented.

RESOLUTION 130637, accepting bid of Griffith Company for construction of curbs in La Jolla Shores Drive from Camino del Oro to Camino del Collado; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of A. R. Kingaard for construction of retaining wall adjacent to Lots 7, 8, 9 Block 76 Middletown - \$4,369.00; 6 bids, was presented.

RESOLUTION 130638, accepting bid of A. R. Kingaard for construction of Retaining Wall adjacent to Lots 7, 8, 9 Block 76 Middletown; 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 Schneider, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Ozalid Division of General Aniline and Film for furnishing 1 Whiteprinting Machine for Central Duplication Section, for use by City Engineering Department - \$6,750.00 plus State Sales Tax; 2 bids, was presented.

RESOLUTION 130639, accepting bid of Ozalid Division of General Aniline & Film Corporation for furnishing 1 Ozalid 42" Printmaster Machine; 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

Pioneer Printers of San Diego, for furnishing and printing 9,460 Harbor Improvement Bonds - \$2,128.50 plus \$40.00 for each interest rate in excess of 1, plus State Sales Tax, and plus \$236.50 for rental of signing and sealing machine, was presented.

RESOLUTION 130640, accepting bid of Pioneer Printers for furnishing and printing 9,460 Harbor Improvement Bonds, and rental of signing and sealing machine; awarding contract; authorizing and instructing Harbor Commission to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of Al E. Riley, Inc., for Improvement of Bayside Lane between Balboa Court and San Gabriel Place, and Construction of a Storm Drain in Cohasset Court and Mission Bay Park - \$8,177.30; 3 bids, was presented. Report says low bid is 31.9% above the estimate; City Engineer states project involves storm drain in Mission Beach area; it was originally believed that work could be accomplished by contractor during usual working hours of the day; instead, it appears that work will be on an intermittent basis due to inability to accomplish work at other than periods of low tide, was presented.

RESOLUTION 130641, accepting bid of Al E. Riley, Inc. for improvement of Bayside Lane between Balboa Court and San Gabriel Place, and construction of storm drain in Cohasset Court and Mission Bay Park; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on low bid of R. E. Staite & Roy C. Ek, Joint Venture, for Construction of Concrete Gutter in Avenida Cresta, and a Storm Drain in Winamar Avenue - \$3,496.34; 4 bids - was presented.

RESOLUTION 130642, accepting bid of R. E. Staite & Roy C. Ek, Joint Venture, for construction of concrete gutter in Avenida Cresta, and storm drain in Winamar Avenue; 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, approved by City Manager, on low bids of San Diego Pipe & Supply Co. for furnishing 24,000 ft. of Copper Tubing at total price of \$12,792.00 terms 1/2% - 10 days, plus State Tax; and of Western Metal Supply Company (co-low bidder) for furnishing 14 items of Copper Fittings at total price of \$7,202.35 terms 2% - 30 days, plus State Sales Tax, was presented. 6 bids were received.

RESOLUTION 130643, accepting bid of San Diego Pipe & Supply Co. for furnishing Items 1, 2, 3 of Copper Tubing; 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130644, accepting bid of Western Metal Supply Company for furnishing Items 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 of Copper Fittings; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

The school visitors left at this time. As they were filing out, Mayor Dail thanked them for attendance at the meeting.

In connection with the next item, Councilman Williams said he had a question. The City Manager said that it was a Capital Outlay program item; he did not

Purchasing reports
130640 - 130644
Visitors left

have the detail.

Report of Purchasing Agent, approved by City Manager, on second low bid of O. O. & R. E. Maurer for construction of Chair and Table Storage Room at Balboa Park Club Building, Balboa Park - \$6,812.00; 6 bids, was presented.

Report says that low bid submitted by Withers & Sommers did not have a bond, and Engineer's office was notified by letter that they had failed to include cost of fire sprinkler system in bid and requested that it be withdrawn. It says City Engineer concurs in the recommendation.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the item was continued 1 week - to January 17, 1956.

RESOLUTION 130645, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Construction of Storm Drain from West Point Loma Boulevard and Wabaska Drive to San Diego River Flood Channel, Document 527502; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130646, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Installation of Traffic Signals and Safety Lighting Systems at Intersections of Grand Avenue at Mission Boulevard, and Grand Avenue at Ingraham Street, and Traffic Signal Inter-connect System on Mission Boulevard between Grand Avenue and Garnet Street, Document 527501; 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 Jack Van Cleave, recommending suspension of portion Municipal Code in connection with tentative map of Alta Mesa Villas, a 2-lot resubdivision of Lot 8 Block 2, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map of resubdivision Lot 8 Block 2 Alta Mesa Villas, subject to 5 conditions, was presented.

RESOLUTION 130647, approving Tentative Map of Alta Mesa Villas, subject to conditions of the Resolution; suspending Section 102.17-c of San Diego Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with tentative subdivision map of Resubdivision Lots 21, 22, 23, 24 Block 420 Duncan's Addition, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map for Resub. Lots 21, 22, 23, 24 Block 42 Duncan's Addition, subject to 5 conditions, was presented.

RESOLUTION 130648, approving Tentative Map of resubdivision Lots 21 to 24 Block 420 Duncan's Addition, subject to conditions of the Resolution; suspending Sections 102.12-4, 102.17-c of San Diego Municipal Code, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending granting request that Item 6 of Resolution 119851 for omission of sidewalks in Walkways, Linda Vista Unit 8, be granted.

RESOLUTION 130649, amending Resolution 119851 by revision of Item 6 in connection with tentative map of Linda Vista Unit 8, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final record of Survey Map - Sunnyslope Addition to Encanto Heights, Block 3 Lot 15 (Allen), was presented.

RESOLUTION 130650, approving filing of Record of Survey Map of Lot 15 Block 3 S Sunnyslope Addition to Encanto Heights, 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 Williams, adopted.

RESOLUTION 130651, authorizing and directing Mayor to execute for and on behalf of The City of San Diego the name of the City of San Diego on certificate of ownership, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Resolution says that Jeanne W. Richardson and W. C. Rockefeller and Verna M. Rockefeller, are owners of portion Pueblo Lot 1256 and propose to file a subdivision map to be known as Canyon View Subdivision; that subdivision includes within the boundary, a portion of a parcel of land 40 feet in width, acquired by The City in fee, and indicated as northeasterly 40 feet of area labeled El Camino del Teatro, and that it would be to advantage of The City to dedicate the land for street purposes and name it El Camino del Teatro.

Presented was an item from Council Secretary - an extract from Council Conference Minutes of 1/3/56 directed to the City Clerk.

It reads "Item #5 (Study of consolidation of Civil Service) It was moved by Mr. Curran, seconded by Mr. Schneider, and unanimously carried that the Study of Consolidation of City and County Civil Service by Dr. John M. Pfiffner, for fee of \$1500.00, be placed on the official Council Docket for action and that this item be stricken from the Conference Agenda".

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

Communication from Thomas A. McNally, 1215 - 8th Avenue, San Diego 1, dated Jan. 5, 1956, expressing his love for wonderful climate of San Diego, atmosphere, cleanliness and cultural activities, was presented. The writer tells of being a new comer of San Diego, and concludes the letter by saying "Lets all do all we can to preserve these inspirational projects".

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

Councilman Evenson referred back to the item shown earlier, in connection with amendment to Linda Vista Unit 8 Resolution 119851 omitting sidewalk requirement.

Harry C. Haelsig, Planning Director, said that it is a small sidewalk, recommended for deletion. He said that it is a "boy scout road".

There was no action.

RESOLUTION 130652, directing notice of filing Assessment 2434 made to cover costs and expenses of work done upon paving and otherwise improving Calle del Oro and La Jolla Shores Drive, Resolution of Intention 125944, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130653, directing notice of filing Assessment 2435 made to cover costs and expenses of work upon paving and otherwise improving Franklin Avenue and 28th Street, Resolution of Intention 121775, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

1/10/56

RESOLUTION 130654, directing notice of filing Assessment 2433 made to cover costs and expenses of work done upon paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, Resolution of Intention 121777, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130655, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 2 City Heights Annex 1, Document 527279; approving Plat 2804 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130656, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 52nd Street and El Cajon Boulevard, Document 526560; approving Plat 2784 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130657, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving High Avenue, Document 527481; approving Plat 2819 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130658, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Howard Avenue, Document 527283; approving Plat 2815 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 130659, for paving and otherwise improving Alley Block 334 Choate's Addition, 31st Street, 32nd Street, Public Right of Way, Resolution of Intention 129854, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 130660, for paving and otherwise improving Newton Avenue, Resolution of Intention 129855, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING WORK 130661, for sewers in Woodman Street, Imperial Avenue, Benson Avenue, Ritchey Street, Pagel Place, Skyline Drive, 65th Street, Medio Street and Public Right of Way, Resolution of Intention 129856, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 130662, for lighting Talmadge Park Lighting District 1, for 1 year from and including March 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 130663, for lighting Talmadge Park Lighting District 2, for 1 year from and including March 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 130664, for lighting Talmadge Park Lighting District 3, for 1 year from and including March 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 130665, for closing portion Bandini Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK 130666, for closing Unnamed Road in Lot 67 Rancho Mission of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION 130667, for paving and otherwise improving Alley Block 13 La Jolla Park, Public Right of Way in Ravina Street Closed and in Alley Closed in Block 13 La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130668, for paving and otherwise improving Alleys Blocks 13, 14, 16 Ocean Beach, and Blocks 97 and 98 Point Loma Heights, and Guizot Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130669, for paving and otherwise improving Alley Block 50 Park Villas, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130670, for grading and sidewalking Nipoma Street and Amaryllis Drive, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

OF INTENTION

RESOLUTION/130671, for paving and otherwise improving Rosefield Drive and 67th Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 130672, for current in College Park Lighting District 1, for 1 year from and including June 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130673, for paving and otherwise improving Alley Block 2 City Heights Annex 1, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130674, for paving and otherwise improving 52nd Street and El Cajon Boulevard, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130675, for paving and otherwise improving High Avenue, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130676, for paving and otherwise improving Howard Avenue, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130677, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 53rd Street, Resolution of Intention 126082, 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130678, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Warrington Street, Resolution of Intention 126853, 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130679, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving and otherwise improving East and West Alley Block 41 City Heights; Central Avenue, and 41st Street, Resolution of Intention 127366, and to be assessed to pay expenses, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130680, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving and otherwise improving Alley Block 6, Ocean Beach, Resolution of Intention 127511, and to be assessed to pay expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130681, adopting recommendation of City Engineer, filed January 3, 1956, Document 527326; authorizing City Engineer to amend proceedings for improvement of Metropolitan Center, Lot 5, Alvarado Heights, and Lots 26 and 33 La Mesa Colony, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130682, adopting recommendation of City Engineer, Document 527325; authorizing City Engineer to amend proceedings, in accordance with his recommendation for improvement of portions of 33rd Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130683, granting petition, Document 527359, for paving and otherwise improving Orange Avenue; directing City Engineer to furnish Council with description of assessment district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of grading, paving, etc., as required; directing City Engineer to consolidate assessment district with assessment district ordered by Resolution 126349, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130684, granting property owner permission to pave and otherwise improve portion Hancock Street by private contract, Document 526853 (Stromberg-Carlson, a Division of General Dynamics Corporation), in accordance with Document 526854, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130685, granting property owner permission to pave and otherwise improve portions of Talbot Street and Catalina Boulevard by private contract, Document 526968 (E. G. Bulin), in accordance with 525968, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130686, changing street names:
Portions of Mission Boulevard, Colima Street and Linda Rosa Avenue, to La Jolla Mesa Drive;
Portion La Jolla Mesa Drive, to Linda Rosa Avenue;
Portions of Mission Boulevard and La Jolla Mesa Drive, to Colima Street,
was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130687, authorizing and empowering City Manager to do all work in connection with making necessary connections, sterilizations, and installation of certain valves in conjunction with installation of small water main replacements, Group 25, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130688, authorizing and empowering City Manager to do all work in connection with making necessary connections, installations and sterilization, in conjunction with replacement of Small Water Mains, Group 101, by appropriate city forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130689, 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 15 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 Curran, adopted.

RESOLUTION 130690, granting permission to San Diego County Heart Association to conduct sale of plastic hearts, Saturday February 18, 1956, on streets set out in the resolution, for purpose of raising funds to promote research and development of methods of treatment and care of diseases of the heart and cardiovascular system, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130691, authorizing the Purchasing Agent, or the Assistant Purchasing Agent to attend annual convention of State, County and Municipal Purchasing Agents' Association, to be held in Riverside, California, January 26, 27, 28, 1956; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Resolution authorizing Mayor and City Clerk to execute quitclaim deed to John M. Spurlock and Hope Spurlock, in portions Block 2 Vernon Park - exchange of properties with the City - was presented.

The City Manager asked that it be referred back to him.

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

The next item on the agenda, accepting deed of Ernest A. and Helena H. Schneider, was numbered 130636 out of order by request - and will be found earlier in these minutes.

In connection with the next item, Councilman Curran said he had a question.

The City Manager said that it is "not pueblo lands".

On motion of Councilman Schneider, seconded by Councilman Kerrigan, reading of the 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 6814 (New Series), dedicating portions of Pueblo Lot 300 for portions of public streets and naming the same Morena Boulevard, Grant Street and Sherman Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 6815 (New Series), appropriating \$9,139.00 from Trunk Line Sewer Fund, for paying City's share of cost of installation of northerly section of Muirlands east-erly outfall sewer (as approved by Resolution 122576 adopted by the Council February 8, 1955), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Williams, seconded by Councilman Schneider, 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 6816 (New Series), appropriating \$9,000.00 from Capital Outlay Fund for improvement of Bayside Lane, between Balboa Court and San Gabriel Place, and construction of storm drain in Cohasset Court and Mission Bay Park, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Ordinance appropriating \$7,500.00 from Capital Outlay Fund, for construction of Chair and Table Storage Room at Balboa Park Club Building, Balboa Park, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Curran, it was continued for 1 week - to the meeting of January 17, 1956.

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 6817 (New Series), appropriating \$4,800.00 from Capital Outlay Fund for construction of retaining wall adjacent to Lots 7, 8, 9 Block 76 Middletown, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Burgener, seconded by Councilman Curran, reading was dispensed with by 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 6818 (New Series), appropriating \$3,850.00 from Capital Outlay Fund for funds for construction of concrete gutter in Avenida Cresta, and a storm drain in Winamar Avenue, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, 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 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 6819 (New Series) appropriating \$3,700.00 from Capital Outlay Fund for providing funds for construction of curbs on La Jolla Shores Drive, from Camino del Oro to Camino del Collado, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-None.

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

On motion of Councilman Williams, seconded by Councilman Curran, 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 6820 (New Series), appropriating \$3,300.00 from Unappropriated Balance Fund, for purchase of Automatic Horizontal Street Sweeper Broom Refilling Machine, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-None.

On motion of Councilman Burgener, seconded by Councilman Curran, Ordinance creating positions of Diver, Skin, and Diver, Suit, in Classified Service of The City of San Diego, and establishing schedule of compensation, was introduced, 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 to present the next item, not listed on the agenda:

RESOLUTION 130692, adopting First Supplemental Budget for Improvement of Certain Major City Streets, and approving First Supplemental Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets, Document 527783, and directing City Manager to sign agreement on behalf of the City - to be binding upon City upon its execution by authorized officials of the State, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The City Manager told the Council that agreement has to do with Morena Boulevard, and abandoned loop on Wabash Boulevard, as well as other items - including interest.

The next item, not listed on the agenda, was presented:

RESOLUTION 130693, authorizing Mayor Charles C. Dail to go to Mexico City, Mexico, January 14th through January 18th, 1956, for purpose of conferring with officials regarding clarification of Mexican yacht clearance procedures between San Diego and West coast of Mexico; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next item, not listed on the agenda, was presented:

RESOLUTION 130694, authorizing Mayor Charles C. Dail and City Manager O. W. Campbell to attend the White House Conference of Mayors, to be held in Washington, D.C., February 15th through February 19th, 1956; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

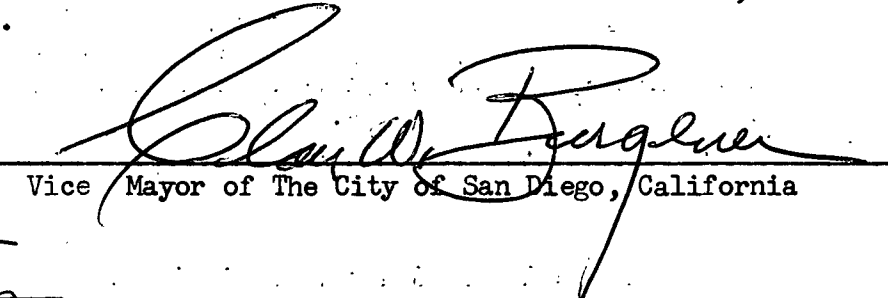
The City Manager referred back to the Ordinance dedicating portions of Pueblo Lot 300 for street purposes, which also named the dedications. He explained the item to Councilman Curran.

Councilman Schneider moved at 11:42 o'clock A.M. to adjourn the meeting.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned.

ATTEST:

FRED W. SICK, City Clerk


Vice Mayor of The City of San Diego, California

By 

Deputy

Ord introduced
130692 - 130694 - all under U.C.
Clarification by City Manager of
an item considered earlier
Meeting adjourned

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 12, 1956

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

Mayor Dail called the meeting to order at 10:02 o'clock A.M.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 107.

The Mayor welcomed about 40 seniors of the Cathedral High School, accompanied by Sister Evelyn Joseph.

At the Mayor's request, all arose, and they received applause.

The Mayor asked the students to be seated so Sister Evelyn Joseph could be seen. Separate acknowledgment was given to her.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2428 made to cover expenses of paving and otherwise improving Shafter Street, Upshur Street and Scott Street, it was pointed out by Councilman Burgener that continuance of the hearing was for purpose of correcting property division, as recommended by the Street Superintendent.

On motion of Councilman Burgener, seconded by Councilman Schneider, recommendation made by the Street Superintendent was adopted.

RESOLUTION 130695, confirming and approving modified and corrected Assessment 2428 made to cover expenses of paving and otherwise improving Shafter Street, Upshur Street and Scott Street, Resolution of Intention 123288; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law; directing him to file in his office the warrant, diagram and assessment, 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 appeal of Midway Drive-In Theatre Corporation, by John Gerald Driscoll, Jr., 1123 Bank of America Building, San Diego 1, from decision of the Board of Zoning Adjustment in granting by its Resolution 93233, Application 14662, permission to William H. Oldknow, et al., to erect and operate a drive-in theater, with 1600 cars, on the west side of Midway Drive, 1200 feet south of West Pt. Loma Blvd., on portion Pueblo Lot 220, legal description on file in Planning Department, Zones C and R-1 subject to conditions, Mr. Driscoll appeared.

Mr. Driscoll spoke as a representative of Midway Drive-In, which operates at Midway Drive and West Point Loma Boulevard. He told the Council that the corporation has been at the location since 1947, and owns the property upon which it operates. He said that he objected upon the grounds of the statement set out in the appeal. Mr. Driscoll then filed written protests - which were made a part of the file. He said that the proposal is for 1600 cars, on 16 acres. He said that the corporation he represents has a capacity of 650 cars, with less acreage. He stated that it would mean granting of variance on a large portion. He declared that the type of operation, proposed, would be injurious to property in the neighborhood, and is unnecessary. He said the location would be on the Midway arterial to the beach. He said that the property is a potential as a business center, and that his corporation will probably discontinue its own operation. He said that if granted for a Drive-In, property during the day would be vacant, with a traffic problem at night. He said that cars for the

Meeting convened
Visitors
Hearings
130695

1/12/56

project, placed end-to-end would extend for 7 to 8 miles. He said that even the smaller operation has brought objections. He told the Council that displacement of the (Federal) housing has caused a problem to housing in the area. He said study has been made, but report is not yet been made. He said Mr. Rick (Glenn A. Rick, former City of San Diego Planning Director) has made a study relating to a plan for the area. He said that granting the permit would "switch practically all the little business men". Mr. Driscoll said that others are interested in opposing the project, on other grounds.

John Butler, attorney, was recognized by Mayor Dail, as the former Mayor of San Diego. Mr. Butler told the Council that he represented Theatrical Enterprises, Inc., in the Mission Bay Park, which has recently negotiated a lease with the City on City-owned land. He said that the City has an interest in the Mission Bay Corporation, which would return a minimum of \$750. per month, plus taxes. He said that planning by the Council for a drive-in theatre in Mission Bay Park came as a result of much study, and also recommendation. He pointed out that there was only 1 bidder for the lease. He said that the land has been available for a long time. He said it should be considered regarding a conditional use on another drive-in - closer to Mission Bay. He said that need would have to be seen, and legal requirements met, for granting of the permit. Mr. Butler said to the Council that before variance can be granted, there have to be special circumstances, and that present zoning must place a burden on the property owners. Mr. Butler pointed out that his clients are not afraid of competition; they want a successful operation in the Park, for the City.

The clerk's file was passed to Councilmen Williams and Schneider at their request.

Glenn A. Rick told the Council that he has been employed by Mr. Oldknow and others to work out a plan. He read from the Municipal Code relative to appeals. He said he can't find in the appeal any claim of error having been made (in granting of the variance). He declared that "this is a good improvement, and is not detrimental". He said that City ownership, if competitive, is not a legitimate reason for ruling against the proposed use. He stated that Mr. Oldknow has owned 40 drive-in Theatres. He said that in 1941, when Mr. Oldknow made application for a drive-in. He said that the permit granted was taken away shortly by the United States Government, to use property for public housing. He said that a day or so after the property was released, Mr. Oldknow made application for approval for this project. He said that plan was granted, and the Planning Commission wanted a subdivision filed. He said that Mr. Oldknow complied with the Planning requests. He said that the Traffic Engineer has asked for screen location change; that was done. He spoke of provision for parking on owner's property; landscaping of the property; establishing of set-backs. He stated that all had been complied with. Mr. Rick said it was odd to object, when the attorney for the same type of operation is in effect. He said that the present operation is expanding, and that it is beyond the realm of reason to object. He stated that he is developing a subdivision on the bluff (above the property in question). He spoke of "standing up on any method". He said that the operation as proposed is not contrary to interests. He pointed out that the area has lost a population of 10,000 (due to the moving away of the Federal Public Housing). He spoke of great expenditure involved in development, and the subdivision as required. He said that Mr. Oldknow has pictures to show the Council of his project in Hollywood, where after development homes were built.

Wm. Oldknow, resident of Los Angeles, and president of the company, stated that he owns the Rancho Drive-In at Federal and Euclid. He said that he bought the property (the one on which hearing is being held) from Major Fleet in 1941. He said he got a variance, and was ready to build, when the Government got the property, which it held for 14 years. He said that he now wants a variance for its development. He pointed out that the operation down the street is objecting. He said he has operated for 8 years; and there are 7 drive-in theatres. Despite the existing drive-ins, he said there seems to be 1 added every year. He said that on the northwest side there is only 1 drive-in. Mr. Oldknow said that it has enjoyed a monopoly, and now objects to this proposal. He said he operates where there are 7, and that several could be supported. He exhibited to the Council a large photograph of his North Hollywood operation (which he did not file for the record). He pointed out on the picture houses which he stated had been built after the theatre. He said there has been no trouble, and there have been resales of houses at a profit. Mr. Oldknow stated that he has substantial interest in residential property on the bluff - over 60 acres, with 160 houses to be built. He said that his proposed Drive-in operation would be no detriment to the houses.

Councilman Burgener moved to close the hearing. Motion was seconded by Councilman Schneider, and hearing was closed.

Councilman Burgener stated that he discounts the City interest (in another proposed drive-in under lease). He said that the City also has an interest in the land where

the Bahia hotel stands, in Mission Bay Park. He said that should not be used as any objection for motels. Councilman Burgener said that it is significant that Mr. Oldknow also owns the property above the area in question.

RESOLUTION 130696, denying appeal of Midway Drive-In Theatre Corp. by John Gerald Driscoll Jr., from decision of Board of Zoning Adjustment granting by its Resolution 9322 permission to William H. Oldknow, et al, to erect and operate a drive-in theater with 1600 cars on west side of Midway Drive, 1200 feet south of West Pt. Loma Boulevard, portion Pueblo Lot 220, in Zones C and R-1 subject to certain conditions; sustaining decision of Zoning Adjustment Board, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Mayor complimented Mr. Butler upon his able presentation.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on proposed rezoning of portion Pueblo Lot 1151, shown on Drawing B-686, from R-2 to M-1, Councilman Curran said that continuance had been for the Council to inspect the property. He said he spent 2 or 3 hours with Mr. and Mrs. Whitehouse on the property. He said that the request is justified, limited to the use requested.

Councilman Burgener commented getting the agenda out to Councilmen. He said that as a result, he looked at the property today. He said it is spot zoning - but the best kind. He said that it is "a property thing; property can't be used for much else".

Councilman Curran moved to overrule the Planning Commission (in its vote of 5 to 0 to deny request for change of zone). Councilman Burgener seconded the motion.

Councilman Williams said he understands that at the last hearing there was no objection.

Councilman Curran said that there was an objection presented verbally, but it was by a woman who was at the meeting on another matter.

Councilman Williams said that it might be well for the Planning Director to state his position.

Harry C. Haelsig, planning director, said that there are several points - based on planning of State route to the south. He said that it is on the westerly side of Wabash Freeway. He showed a map, over which a conference was held. He explained overheads to go into the area. He stated that properties will be separated, and pointed out from the map how it would mean getting into and out of the property on steep grade.

There was discussion between Councilman Curran and Mr. Haelsig about elimination of Broadway. He pointed out on the map, which was on the Council table, that Broadway is to be entirely eliminated. He spoke of there having been a community plan in the area. He said if there is to be M-1 zone it would introduce M-1 north of the highway. He told of having recently approved subdivisions, which he pointed out on the map.

There was discussion between Councilman Burgener and Mr. Haelsig about light industry.

Mrs. Whitehouse, who is co-petitioner with Leonard W. Whitehouse, said that there are 3 acres, which she has owned 3 years, answering Councilmen Burgener and Schneider.

There was discussion between Councilman Williams and Mr. Haelsig. Mr. Williams spoke about having been owned 16 acres.

Mr. Haelsig said that low lands don't develop until area is built up around them.

There was discussion between Councilman Schneider and Mr. Haelsig regarding community plan.

Mr. Haelsig pointed out on the map about the drainage, service road to the freeway, and another street. He said it is good access for residential area.

Councilman Burgener spoke to Mr. Haelsig about control in an M-1 zone.

Mr. Haelsig said that any M-1 use can go in; there is no control. He told of extensive studies having been made regarding drainage and roads.

Councilman Burgener said that if property is not rezoned, it might sit there indefinitely (undeveloped).

Councilman Curran said that if property is developed for residences, and all requirements taken into consideration for streets, etc., there would be no land left - possibly 2 acres.

Mrs. Whitehouse said that there is an easement for drainage. She said spur will go in when freeway is built.

Councilman Curran said that hills to the west are such that there will be no development; the property is isolated.

Mr. Haelsig made further identifications on the map, and referred to a subdivision years ago, and of there being just residences now on a portion.

Councilman Burgener declared that Mr. Haelsig has good points - but he was not satisfied.

Mr. Haelsig said that if property is rezoned M-1, he wants a subdivision, "and requirements".

Councilman Schneider spoke to Mr. Haelsig about how much there would be left, after requirements were met.

Mr. Haelsig said "110 feet...."

Mrs. Whitehouse interrupted, by saying that .58 of an acre would be taken for drain; spur road would be eliminated. She said that there is sufficient drainage.

Councilman Burgener said that if property stays R-2 it "will just stay".

Mrs. Whitehouse said that 50-foot strip is already planned for. She said she was not aware of another 60 feet to coincide with Mr. Haelsig's figure. She spoke to Mr. Haelsig, and said that it is unreasonable.

Mayor Dail said that Mr. Haelsig should write in the conditions.

Councilman Schneider spoke to Mrs. Whitehouse about being a "doubtful piece of property". He said that the property is not going to be well off, either way.

Councilman Kerrigan pointed out that what is up for consideration is the rezoning. He said that it had been considered for a trailer park, before.

Mrs. Whitehouse said that is not true; the trailer court man said A Street would have to be purchased.

Councilman Kerrigan told Mrs. Whitehouse that there is necessity for Planning to provide streets; there is a necessity for streets. He said that this is not a subdivision; it is just a change of zone.

Councilman Burgener spoke to Mr. Haelsig about what happens when someone comes in for a permit

Mr. Haelsig said that part of original right of way was condemned by the City, for Wabash freeway. He said portion could be built on.

Mrs. Whitehouse said that Mr. Haelsig took her to Ogden (Howard Ogden, Property Supervisor).

Mayor Dail said that the Council would be only instructing the City Attorney to prepare the Ordinance for placing the property in M-1 Zone.

Mr. Haelsig showed another map, at which Mrs. Whitehouse looked as he made an explanation.

(No information can be given with reference to the maps shown by the Planning Director, and conditions described by him, since none was seen by the clerk).

Mrs. White spoke to Councilman Curran about discussion had with the City Engineer.

Councilman Kerrigan said that it is a private argument. He said that the question before the Council is to rezone or not.

Mayor Dail said that the only motion that can be made is to draw the ordinance.

Councilman Williams stated that he was not opposed to M-1, but wondered what assurance there would be that property would be any more desirable. He spoke to Mrs. Whitehouse about M-1.

Mrs. Whitehouse said that several people are interested in M-1 zone, but not in residential.

Councilman Curran moved to draw the ordinance.

RESOLUTION 130697, requesting City Attorney to prepare and present necessary ordinance for rezoning portion Pueblo Lot 1151, located northerly of Federal Boulevard and along west side of Wabash Creek Channel, from R-2 to M-1, was on motion of Councilman Curran adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Dail. Nays-Councilmen Schneider, Kerrigan. Absent-None.

Question was raised over the action.

The clerk said that the Mayor had ruled the motion out of order.

Mayor Dail said that this action is not conclusive; it will take 5 votes of the Council to adopt ordinance changing the zone, since it would be overruling the Board.

Petition for securing right of way right of way through Lots 1160 through 1172

Redwood Village Unit 9, Map 2806, for constructing a covered storm drain and paved street - with understanding of signers that northerly 13 feet are to be at no expense for improvements, was presented.

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

Petition of residents for naming North-South Freeway through San Diego in honor of Junipero Serra, was presented.

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

Application of William E. Miller, 903 Prospect Street, La Jolla, for certificate of necessity to operate 1 Taxicab in La Jolla Cab Company, was presented.

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

Application of General Automobile Company, Inc., dba Saunders National Car Rental Service, by Rex Taylor, vice pres., for certificate of necessity to operate 6 U-Drive automobiles, was presented.

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

Report of Purchasing Agent recommending sole bid of Arrowhead Lime & Chemical Co. Sales Division, United States Lime Products Corporation for furnishing Bulk Quicklime, for period of 6 months beginning January 1, 1956, at \$17.40 per ton f.o.b. Sloan and/or Henderson, Nevada, plus \$10.40 transportation charges per ton plus State Sales Tax, less 25¢ per ton - 10th prox., was presented.

RESOLUTION 130698, accepting bid of Arrowhead Lime & Chemical Co., Sales Division, United States Lime Products Corporation, for furnishing Bulk Quicklime for period of 6 months; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending that Final Map of Mandalay Park Subdivision be approved subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by the City Engineer, was presented.

RESOLUTION 130699, adopting Map of Mandalay Park Subdivision, being portion Lot 37 La Mesa Colony; accepting on behalf of the public unnamed easements, declaring them to be unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that they are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Naso Park, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by City Engineer, was presented.

RESOLUTION 130700, adopting Map of Naso Park Subdivision and accepting unnamed easements (a Resub of Lots 1 to 4 Block 26 Sunset Cliffs); accepting on behalf of the public unnamed easements; declaring them to be public easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of Council that they are

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accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Communication from The Citizens Sewer Committee, signed by Douglas R. Giddings, making recommendations relative to the handling of sewage at an estimated cost of \$26,800,000.00; offering Committee's services to the Council, was presented.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was filed. (At the request of the City Manager it was sent to his office to have copies made).

Communication from C. B. King, Jr., president, San Diego Archery Club, dated 6 January 1956, was presented. It tells of needs for archery ranges along Cabrillo freeway, relocation of Mission Bay Park range, inadequacy of the Target Archery Range at 6th and Laurel in Balboa Park, etc.

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

Communication from Otto W. Hahn, business representative, Local 127 AFL - CIO, San Diego County and Municipal Employees, Box 51 Hillcrest Station, San Diego 3, dated January 6, 1956, was presented. It calls the Council's attention to recent service in tabulating and pay-roll sections of the Auditor and Comptrollers office in issuing pay checks January 6, rather than January 9, as expected.

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

Communication from San Diego Industrial Development Council, Inc., by Robert J. McPherson, president, 2644 Teresita Street, dated January 7, 1956, addressed to the City Clerk, was presented. It refers to appearance before the Mayor and Council at the Thursday night meeting of January 5, relative to waste reclamation plan to be added to the proposed sewage disposal project to be submitted to voters early this year. Among other things, it says that the Mayor and Council would like to interview the 2 engineers: R. G. Greenbaum, 1854 Capistrano Street, and Judson B. Kenney, 4751 Orchard Street, "who prepared this report, at no cost whatever to the city". It says that report was submitted to the City Manager in 4 copies with request that it be presented to the City Council in July 1955, but to date according to Councilman D. D. Williams, the report has never been submitted to the City Council. The communication asks the City Manager to submit the report to the Council at its next meeting, and that Messrs Greenbaum and Kenney be directed by letter to appear before the City Council to be interviewed at the next City Council meeting following receipt of the letter. It concludes "Need we add that the City Council is elected by the voters who have to approve any bond issue on sewage disposal and that the City Manager is employed by the same City Council. Unless the voters see an opportunity for this huge project to pay for itself thru waste reclamation, as is being done in other cities, this bond issue is doomed to defeat as have others, of even smaller amount, in the past."

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

Councilman Schneider, after asking permission to address the visitors, told them that action which may seem hasty is not, since items have been considered by the Council in conference.

Resolution requesting Board of Supervisors of The County of San Diego, State of California, to annex to and incorporate within the City of San Diego 98.45 acres of non-contiguous territory in The County of San Diego - owned by The City of San Diego and used for Municipal purposes: San Dieguito Dam, Hodges Dam, Morena Dam, Lockwood Mesa Reservoir

Lands, Upper Otay Dam, Savage Dam and vicinity, was presented. (While the agenda says 98.45 acres, the proposed resolution says 67.43 acres.

RESOLUTION 130701, referring to Council Conference proposed resolution requesting Board of Supervisors of County of San Diego to annex to and incorporate within the City of San Diego non-contiguous territory in the County of San Diego, owned by the City of San Diego and used for Municipal water purposes, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 130702, declaring a through highway:

B Street between east line of 12th Avenue and west line of 30th Street except at intersections with 18th Street and 25th Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130703, prohibiting parking of automobiles at all times:

The west side of Catalina Boulevard between Talbot Street and Jennings Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130704, prohibiting parking of automobiles at all times:

The westerly side of Ellison Place, between points 0 and 234 feet north of northerly line of North Mountain View Drive; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130705, 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 Fir and Grape Streets;
Both sides of Grape Street between Fourth and Fifth Avenues;
Both sides of Ivy Street between Fourth Avenue and Fifth Avenue;
East side of Sixth Avenue between Date and Laurel Streets;
West side of Sixth Avenue between Hawthorn Street and Ivy 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130706, prohibiting parking of automobiles at all times:

South side of Imperial Avenue between 7th and 8th Avenues; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130707, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Northerly side of Kline Street between Fay and Girard Avenues; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130708, authorizing City Manager to employ Griffith Company to do

work specified in the resolution for paving and otherwise improving Grand Avenue between Ingraham Street and the school near Quincy Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution says that the contractor, Griffith Company, has agreed to do work at sum of \$938.20, and City Manager has recommended offer be accepted and work be done - in connection with improvement under 1911 Street Improvement Act proceedings - to be payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130709, authorizing City Manager to employ A. R. Kingaard to do work specified in the resolution for paving and otherwise improving Alley Block C Sterlingworth, et al., near Meade Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that the contractor, A. R. Kingaard, has agreed to do the work at sum of \$65.94, and City Manager has recommended offer be accepted and work be done - in connection with 1911 Street Improvement Act proceedings - to be payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130710, authorizing City Manager to employ H. H. Peterson to do all the work necessary in location of portion of storm drain from position 6-1/2 feet east of center line of 4th Avenue to position 18 feet west of center line of 4th Avenue, then across original location just south of Market Street, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Resolution says that the contractor, H. H. Peterson, has agreed to do the work at sum of \$393.50, and City Manager has recommended offer be accepted and work be done - in connection with 1911 Street Improvement Act proceedings - to be payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130711, authorizing City Manager to employ Al E. Riley, Incorporated, to do work specified in the resolution, for paving and otherwise improving portions of Taft Avenue and Bellevue Avenue, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Resolution says that the contractor, Al E. Riley, Incorporated, has agreed to do the work at sum of \$420.00, and City Manager has recommended offer be accepted and work be done - in connection with 1911 Street Improvement Act proceedings - to be payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130712, authorizing City Manager to sign agreement on behalf of The City of San Diego hereby Dr. John M. Pfiffner undertakes study of relationships between civil service departments of the City and the County of San Diego, copy of agreement on file in office of City Clerk as Document 527848, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130713, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with H. A. Snow and Betty Snow, 2554, San Diego, subdivider of Hartford Court, for installation of mains and appurtenances larger than necessary for subdivision (on Clairemont Drive from easterly line of Hartford Court to West 75'), made at request of the City, and for reimbursement by the City to subdivider of \$397.88 for difference in cost of installation of larger mains as requested by the City, upon execution and delivery to City of Quitclaim Deed conveying to the City, all of the right, title and interest of the subdivider in and to water distribution system in Hartford Court Subdivision, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130714, authorizing and empowering City Manager to execute, for and on behalf of the City, an amendment to lease with Crown Air Charter, Inc., amendments filed in office of City Clerk as Documents 482964, 521997, for portion of Montgomery Airport as shown on Property Division Plat 147, for purpose of increasing flat rental per month and area to be leased; terms, conditions, and description in Document 527805 on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next resolution, the City Manager stated that it had been discussed in conference.

Councilman Curran said he wanted the amendment to lease agreement, filed with the clerk, read.

The agreement was read to the Council by the clerk.

Councilman Curran said that it is for only 1 event (roller derby); and it "doesn't seem expedient".

Councilman Schneider moved to adopt the proposed resolution. Motion was seconded by Councilman Burgener.

Councilman Burgener spoke to Mrs. John Merrick, seated in the audience. He said "it is right; it will end next August; it is no worse than the other".

The clerk said that is what the agreement says.

Asked for a comment, Mrs. Merrick said that if it is temporary, for dates specified, she approves.

RESOLUTION 130715, authorizing and empowering City Manager to execute, for and on behalf of the City, an amendment to the lease agreement heretofore filed in office of City Clerk as Document 485809 and amendments thereto, with M.B.A. for use of Mission Beach ballroom for derby events for period commencing January 16, 1956 and terminating August 31, 1956, under terms and conditions set forth in form of amendment to lease agreement filed in office of City Clerk as Document 527851, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 130716, directing Property Supervisor to file petition with Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against portion 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 Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130717, designating Phillip F. Bartlet Company as an organization qualified to do real estate appraisal work and designating the company as an organization approved to do real estate appraisal work for and on behalf of The City of San Diego, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130718, approving Change Order 3, dated January 3, 1956, Document 527811, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of Chollas Pumping Plant and Chollas-Redwood Village Pipe Line, contract Document 517238; changes amounting to increase in contract price of \$250.53, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130719, granting revocable permit to David Starcevic, 3316 "B" Street, San Diego, to install and maintain 170 feet of 3/4" G.I. Water line for use and benefit of owner's property under 33rd Street, from owner's property: South half of Lots 23 and 24 Block 149 Choate's Addition, along 33rd Street to City water main in B Street, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130720, granting revocable permit to State of California (Division of Forestry) to construct, maintain and utilize a firebreak of an average width of 300 feet more or less for fire protection purposes, across S 1/2 of Sec 27 T18S R2E SBB&M, as more particularly described in the resolution, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130721, granting James H. Stilwell, plumbing contractor and Albert M. Wright, owner, to run kitchen sink vent and dishwasher vent using 1-1/2" type L copper tubing, in construction at 8445 Avenida de las Ondas, La Jolla, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130722, granting Mrs. Robert S. Strauss permission to add 4 additional plumbing fixtures to the 1-1/2 soil pipe vent now serving 1 sink in connection with operation of Beauty Parlor at 2722 Fifth Avenue, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION 130723, granting revocable permit to Meta D. Tex and Charles A. Tex, 4095 Falcon Street, San Diego, permission to install and maintain 6" concrete walk continuation for use and benefit of owner's property, on south side of Lewis Street: Lots 1 and 2 Block 48 Arnold & Choates Addition, 721-723 West Lewis Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130724, granting application of Beyerle Company for refund of \$31.00 for plumbing permit fees issued for 5 locations on Mound and Carthage; authorizing and directing City Auditor and Comptroller to draw warrant in amount payable in full for the permit fees, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130725, granting application of Bollenbacher & Kelton, Inc. for refund of \$47.50 for plumbing permit fees issued for 5 locations on Mound and Carthage; authorizing and directing City Auditor and Comptroller to draw warrant in amount payable in full for the permit fees, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130726, granting application of Bollenbacher & Kelton, Inc. for refund of \$105.50 for building permits for 5 locations on Mound and Carthage; authorizing and directing City Auditor and Comptroller to draw warrant in amount payable in full for \$211.00 permit fees, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130727, granting application for refund to Rizzo Bros. Constr. Co. for \$250.00 for building permit and sewer connection permit at 4055 42nd Street (\$262.50 permit taken out); authorizing and directing City Auditor and Comptroller to draw his warrant payable to Rizzo Bros. Constr. Co. for partial reimbursement, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130728, accepting quitclaim deed executed on 29th day of December, 1955, by H. A. Snow and Betty Snow, 2554 Galveston, San Diego, quitclaiming all water main and appurtenant structures within or without subdivision named Hartford Court Subdivision lying

principally in Block 104 Morena; 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 Curran, adopted.

RESOLUTION 130729, accepting subordination agreement, executed by Fred A. Brown and Delia P. Brown, beneficiaries, and Bank of America National Trust and Savings Association, a National Banking Association, trustee, December 22, 1955, subordinating all right, title and interest in and to easement for right of way for storm drain or drains and appurtenances in portion Lot 4 Block 8 Silver 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130730, accepting deed of Gertrude Letvinoff Jason and Alexandra Letty Dolmatz, who acquired title as Alexandra Letty Seligson, December 21, 1955, conveying portions Lots 2 and 3 Block 66 Arnold and Choates 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 130731, accepting deed of Cecil G. Gray and Zona L. Gray, December 14, 1955, conveying portion 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 Curran, adopted.

RESOLUTION 130732, accepting deed Relinquishing Access Rights of John R. Howard and Mr. Armitage Howard, October 27, 1955, conveying limited access road, Lots 19 and 20 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130733, accepting deed of Helen P. Evey, December 28, 1955, conveying easement for right of way for public street and incidents, and easement for construction and maintenance of earth embankments, slopes, cuts or fills, in portion Pueblo Lot 1234; setting aside and naming land Clairemont Mesa Boulevard; 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 Curran, adopted.

RESOLUTION 130734, accepting deed of Union Title Insurance and Trust Company, December 21, 1955, conveying easement and right of way for street purposes, and easement for earth embankment, slopes, cuts or fills, in portion Pueblo Lot 1235; setting aside and naming land Clairemont Mesa Boulevard; 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 Curran, adopted.

RESOLUTION 130735, accepting deed of Carmaleto Waldo Webb, December 8, 1955, conveying easement for right of way for public street and incidents in portion Pueblo Lot 1242; setting aside and naming land Cole 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 Curran, adopted.

RESOLUTION 130736, accepting deed of Bollenbacher and Kelton, Incorporated, December 9, 1955, conveying easement for public street and incidents, in portion Lot 64 Rancho Mission of San Diego; setting aside and naming land Mission Gorge 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 Curran, adopted.

RESOLUTION 130737, accepting deed of Bollenbacher & Kelton, Incorporated, December 9, 1955, conveying easement for right of way for public street and incidents, in portion Lots 65 and 66 Rancho Mission; setting aside and naming land Zion 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130738, accepting deed of The M. Hall Company, a corporation, December 7, 1955, conveying easement for right of way for public street and incidents, in portion Lot 65 Rancho Mission of San Diego; setting aside and naming land Zion 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 Curran, adopted.

RESOLUTION 130739, accepting deed of William J. Wallace and Fannie G. Wallace, December 19, 1955, conveying easement for right of way for public sewer in portions of Lots 5 & 6 Block 19 Muirlands; 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 Curran, adopted.

RESOLUTION 130740, accepting deed of Dale Ravae Johnson and Alfrieda S. Johnson, December 28, 1955, conveying easement and right of way for storm drain, or drains and appurtenances in portion Lot 6 Block 2 Silver 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130741, accepting deed of Lutheran California District of Lutheran Church, Missouri Synod, a California Corporation, December 12, 1955, conveying easement for right of way for storm drain, or drains and appurtenances in portion of south 1/2 of south-east quarter Lot 16 Ex-Mission Lands of San Diego (Horton's Purchase); 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 Curran, adopted.

RESOLUTION 130742, accepting deed of Paul M. Pruett, December 20, 1955, conveying easement for right of way for storm drain, or drains and appurtenances in portion Lot 4 Block 8 Silver 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 130742, accepting deed of Paul M. Pruett, December 20, 1955, conveying easement for right of way for storm drain, or drains and appurtenances, in portion Lot 4 Block 8 Silver 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130743, accepting deed of Willa E. Smith, December 8, 1955, conveying easement for right of way for storm drain or drains and appurtenances, in portion Lot 14 Block 2 Silver 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 Kerrigan, seconded by Councilman Schneider, adopted.

There was listed on the agenda an ordinance - introduced at the meeting of January 5, 1956 - amending Division 5 Article 1 Chapter X San Diego Municipal Code, Regulating the Zoning Administration, for dispensing with reading and adoption at this meeting.

Councilman Burgener said that he had received requests in connection with the proposal.

John Griffith, Secretary-Manager, San Diego Realty Board, said that he would like time to go over the ordinance. He said that the real estate people are the ones that will have to work with it.

Mayor Dail spoke to Mr. Griffith about having had request for 2 weeks continuance. He pointed out that copies have been available in the Mayor's office and in the City Attorney's office. He said that the purpose of the ordinance is to streamline the procedure, and improve relations with property owners and residents. He said that it is also for the improvement of zoning. He said that legal procedure as proposed seemed sufficient.

Mr. Griffith said that sometimes these things do not come to attention of the interested parties "until it is right on the beam". He stated that an ordinance is easy to pass; it is difficult to repeal. He told the Council that he wants to see what is in the proposed ordinance.

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

Mr. Griffith said that the objective is good.

The roll was called, and the proposed ordinance continued until the meeting of January 19, 1956.

Mayor Dail said that if there is opposition next week, he would favor taking the item off the agenda.

In the file was a communication from J. D. Thompson, Jr., president of San Diego Federal Savings and Loan Association, dated January 9, 1956. It protests such an ordinance, and that protest would be made in person but he is attending meeting of State Senate Interim Committee on Subdividing and Land Planning as a member of the Advisory Committee. It says it appears that it may become necessary to enact statutes which remove from local governing bodies the right to impose such harsh rules and regulations superimposed upon those required by the State.

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

ORDINANCE 6821 (New Series), amending San Diego Municipal Code by adding Sections 42.0130, 42.0131 and 42.0132, and repealing Section 42.0123 Regulating Operation and Parking of Food Vending Vehicles, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6822 (New Series), incorporating portion Lots 24 and 25 Wadsworth's Olive Grove Addition into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, and repealing Ordinance 184 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

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

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

ORDINANCE 6823 (New Series), appropriating \$1,500.00 out of Unappropriated Balance Fund, for providing funds to cover cost of study of and report on relationships between the Civil Service Departments of The City of San Diego and the County of San Diego, to be made by Dr. John M. Phiffner, University Park, Los Angeles, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted, by the following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Williams, Curran, Evenson, Mayor Dail. Nays-None. Absent-None.

Ordinance amending Sections 72.02, 72.03, 72.05, 72.06 and 72.07 of San Diego Municipal Code, Regulating Operation of Taxicabs, including drivers, and rates, was presented.

RESOLUTION 130744, referring to Council Conference proposed ordinance amending Municipal Code re Taxicabs, 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 Vista Unit 1, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION 130745, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Norman Development Co., a co-partnership, consisting of Norman R. Smith and Bahia Builders, a California corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Vista Unit 1; 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 130746, adopting Map of Clairemont Vista Unit 1, being subdivision of portion Pueblo Lot 1227 and Pueblo Lot 1228; accepting on behalf of the public, Bertha Court, Rolfe Road, Pamela Court, Don Way, Donald Avenue, Cindy Street, Miami Way, Miami Court, alley, unnamed easements shown for public purposes, declaring them to be dedicated to public use; rejecting as a dedication for public street land shown as "Reserve for Future Street"; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that they are accepted on behalf of the public, and that Council rejects dedication marked "Reserve 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.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, there was referred to the City Manager "AAA Rent Car application". (The document was not in the clerk's file).

There was listed on the agenda, for Council information, notice of San Diego League of California Cities Dinner to be held Friday, January 20, 1956, in La Mesa, at Lawtons Cafe. It showed Fred W. Speers, State Highway Commissioner, as speaker, with The Cities and State joint problem of highway development as the subject.

The following items were withdrawn from the Clerk's file of items referred to Council Conference:

Border Cities Conference goodwill tour to Mexico City and Acapulco for latter part of January, 1956 (The Mayor has been authorized to attend)

Mission Beach Residents communication re location of roller coaster, thrill rides, etc. - Document 508178 (Council action has been taken regarding leases in the Mission Beach Amusement Center, known as "Belmont Park");

Municipal Employees' coordination with Social Security - Document 516552 (By employees' vote, and Council action, the City Retirement System has joined with Social Security) They were filed by the Clerk.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 11:25 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Charles D. Bail
Mayor of The City of San Diego, California

1/17/56

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Tuesday, January 17, 1956

Present--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson
Absent--Mayor Dail (In Mexico City on business for the City of San Diego)
Clerk---Fred W. Sick

Vice Mayor Clair W. Burgener, who presided in the absence of Mayor Dail, called the meeting to order at 10:00 o'clock A.M.

Father Rice, representing the Catholic Diocese, was presented by the Vice Mayor. He gave the invocation.

Ordinances and Resolutions are recorded on Microfilm Roll 107.

On motion of Councilman Schneider, seconded by Councilman Williams, minutes for the meetings of Tuesday, January 10, 1956, and of Thursday, January 12, 1956, were approved without reading - after which they were signed by the Vice Mayor.

Members of the Senior Problems Class of the Kearny High School were welcomed to the meeting by the Vice Mayor. At his request, they stood for applause.

Awards were made by the Vice Mayor, honoring long-time service by the following City employees:

Peyton Quarles (Pete) Burton, Senior Planning Technician - 20 years;
Ray O. Ramage, Battalion Chief, Fire Department - 25 years;
Roland B. Thomas, Fire Captain, Fire Department - 25 years;
William L. Arnold, Patrolman, Police Department - 20 years;
Leon F. Lewis, Equipment Operator II, Public Works Department - 30 years,

and scroll.

The Purchasing Agent reported in writing on 3 bids received Friday, January 13, 1956, for improvement of Alley Block K Montecello.

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

The Purchasing Agent reported in writing on 4 bids received Friday, January 13, 1956, for improvement of San Fernando Street.

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

The hour of 10:00 o'clock A.M. Pacific Standard Time having arrived, this being the time and place fixed for the opening of bids on the \$9,460,000 Harbor Bonds, 1956; The City of San Diego, dated February 1, 1956, the City Clerk reported that 5 bids had been filed. Thereupon the bids were publicly opened, examined and declared. Said bids were as follows:

The Chase Manhattan Bank, Manager: Smith, Barney & Co.; Bankers Trust Company;

Meeting convened
Invocation
Minutes approved and signed
Visitors
Service Awards
1911 Act bid reports
Bids for 9,460,000 Harbor Bonds, 1956

The Northern Trust Company, Chicago; Kidder, Peabody & Co.; American Trust Company, San Francisco; Weeden & Co., Inc.; California Bank, Los Angeles; Heller, Bruce & Co., San Francisco; L. F. Rothschild & Co.; Laurence M. Marks & Co.; William R. Staats & Co., Los Angeles; Courts & Co., Atlanta; McDonald-Moore & Co., Detroit; by The Chase Manhattan Bank, (Signed) B. O. Daone Assistant Vice President; bid par, accrued interest to date of delivery, and a premium of \$10,207.34 for said Harbor Bonds, 1956, to bear interest at the rate of 3-1/2% per annum on bonds maturing in the years 1957 to 1959, both inclusive, and 2-3/4% per annum on bonds maturing in the years 1960 to 1968, both inclusive, and 2-1/2% per annum on bonds maturing in the years 1969 to 1978, both inclusive, and 2-3/4% per annum on bonds maturing in the years 1979 to 1981, both inclusive, all interest payable annually for the first year and semiannually thereafter;

The First National City Bank of New York, Account Manager, and Associates; by Louis J. Rice Jr., Vice President, The First National Trust & Savings Bank, San Diego, California: The First National City Bank of New York; Union Securities Corporation; C. J. Devine & Co.; Seattle-First National Bank; Eastman, Dillon & Co.; Barr Brothers & Co.; Laidlaw & Co.; Roosevelt & Cross, Incorporated; Dominick & Dominick; Clark, Dodge & Co.; W. H. Morton & Co., Incorporated; Fidelity Union Trust Company; Bache & Co.; J. C. Bradford & Co.; Taylor and Company; E. F. Hutton & Company; Dempsey-Tegeler & Co.; Hayden, Miller & Co.; Byrne and Phelps, Inc.; Fairman, Harris & Company, Inc.; Eldridge E. Quinlan Co., Inc.; Park, Ryan, Inc.; The First National Trust & Savings Bank, San Diego; Henry Dahlberg and Company; bid par, accrued interest to date of delivery, and a premium of \$785.18 for said Harbor Bonds, 1956, to bear interest at the rate of 3-1/2% per annum on bonds maturing 1957 to 1964, both inclusive; and 3/1/4% per annum on bonds maturing in the year 1965; and 2-1/2% per annum on bonds maturing in the years 1966 to 1981, both inclusive, all interest payable annually for the first year and semiannually thereafter;

Halsey, Stuart & Co., Inc.; Phelps, Fenn & Co.; Harris Trust & Savings Bank and Associates, by William H. Chamberlin: Halsey, Stuart & Co. Inc.; Phelps, Fenn & Co.; Harris Trust & Savings Bank; Chemical Corn Exchange Bank; Goldman, Sachs & Co.; Blair & Co., Incorporated; Paine, Webber, Jackson & Curtis; Stone & Webster Securities Corporation; White, Weld & Co.; F. S. Moseley & Co.; Braun, Bosworth & Co., Incorporated; Hemphill, Noyes & Co.; Schoellkopf, Hutton & Pomeroy, Inc.; First Of Michigan Corporation; Hornblower & Weeks; Bacon, Stevenson & Co.; Hallgarten & Co.; Schwabacher & Co.; Eldredge & Co., Incorporated; R. S. Dickson & Company, Incorporated; Hayden, Stone & Co.; Aubrey G. Lanston & Co., Inc.; First National Bank of St. Paul; Trust Company of Georgia; First National Bank of Minneapolis; Barcus, Kindred & Company; Mullaney, Wells & Company; Dolphin & Co.; The Milwaukee Company; Granberry, Marache & Co.; F. S. Yantis & Co., Incorporated; W. H. Newbold's Sons & Co.; Andrews & Wells, Inc.; Thomas & Company; Burns, Corbett & Pickard, Inc.; Fred D. Blake & Co.; The First Cleveland Corporation; Seasingood & Mayer; Woodcock, Hess & Co., Inc.; Ginther, Johnston & Co.; Berman, Selonick & Co.; Talmadge & Co.; bid par, accrued interest to date of delivery, and a premium of \$4,730.00 for said Harbor Bonds, 1956, to bear interest at the rate of 3-1/2% per annum on bonds maturing 1957 to 1962, both inclusive; 3% on bonds maturing 1963 to 1965 inclusive; 2-1/2% on bonds maturing 1966 to 1981, both inclusive, all interest payable annually for the first year and semiannually thereafter;

Glore, Forgan & Co., Account Manager, by Thomas L. Kevin: Glore, Forgan & Co., Account Manager; Mercantile Trust Company (St. Louis); B. J. Van Ingen & Co. Inc.; Dick & Merle-Smith; John Nuveen & Co. Inc.; Baxter, Williams & Co.; Bear, Stearns & Co.; A. G. Becker & Co. Incorporated; National Bank of Commerce Of Seattle; Central Republic Company; A. M. Kidder & Co.; Geo. B. Gibbons & Company, Inc.; The Illinois Company Incorporated; Robert W. Baird & Co.; Raffensperger, Hughes & Co., Incorporated; Julien Collins & Company; Wood, Gundy & Co., Inc.; Arthur M. Krensky & Co., Inc.; Field, Richards & Co.; Rodman & Renshaw; J. B. Hanauer & Co.; C. F. Childs And Company; Stokes & Co.; J. A. Overton & Co.; Joseph, Mellen & Miller, Inc.; Hannaford & Talbot; Breed & Harrison, Inc.; Watling, Lerchen & Co.; The Weil, Roth & Irving Co.; bid par, accrued interest to date of delivery, and a premium of \$1,892.00 for said Harbor Bonds, 1956, to bear interest at the rate of 3-1/2% per annum on bonds maturing 1957 to 1962, both inclusive; 2-1/2% on bonds maturing 1963 to 1975 inclusive; 2-3/4% on bonds maturing 1976 to 1981 inclusive, all interest payable annually for the first year and semiannually thereafter;

Bank of America N. T. & S. A., Security-First National Bank of Los Angeles, by Bank of America N. T. & S. A., by K. A. Nairne, bid par, accrued interest to date of delivery, and a premium of \$4351.00 for said Harbor Bonds, 1956, to bear interest at the rate of 3-1/2% per annum on bonds maturing February 1, 1957 to February 1, 1962, inclusive; 2-1/2% per annum on bonds maturing February 1, 1963 to February 1, 1981 inclusive, all interest payable annually for the first year and semiannually thereafter.

Each of said bids was accompanied by a certified or cashier's check in the sum

of \$283,800. as provided in the notice inviting bids. The City Attorney reported that each of said bids was regular and in accordance with the notice.

Thereafter, upon motion duly made by Councilman Schneider, seconded by Councilman Williams, and carried, said bids were referred to the City Treasurer and the City Attorney for checking, said officers to compute the bids and report back to the Council immediately after such computation with their recommendation as to the best bid.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current for La Jolla Lighting District No. 1, for 1 year from and including January 1, 1956, the clerk reported 1 bid.

On motion of Councilman Curran, seconded by Councilman Schneider, it was opened and declared.

It was the bid of San Diego Gas & Electric Company.

On motion of Councilman Curran, seconded by Councilman Schneider, bid was referred to City Manager and City Attorney for report and recommendation.

Bid was accompanied by certified check in sum of \$261.42 written by San Diego Trust and Savings Bank.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current for 7th Avenue Lighting District No. 1, for 1 year from and including January 1, 1956, the Clerk reported 1 bid.

On motion of Councilman Curran, seconded by Councilman Schneider, it was opened and declared.

It was the bid of San Diego Gas & Electric Company.

On motion of Councilman Curran, seconded by Councilman Schneider, bid was referred to City Manager and City Attorney for report and recommendation.

Bid was accompanied by certified check in sum of \$5.70 written by San Diego Trust and Savings Bank.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current for 8th Avenue Lighting District No. 1, for 1 year from and including January 1, 1956, the Clerk reported 1 bid.

On motion of Councilman Curran, seconded by Councilman Schneider, it was opened and declared.

It was the bid of San Diego Gas & Electric Company.

On motion of Councilman Curran, seconded by Councilman Schneider, bid was referred to City Manager and City Attorney for report and recommendation.

Bid was accompanied by certified check in sum of \$4.56 written by San Diego Trust and Savings Bank.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on paving and otherwise paving Noyes Street, Missouri Street, portions of Beryl Street, Law Street, Academy Street and Diamond Street - Resolution of Intention 129454 hearing having been continued from time to time - Willard Olson, of the City Engineer's Office, said there is a 51% revised protest. He said that Milton has withdrawn protest, verbally, which would then make it 45%.

The visitors from Kearny High School left the meeting.

An unidentified man asked what the effect would be on the assessment (having to do with the Sessions property, apparently).

Vice Mayor Burgener said it would have no effect; the City is to pay 1/2 cost through Sessions' property; Mr. Sessions 1/2; the City to pay all the costs of the "missing link".

Alan Firestone, Deputy City Attorney, told the Council that it should make a finding that there was a majority protest.

RESOLUTION 130747, determining that protests of property owners against proposed improvement of Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, Resolution of Intention 129454, to be a majority protest of owners of property in the area to be assessed, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130748, overruling and denying protests of the Fundamental Evangelistic Assn. by M. H. Reynolds, Supt., other written protests of property owners against proposed improvement of Noyes Street, Beryl Street, Resolution of Intention 129454; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Resolution of Preliminary Determination 130041 for paving and otherwise improving Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, Public Rights of Way in Lots 25 and 26 Block 7, Lots 46, 47 and 48 Block 10, and Lots 7 and 8 Block 11 Bungalow Park Addition, a group of unidentified women said to the Council that they are in favor of the work.

Councilman Curran moved "to adopt the Resolution".

Councilman Kerrigan spoke to persons in the audience about having met with property owners. He told of the effect of the meeting, and of his reference to adoption of the "6-vote resolution of feasibility" at this time - as well as a future hearing. He said that there will be another hearing in 5 or 4 weeks on the Resolution of Intention. He had a discussion with the women.

Mrs. Carry said she "carried the petition for Menlo". She asked if it could be withdrawn.

The Vice Mayor said that "it is in the job", but could be withdrawn from the project, later.

Councilman Kerrigan talked to Mrs. Garry about having combined the jobs, and of future actions.

Councilman Schneider said that later it would take a majority of the district to eliminate the 2 blocks.

Councilman Kerrigan said there were majority petitions; the Council has to consider a majority of the people. He said the item will come back on the agenda within about 6 weeks (for hearing on Resolution of Intention).

RESOLUTION 130749, overruling and denying protest of Property Owners against proposed improvement of Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, Public Rights of Way in Lots 25 and 26 Block 7, Lots 46, 47 and 48 Block 10, and Lots 7 and 8 Block 11 Bungalow Park Addition, Resolution of Preliminary Determination 130041, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130750, determining that improvement of Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, Public Rights of Way in Lots 25 and 26 Block 7, Lots 46, 47, 48 Block 10, Lots 7 and 8 Block 11 Bungalow 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130201 of Preliminary Determination for installation of sewers in Alley Block 1 Buena Vista Tract, and portion 42nd 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 protests were filed.

RESOLUTION 130751, determining that installation of sewers in Alley Block 1 Buena Vista Tract, and 42nd Street, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation,

Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130202 of Preliminary Determination for paving and otherwise improving Grape 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 filed.

RESOLUTION 130752, determining that improvement of Grape Street, Resolution 130202 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130203 of Preliminary Determination for paving and otherwise improving Shasta Street and Crown Point Drive, 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.

RESOLUTION 130753, determining that improvement of Shasta Street and Crown Point Drive, Resolution 130203 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130332 of Preliminary Determination for paving and otherwise improving Alley Block 12 Point Loma Heights, 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.

RESOLUTION 130754, determining that improvement of Alley Block 12 Point Loma Heights, Resolution 130332 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130333 of Preliminary Determination for paving and otherwise improving Poe 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 filed.

RESOLUTION 130755, determining that improvement of Poe Street, Resolution 130333 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 130334, for installation of storm drains and appurtenances

in Reynard Way, Eagle Street, Upas Street, Curlew Street, Brant Street, Otsego Drive, Torrence Street, Pennsylvania Avenue and Public Rights of Way, the clerk reported no protests.

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

Emmett Zink, 605 West Walnut, told of being on the original petition, and of being glad to have the eye-sore erased. He said he understood that when the drain was installed, the whole area drained would be assessed. He told the Council that water comes from as far away as 4th and Washington. He said he lives on a dirt street, with no drain provided. He said that drainage comes from Goldfinch and several other streets. He said that the City should revise the assessment district. He told of having tried for years to improve Otsego Street. He said that it is dirt, and makes mud. Mr. Zink stated that none of the people "at the source" are assessed.

Councilman Kerrigan pointed out that to increase the assessment district would be to make for more protests.

Vice Mayor Burgener told Mr. Zink that the City is paying 1/2 the cost. He and Mr. Zink held a discussion.

There was a discussion between Councilman Kerrigan and Mr. Zink.

Councilman Kerrigan said that if the City were to assess as Mr. Zink proposes, there would be so many protests that the job could not be done.

Mr. Zink said that there is no drainage on Otsego Street; would be no work done; but the property would be in the assessment district.

The City Engineer looked at a map spread on the Council table. Mr. Zink and an unidentified lady looked at it.

The City Engineer said "it is another job". Other unidentified persons looked at the map.

Mr. Zink said that water comes from Bear Drive. He said "there is a foot of mud on the concrete, at the bottom of the hill".

Councilman Kerrigan asked if the City initiated the job.

The City Engineer's reply was "yes".

An unidentified man said the assessment district should be expanded.

The lady who had looked at the map said that should be done "or drop Mr. Zink's property; it does him no good".

Councilman Kerrigan said that if it is changed, the Council would have to abandon the proceedings.

The City Engineer recommended that hearing be continued 1 week, so that he can look at it.

RESOLUTION 130756, continuing hearing on proposed installation of storm drains in Reynard Way, Eagle Street, Upas Street, Curlew Street, Brant Street, Otsego Drive, Torrence Street, Pennsylvania Avenue and Public Rights of Way, Resolution of Preliminary Determination 130334, until 10:00 o'clock A.M., Tuesday, January 24, 1956, 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 current in Mission Beach Lighting District No. 1, 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 filed.

RESOLUTION 130757, confirming and adopting as a whole Engineer's Report and Assessment for Mission Beach Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

The next item had been continued from the meeting of January 10, 1956.

Report of Purchasing Agent, approved by City Manager, on second low bid of O. & R. E. Maurer for construction of Chair and Table Storage Room at Balboa Park Club Building, Balboa Park - \$6,812.00; 6 bids, was presented. It says that low bid of Withers & Sommers did not have a bond, and City Engineer's Office was notified by letter that they had failed to include cost of fire sprinkler system in bid and requested that it be withdrawn. It says the City Engineer concurs in the recommendation.

RESOLUTION 130758, accepting bid of O. O. & R. E. Maurer for construction of chair and table storage room at Balboa Park Club Building, Balboa Park; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to 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 Crane Co. for furnishing Flexible Couplings and Tapping Saddles - \$1,521.24 plus State Sales Tax, less 2%; 3 bids, was presented.

It says that Western Metal was low bidder on 2 individual items, but bid was on an "all or none" basis, and the over-all total was higher than bid of Crane Co.

RESOLUTION 130759, accepting bid of Crane Co. for furnishing 30 Flexible Couplings, Tapping Saddles; 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 Evenson, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by City Manager, on furnishing by Johns-Manville Sales Corporation of 130 Ft. 12" Class 150 Transite Pipe @ \$5.17 per ft; 130 Ft. 12" Class 150 machined over all Transite Pipe @ \$5.77 per foot - \$1,422.20 plus State Sales Tax; was presented.

It says that material is for integration with existing Johns-Manville pipe, and the company is the only manufacturer who can supply the pipe and fittings for use with pipe on hand.

RESOLUTION 130760, authorizing and directing Purchasing Agent to purchase from Johns-Manville Sales Corporation Transite Pipe and Transite Pipe machined all over, (was), was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Recommendation of Purchasing Agent, approved by City Manager, for authorizing advertisement for bids for furnishing 11 Motorcycles and 2 three-wheel servicar Motorcycles for Police Department, was presented.

RESOLUTION 130761, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 11 Motorcycles and 2 Three-wheel Servicar Motorcycles, Document 527874, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Recommendation of Purchasing Agent, approved by City Manager, for authorizing Purchasing Agent to advertise for bids for furnishing 1 Power Street Sweeper for Public Works, Equipment Division, was presented.

RESOLUTION 130762, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Power Street Sweeper, Document 527875, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130763, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Sewer Main to Warehouse "A" at 10th Avenue Marine Terminal, Document 527872; 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 130764, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Installation of Sprinkler System in Northwest Corner of Encanto Community Playground, 65th Street and Broadway, Document 527873; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130765, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Installation of Traffic Signal and Safety Lighting System at Intersection of Richmond Street at University Avenue, and 7th Avenue at E Street; modification of Traffic Signal Systems at Intersections of 30th Street at C Street, 30th Street at F Street, 30th at Redwood Street, 40th Street at University Avenue, Taylor Street at Morena Boulevard, Document 527871; authorizing

Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Wesley W. Cooper, Chairman, County Board of Arlington County, Virginia - Court House - dated January 10, 1956, was presented. It is a copy (apparently sent to many areas of communication transmitting copy of letter addressed to The President of the United States) having to do with payments in lieu of taxes by the United States, because of great federally-owned facilities in the area, which cannot be taxed.

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

Communication from The City of National City, signed by Fred E. Wagner, dated January 11, 1956, as City Planner, was presented. It transmits copy of letter to John F. Borchers, General Manager, San Diego Chamber of Commerce, in response to request that National City aid in surveys of existing and proposed park and recreational development in areas adjacent to the City of San Diego.

The letter to Mr. Borchers answers his of December 19, 1955, outlines recently-dedicated sites for parks, and future proposals.

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

Communication from Investment Dealer's Digest, by Eliot H. Sharp, editor, dated Jan. 10, 1956, relative to "\$16,000,000 sewerage disposal treatment plant", was presented. It asks to be put on the mailing list to receive notices of any sales "which you may be identified".

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

A motion had been made to file the communication, but was reconsidered, and referred.

The next item was listed later on the agenda, but was numbered out of order.

Recommendation from Chief of Police, to City Manager, that permit be granted to Ralph V. Wright dba AAA National Rent-A-Car, 735 - 6th Avenue, for 5, was presented.

RESOLUTION 130766, granting permission to Ralph V. Wright, d.b.a. AAA National Rent-A-Car for permission to operate 5 automobiles for hire; directing Chief of Police and City Clerk to issue certificate of public convenience, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 130767, accepting bid of A. R. Kingaard, and awarding contract for paving and otherwise improving Alley Block 23 Ocean Beach Park, Resolution of Intention 129189, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 20.3% below estimate.

RESOLUTION OF AWARD 130768, accepting bid of Daley Corporation, a corporation, and awarding contract, for paving and otherwise improving Gillmore Street, Southlook Avenue, Olivewood Terrace and Ocean View Boulevard, Resolution of Intention 129185, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 0.9% above estimate.

1/17/56

RESOLUTION OF AWARD 130769, accepting bid of A. W. Thorpe, and awarding contract, for grading and sidewalking of Grape Street, Sultana Street and 54th Street, Resolution of Intention 129188, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 16.3% below estimate.

RESOLUTION OF AWARD 130770, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving Worden Street, Resolution of Intention 129067, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 9.1% above the estimate.

RESOLUTION 130771, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley northerly of and contiguous to Lots 21 to 40 Block 187 Pacific Beach; approving Plat 2811 showing exterior boundaries of district to be included in assessment for 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 130772, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Northerly and Southerly Alley Block 192 Pacific Beach; approving Plat 2817 showing exterior boundaries of district to be included in assessment for improvement; directing City Clerk, upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130773, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 33rd Street; approving Plat 2796 showing exterior boundaries of district to be included in assessment for improvement; directing City Clerk, upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

~~RESOLUTION 130774, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block M Tract No. 2 Alta Vista Suburb;~~ ORDERING WORK for paving and otherwise improving Alley Block M Tract No. 2 of Alta Vista Suburb, Resolution of Intention 130032, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 130775, for paving and otherwise improving La Jolla Hermosa Avenue, Resolution of Intention 130036, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK 130776, for paving and otherwise improving Vancouver Avenue and Kalmia Street, Resolution of Intention 130037, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT 130777, for furnishing electric current in Hermosa Lighting District No. 1, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 130778, for furnishing electric current in Kensington Manor Lighting District No. 1, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT 130779, for furnishing electric current in Rolando Lighting District No. 2, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Maintenance is included.

RESOLUTION ORDERING IMPROVEMENT 130780, for furnishing electric current in Talmadge Park Lighting District No. 4, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130781, directing notice inviting sealed proposals for furnishing electric current in Talmadge Park Lighting District No. 1, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130782, directing notice inviting sealed proposals for furnishing electric current in Talmadge Park Lighting District No. 2, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130783, directing notice inviting sealed proposals for furnishing electric current in Talmadge Park Lighting District No. 3, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130784, for closing portions of Hawthorn Street and Grape Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 130785, accepting bid of A. R. Kingaard, and awarding contract, for paving and otherwise improving Alley Block 49 Ocean Beach, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

City Engineer reported in writing that low bid is 20.3% below estimate.

RESOLUTION OF AWARD 130786, accepting bid of Griffith Company, a corporation, and awarding contract, for installation of sewers in Morena Boulevard, Paul Jones Avenue, Ethan Allen Avenue, Princeton Avenue, Moultrie Avenue, et al., was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

City Engineer reported in writing that low bid is 13.2% below estimate.

RESOLUTION OF PRELIMINARY DETERMINATION 130787, for paving and otherwise improving Alley northerly of and contiguous to Lots 21 to 40 inclusive Block 187 Pacific Beach, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130788, for paving and otherwise improving Northerly and Southerly Alley Block 192 Pacific Beach, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130789, for paving and otherwise improving 33rd Street, Ash Street and A Street, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130790, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in College View Estates Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130791, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in Collwood Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130792, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 18 Ocean Beach Park, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130793, ascertaining and declaring wage scale for paving and otherwise improving Celia Vista Drive and Rolando Boulevard, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130794, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 4 Carmel Heights, and Nutmeg Street, Resolution of Intention 126463, 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130795, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleys Blocks 22, 23 and portion between Blocks 22 and 8 La Jolla Park, Resolution of Intention 126081, 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130796, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 9 Ocean Beach Park, Resolution of Intention 122929, 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130797, approving diagram of property affected or benefited by

work of improvement to be done on paving and otherwise improving La Dorna Street, et al., Resolution of Intention 125825, 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130798, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving and otherwise improving Commercial Street, Alley Block 317 San Diego Land and Town Company's Addition, Hensley Street and 28th Street, Resolution of Intention 128395 and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130799, directing City Engineer to furnish diagram of property affected and benefited by work and improvement of paving and otherwise improving Wunderlin Avenue, Resolution of Intention 128284 and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130800, requesting the Board of Supervisors of County of San Diego, State of California, to annex to and incorporate within the City of San Diego 98.45 acres of non-contiguous territory in the County of San Diego, State of California, owned by The City of San Diego, and used for Municipal purposes: San Dieguito Dam; Hodges Dam; Morena Dam; Lockwood Mesa Reservoir Lands; Upper Otay Dam; Savage Dam and Vicinity - directing City Clerk to transmit certified copy of resolution and petition to Board of Supervisors of County of San Diego, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130801, authorizing and directing San Diego Gas & Electric Company to install 16 6000 lumen overhead street lights, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130802, authorizing and empowering City Manager to enter into agreement, for and on behalf of the City, with Victor L. Wulff and Herbert P. Fifield, co-partnership, as Architects to perform necessary professional services in connection with proposed construction of Fire Station No. 7, Document 528139, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

(Location of the station is not shown in the resolution).

The item shown next on the agenda for Ralph V. Wright, d.b.a. AAA National Rent-A-Car application, will be shown earlier in these Minutes.

RESOLUTION 130803, approving Change Order 1, dated January 6, 1956, Document 527972, issued in connection with contract between The City of San Diego and William H. Clint for construction of 54th Street 12-inch A.C. Pipe Line, contract Document 525117; changes amounting to decrease in contract price of \$92.00; was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130804, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against 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 Williams, adopted.

RESOLUTION 130805, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Lots 1 to 5 inclusive Block 11 American Park Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130806, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 130807, authorizing Purchasing Agent to assist utility, irrigation district, and governmental agencies of the San Diego metropolitan area when such agencies are confronted with the need of emergency repair materials and such materials are not otherwise obtainable, to accept purchase orders from such agencies and furnish the required supplies if sufficient stock is on hand; provided the maximum sale to any single agency shall not exceed \$1,000.00 unless prior approval of sale has been given by the City Council, and that all sales and need therefor be immediately reported to the City Manager, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Resolution authorizing Purchasing Agent to advertise for sale and sell motor vehicles (listed in the Resolutions) which are no longer desirable for use or retention by the City, was presented.

On motion of Councilman Evenson, seconded by Councilman Curran, it was continued 1 week - to January 24, 1956.

RESOLUTION 130808, accepting bid of Edward Clark, authorized by Resolution 130365 for publication of sale of Lots 15 and 16 Block 121 City Heights, in the sum of \$800.00; authorizing and empowering the Mayor and City Clerk for and on behalf of and as the act and deed of The City of San Diego, to execute quitclaim deed; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions to complete transaction - all expenses to be deducted from proceeds - authorizing and empowering City Auditor and Comptroller to refund to Nathan Jacobs sum of \$100.00 deposited by him in compliance with San Diego Municipal Code prior to auction sale, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130809, stating that Coast Security Corporation, on behalf of Sam Marinos, has petitioned the Council of The City of San Diego to put Lot B Block 97 Horton's Addition up for sale, and has deposited with Property Supervisor \$100.00 to cover all costs pertaining to the sale, including cost of title report and guarantee that depositor will

bid minimum amount fixed by the Council for sale of the property, as required by San Diego Municipal Code, as amended; City Manager has recommended lot be sold; authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in the official newspaper of the City, sale at public auction, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Resolution said that reason for selling the property is that it is no longer needed for city purposes; value as disclosed by appraisal made by qualified real estate appraiser is \$12,500.00; minimum amount Council will consider for the sale is \$12,500.; Council reserved right to reject any and all bids at public auction.

RESOLUTION 130810, authorizing 3 city employees, representing Public Works Department and City Engineering Department, to attend 8th Annual California Street and Highway Conference in Los Angeles, January 25, 26, 27, 1956; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130811, naming easements and rights of way for street purposes, along and across portion Lot 8 La Mesa Colony, and Lot 18 La Mesa Colony, heretofore granted to The City of San Diego and accepted by Resolutions 127232, 127234, 127236, 127231 and 127233 adopted June 30, 1955, Acorn Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130812, vacating westerly 4.00 feet and northerly 4.00 feet Lot 35 Mission Cliff Gardens, and the westerly 4.00 feet of Lots 33 and 34 Mission Cliff Gardens, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that subdivision map 2268 established easements in 1942; that easements have not been used since date of acquisition to present time or for 5 years next preceding date of resolution; that they are unnecessary for present or prospective public use by the City; that from and after date of the order of vacation title to land previously subject to easement shall revert to owners of land free from rights of the public; authorizing and directing City Clerk to cause certified copy of resolution, attested by him under seal, to be recorded in office of County Recorder of San Diego County.

RESOLUTION 130813, vacating portions Lots 4 and 5 Block 19 The Muirlands, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that in 1927 the Subdivision was filed in office of Recorder of County of San Diego, which subdivision established public utilities easements; that they have not been used for purpose for which acquired since date of acquisition to present time, or for 5 consecutive years next preceding date of resolution; easements are unnecessary for present or prospective public use by the City; (authorizing and directing City Clerk to certify resolution and record in office of County Recorder, not shown in the Resolution). It says that from and after date of order of vacation, title to land previously subject to easement shall revert to owners of land free from rights of the public.

RESOLUTION 130814, authorizing and empowering Mayor and City Clerk, for and on behalf of and as act and deed of City of San Diego, to execute quitclaim deed quitclaiming to Anthony M. Baker, all its right title and interest in and to portion Pueblo Lots 1288 and 1289, Document 528140, for consideration or exchange of real property desired by the City in Pueblo Lot 1288, together with payment to the City of \$500.00; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be deposited in an escrow opened for purpose of carrying out processes of the exchange, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 130815, authorizing and empowering Mayor and City Clerk, for and on behalf of The City of San Diego, to execute quitclaim deed quitclaiming to Robert A. Crist and Dorothy M. Crist, portion Lot "B" Block 1 Weeks' Addition, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Resolution authorized and directs City Clerk to deliver quitclaim deed to Property Supervisor with instructions that it be deposited in an escrow opened for the purpose of carrying out processes of exchange, together with sum of \$3,125.00. It says the City is desirous of acquiring portions of Lots 25 to 32 inclusive Block 1 Weeks' Addition for Morena Boulevard with adjacent access road and Naples Place, and that owners are willing to make the exchange together with payment by the City. It says that value of property to be granted to the City, as determined by an appraisal made by qualified appraiser, is the sum of \$3,825.00, and value of the City property is \$700.00.

RESOLUTION 130816, authorizing and empowering Mayor and City Clerk to execute for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to Western Hills, Incorporated, a corporation easement for right of way for storm drain or drains and appurtenances in portion Lots 131 and 132 Western Hills Unit No. 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution says that City is desirous of acquiring portion Lot 132 Western Hills Unit No. 1 for drainage purposes, that Western Hills, Incorporated is willing to deed land to the City in exchange for quitclaim deed from the City of portion Lots 131 and 132; that value of property to be granted and value of City property is \$100.00 on each as determined by last report of City Auditor and Comptroller and as determined by a qualified real estate appraiser. It says that City Manager has recommended the exchange. It authorizes and directs City Clerk to deliver deed to property supervisor with instructions to carry out processes of the exchange.

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 6824 (New Series), creating positions of Diver, Skin, and Diver, Suit, in Classified Service of The City of San Diego, and establishing Schedule of Compensation therefor, 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 Curran, Ordinance amending Chapter X Article 2 of San Diego Municipal Code, by amending Section 102.08.1 thereof, relating to Subdivisions (Street Name Sign Requirement); was introduced, 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 item (which had been continued from meeting of January 10, 1956), was introduced.

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

ORDINANCE 6826 (New Series), appropriating \$506,981.00 out of Capital Outlay Fund, for providing funds for construction of 2 18-hole golf courses and all necessary appurtenances, at Torrey Pines, 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.

Williams,
On motion of Councilman Evenson, seconded by Councilman/ the next ordinance was presented.

On motion of Councilman Evenson, 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 the Council prior to day of passage written or printed copy.

ORDINANCE 6827 (New Series), appropriating \$6,300.00 from Capital Outlay Fund for purchase of Lots 7 and 8 Block 32 Linda Vista Unit 5 from the Federal Government, was on motion of Councilman Evenson, 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 Evenson, the next ordinance was presented.

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

ORDINANCE 6828 (New Series), appropriating \$4,500.00 from Capital Outlay Fund for architectural services in connection with construction of Fire Station No. 7, was on motion of Councilman Curran, 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 Curran, seconded by Councilman Evenson, the next ordinance was presented.

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

ORDINANCE 6829 (New Series), establishing grade of Alley Block 19 Swan's Addition, between line parallel to and distant 360 feet southerly from south line of Laurel Street and a line 190 feet southerly from and parallel to said parallel line, was on motion of Councilman Curran, 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 Curran, seconded by Councilman Evenson, the next ordinance was presented.

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

ORDINANCE 6830 (New Series), establishing grade of Hartford Street, between southerly line of Milton Street and southerly line of Lots 122 Morena, was on motion of Councilman Curran, 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 Curran, seconded by Councilman Evenson, the next ordinance was presented.

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

ORDINANCE 6831 (New Series), establishing grade of Missouri Street, between westerly line of Ingraham Street and westerly line of Jewell Street, was on motion of Councilman Curran, 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 Curran, seconded by Councilman Evenson, the next ord-

inance was presented.

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

ORDINANCE 6832 (New Series), establishing grade of San Luis Obispo Place, between easterly line of Ocean Front Walk and westerly line of Bayside Walk; Alleys in Blocks 119, 120, 123, 124, 127, 128, 131, 132, 135, 136, 139, 140, 143, 144, 148 Mission Beach, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

Ordinance amending Sections 72.02, 72.03, 72.05, 72.06 and 72.07 of San Diego Municipal Code, regulating operation of Taxicabs, including Drivers, and Rates, was listed on the agenda for introduction.

Vice Mayor Burgener said that it had not been discussed.

Alan Firestone, Deputy City Attorney, said it had been discussed in conference.

C. Guy Selleck, president of Checker Cab Co. asked for a continuance for 1 week. He said that LoFare and Tanner Gray Line make the same request.

On motion of Councilman Schneider, seconded by Councilman Williams, the proposed ordinance was continued 1 week - to the meeting of January 24, 1956.

Ordinance amending Article I Chapter IX of San Diego Municipal Code, adopting 1955 edition of The Uniform Building Code, adopting Refrigeration Code, No. ASA B. 9.1 - 1953, making additions and deletions to such codes and repealing Section 91.13, was presented.

Alan Firestone, Deputy City Attorney, said that the Board of Appeals is coming in regarding a recommendation in connection with shake singles. He said that the existing building code makes no provision for them. He said there is no provision for them, in certain areas.

On motion of Councilman Schneider, seconded by Councilman Williams, hearing was set for 10:00 o'clock A.M., Tuesday, February 7, 1956.

The City Manager requested, and was granted, unanimous consent to present the next items, not listed on the agenda; 3 in number:

RESOLUTION 130817, finding that an emergency contemplated by Section 94 of the City Charter exists on "B" Street, between India Street and California Street; authorizing Purchasing Agent to informally solicit bids for performance of work and enter into contracts for immediate expenditure of public money to safeguard life and health of citizens of San Diego because of conditions existing; authorizing and directing Department of Public Works to do any and all work necessary and proper in coordination with contractors to repair existing conditions at the earliest opportunity, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Resolution says it has come to the attention of the Council that serious condition exists on "B" Street storm drain westerly of India Street to California Street in that covering of storm drain has deteriorated to the point where it is dangerous to traffic; the Council is advised by Department of Public Works that any heavily loaded vehicle may cause covering or roof to give way and endanger property and life and subject the City to large liabilities; the City Manager recommends immediate action be taken to correct the acute emergency conditions.

RESOLUTION 130818, authorizing and empowering City Manager to do all emergency work necessary, in addition to work provided for in contract between The City of San Diego and Callahan Bros., for repair of B Street storm drain, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, reading was dispensed with by 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 6833 (New Series), appropriating \$17,000.00 from Unappropriated Balance Fund of The City of San Diego, for funds for construction of repairs to the B Street Storm Drain, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the 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, also - having to do with the 3 previous items:

Report of Purchasing Agent on low bid of Callahan Bros. for furnishing and erecting Precast Slab Cover for "B" Street Storm Drain westerly of India Street - \$15,461.43; 4 bids, was presented.

RESOLUTION 130819, accepting bid of Callahan Bros. for furnishing and erecting Precast Slab Cover for "B" Street Storm Drain westerly of India 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 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:

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Cabrillo Village Unit No. 1, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by City Engineer.

RESOLUTION 130820, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with M. Bert Fisher and Mae Fisher, for installation and completion of unfinished improvements and setting of monuments required for Cabrillo Village Unit No. 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130821, adopting Map of Cabrillo Village Unit No. 1 Subdivision, a subdivision of portion Lot 2 New Riverside; accepting on behalf of the public Dubonnet Street, Milagros Street, portion of Afton Road and unnamed easements shown for public purposes; declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that public streets, portion of public street and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit Map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

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

RESOLUTION 130822, accepting subordination agreement, executed by Air Products Company, a limited partnership, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, January 13, 1956, subordinating all their right, title and interest in and to easement for right of way for public sewer and appurtenances in portion Lots 21 and 22 New Riverside; 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 Schneider, adopted.

At 11:05 o'clock A.M. the Council took a recess until 11:30 o'clock A.M., this date.

Upon reconvening at 11:55 o'clock A.M., the attendance was:

Present-

Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson.

Absent--Mayor Dail (Out of Town)

The City Treasurer and the City Attorney reported that, as directed by the Council, they had computed the bids on the \$9,460,000 Harbor Bonds, 1956, and that the net interest cost to the City under each of the several bids is as follows:

The Chase Manhattan Bank, and others - 2.62108%;

The First National City Bank of New York and Associates, and others - 2.6318%;

Halsey, Stuart & Co. Inc., and others - 2.59839%;

Glore, Forgan & Co., and others - 2.66646%;

Bank of America N. T. & S. A. and others - 2.5615%;

and that the bid of Bank of America N. T. & S. A. and Security-First National Bank of Los Angeles is the highest and best bid of a responsible bidder.

Ordinance No. ____ (New Series), entitled "An Ordinance of the City of San Diego, providing for the issuance of bonds of said City in the principal amount of \$9,460,000, and the levy of taxes to pay the principal and interest thereof", was introduced on motion of Councilman Schneider, seconded by Councilman Williams, by the following vote, to-wit: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail

After considering the recommendation and the computation of the bids, on motion of Councilman Schneider, seconded by Councilman Williams, Resolution No. 130823, recorded on Microfilm Roll No. 107, entitled "Resolution of the Council of the City of San Diego, California, awarding \$9,460,000 Harbor Bonds, 1956, of said city to the best bidder - Bank of America N. T. & S. A. and Security-First National Bank of Los Angeles, and rejecting other bids", was on motion of Councilman Schneider, seconded by Councilman Williams, adopted by the following vote, to-wit: Yeas-Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson. Nays-None. Absent-Mayor Dail.

There being no further business to come before the Council at this time, on motion of Councilman Schneider, seconded by Councilman Williams, the meeting was adjourned at 11:57 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom

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

Meeting reconvened
Treasurer & Attorney report on Harbor Bond, 1956, sale
Ord. introduced " "
130823 " "

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, January
19, 1956

*

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

The Mayor called the meeting to order at 10:03o'clock A.M.

Ordinances and Resolutions for this meeting are recorded on Microfilm

Roll 107

Sister Mayor Dail welcomed students from the Cathedral High School, accompanied by Catherine Francis. He addressed them, briefly, in Spanish since he had just returned from Mexico City.

* It was at this point that Councilman Williams entered.

Purchasing Agent reported in writing - approved by City Manager - on low bid of Mission Pipe & Supply Company for furnishing 2,000 ft. 4" Soil Pipe @ \$77.76 per C ft., terms 2% plus State Sales Tax - 4 bids.

RESOLUTION 130824, accepting bid of Mission Pipe & Supply Company for furnishing 2,000 ft. 4" Soil Pipe; 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.

RESOLUTION 130825, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Construction of Steel Sheet Pile Bulkhead, 10th Avenue Marine Terminal, Document 528156; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, 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 Almar, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by the City Engineer, was presented.

RESOLUTION 130826, adopting Map of Almar Subdivision, subdivision of portion Lot 25 Block 48 University Heights; accepting on behalf of the public unnamed easement shown for public purposes, and declaring it to be unnamed easement dedicated to public use; ~~reject-~~ing as a dedication for public street land shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that easement is accepted and that Council rejects dedication 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 Evenson, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Del Cerro Unit No. 3, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by the City Engineer, was presented.

RESOLUTION 130827, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with The Vinley Corporation, for installation and completion of unfinished improvements and setting of monuments required for Del Cerro Unit No. 3 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 Schneider, adopted.

RESOLUTION 130828, adopting Map of Del Cerro Unit No. 3 Subdivision, subdivision of portion Lot 67 Rancho Mission of San Diego; accepting on behalf of the public Del Cerro Boulevard, Regis Avenue, Linfield Avenue, Wesley Place, and named and unnamed easements shown for public purposes; declaring them to be public streets and named and 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 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 Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Amador Villa Sites, a 2-lot subdivision of portion Lot 68 Las Alturas Villas Sites, approx 125 ft. x 200 ft., fronting on Bonita Drive in southeast section of the City, subject to 8 conditions, was presented.

RESOLUTION 130829, suspending Section 102.17-c of the Municipal Code; approving tentative map of Amador Villa Sites, a 2-lot subdivision of portion Lot 68 Las Alturas Villa Sites, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communications from Planning Commission, by Jack Van Cleave, recommending suspension of portions Municipal Code, and approval of Tentative Map of Catoctin Tract Unit 5, for a 23-lot subdivision of portion Lot A La Mesa Colony, located northerly of Montezuma Road, easterly of Catoctin Drive, southerly of ~~Saranac~~ Street, subject to 14 conditions, were presented.

RESOLUTION 130830, suspending Sections 102.12-2 and 102.17-c of San Diego Municipal Code; approving tentative map of Catoctin Tract Unit No. 5, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending reapproval of tentative maps of College Ranch Units No. 1, 2, 3, subject to 14 conditions, was presented.

RESOLUTION 130831, reapproving tentative map of College Ranch Unit 1, approved by Resolution 121687 and amended by Resolution 122517; reapproving tentative map of College Ranch Units 2 & 3, approved by Resolution 121961, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communications from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, and approval of tentative map of Del Norte Addition to Encanto Heights, Lot 196, located in Encanto at southeast corner of Mulberry and Paradise Streets, subject to 5 conditions, were presented.

RESOLUTION 130832, suspending Section 102.17-c of the Municipal Code, and approving tentative map of Del Norte Addition, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending

approval of tentative map for resubdivision Lots 9 and 15 Kolgra Manor - a readjustment of rear lot line - was presented.

RESOLUTION 130833, approving tentative map for resubdivision of Lots 9 and 15 Kolgra Manor, subject to 3 conditions, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave recommending approval of revised tentative map of La Jolla Corona Estates, approved by Resolution 129830, subject to 3 conditions, was presented.

RESOLUTION 130834, approving tentative map of La Jolla Corona Estates, previously approved by Resolution 129830, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communications from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code, and approval of tentative map of La Jolla Highlands Unit No. 3, for 245-lot subdivision of portions of Pueblo Lots 1296 and 1299, located on easterly side of Torrey Pines Road, southerly from Azul Street - a portion of La Jolla property sold by the City last summer - subject to 14 conditions, were presented.

RESOLUTION 130835, suspending Sections 102.07-5, 102.11-2, 102.11-1, 102.12-6, 102.12-8, 102.17-c of the Municipal Code; approving tentative map of La Jolla Highlands No. 3, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

Communications from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, and approval of tentative map of La Mesa Colony, por Lot 29, a 4-lot subdivision of portion Lot 29 La Mesa Colony, located west of Catoctin Drive, east of Ladorna Street, southerly of Dennstedt Point in east San Diego, subject to 5 conditions, were presented.

RESOLUTION 130836, approving tentative map of La Mesa Colony; suspending Sections 102.02.1, 102.17-c of Municipal Code was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Councilman Schneider, addressing the Mayor, thought the visitors from the school might be advised regarding Council actions. The Mayor asked him to speak to the students.

Councilman Schneider spoke to the visitors from Cathedral High School, about his previously having addressed them, and said that there had been earlier consideration on agenda items in conference. He was making a point of the Council not hurrying through the business listed, as seemed to be the case.

Mayor Dail said that the agenda was "one of the lightest days it has ever had."

Communications from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, and approval of tentative map of Point Loma Gardens (revised) - for 29-lot subdivision of portion of Roseville Heights located on Gage Drive, north of Jennings Street in Point Loma, within R-4 Zone, subject to 13 conditions, were presented.

RESOLUTION 130837, approving tentative map of Point Loma Gardens, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending reapproval of tentative map of Point Loma Heights, Block 93 Lot 5 & portion Lot 4, subject to Resolution adopted January 25, 1955 - located at southwest corner of Coronado Avenue and Guizot Street - except amendment to Item 1, was presented.

RESOLUTION 130838, reapproving tentative map of Point Loma Heights, Block 93

Lot 5 and portion Lot 4, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting on proposed addition to Encanto Trailer Park District (continued from time to time, earlier, and finally referred to Planning Commission for re-hearing), was presented. In addition to the file which had been before the Council earlier, it submitted petitions of protest and letters of endorsement, all concerning proposed addition of land. The communication also forwarded letter from Ralph Dailard, Superintendent of Schools, stating in general terms the problem of the School Board attendant upon establishment of trailer parks in various school districts. It reported that the Commission held a hearing January 11, 1956, after sending out postal card notices to 50 property owners in the vicinity, and that no notices were sent to property owners outside the existing trailer park district, except those who had previously signed petitions for or against the proposed addition. It states that in summing up the approvals and protests, there were 38 properties in favor of the project with 10 more signatures not identified; there were 46 properties protesting, and that 14 property owners had signed both for and against the addition. It tells of additional rechecking of ownerships with a title company with following result: 51 properties in favor of the trailer park addition, with 10 additional signatures not identified; 63 properties protesting, with 4 additional signatures not identified; 16 owners both in favor of and protesting. It reconciles the apparent discrepancies. The communication states that the Planning Commission voted 4-0 to reaffirm its previous stand of denial.

Harry C. Haelsig, Planning Director, asked for a verbal report, said that the Council can set the item for (another) hearing, or deny the request.

It was seen that no one was present to represent the applicant. As a result, Mayor Dail said that maybe it was known that the item would be before the Council today.

Councilman Curran said it is known, and that there have 2 or 3 calls made to him. He said there is no use in conducting another hearing, unless there is changed evidence.

RESOLUTION 130839, adopting recommendation of the City Planning Commission on proposed addition to Encanto Trailer Park District by William Odom, et al - approximately 16 acres of Lot 15 Rancho Mission of San Diego - for denial of request; filing the petition; was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by P. Q. Burton, reporting on requests that a Trailer Park District be established on approximately 35 acres of land on both sides of Euclid Avenue, in R-4, from approximately Ivy Street to Palm Street if those streets were extended across the property, was presented. It says that as the Council probably knows, trailer parks are not approved unless they are located in Trailer Park Districts, and the Districts are established as a policy by Council resolution after recommendation by the Planning Commission. It reports that in May of 1954 the Planning Commission and City Council denied a similar request on the same property; at that time area involved was about 2/3 of area of present application. It says that at the time it was the belief of the Planning Commission that additional development would take place on surrounding property in the way of single-family dwellings in new subdivisions; development has taken place and at present time 2 more tentative subdivision maps have been approved in the immediate area. It reports that as a policy matter, the San Diego Unified School District has pointed out the difficulty they have in providing proper facilities for trailer park occupants because of their transient tendencies and the fact that it is difficult to predict number of children in a Trailer Park District for which school facilities will have to be provided. It states that it should also be noted that it has been the policy of the Planning Commission, the Board of Zoning Adjustment and Council to approve conditional use permits for trailer parks on a 5-year basis. It says it was also pointed out that the closest schools are a mile or more away from the property by city streets, and stores are about the same distance from the property involved. It says that since stores are so far away, if request were granted, it would probably cause requests to be made for commercial zoning on the property in order to serve the occupants of proposed Trailer Park District. It reports that the Planning Commission determined that it was not necessary to hold a public hearing on the question in view of the fact that the same request had been turned down before in the area and that no new information was submitted. It states that the Planning Commission voted 4-0 to recommend that Trailer Park District not be established as petitioned for.

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

Communication from Planning Commission, reporting on letter requesting Planning Commission and City Council to make a finding that business of soft water service is a permitted use in C Zone, in 900 block on Turquoise Street, Pacific Beach, was presented. It says that in August of 1955 the Commission and Council found that use was not more obnoxious or detrimental than other permitted uses in C Zone at 732 Emerald Street; that it is now proposed to locate the business on Lots 83 and 84 Block 6 First Addition to Pacific Vista Tract. It reports that Planning Commission voted 4-0 to recommend such a finding, on conditions.

RESOLUTION 130840, making a finding that use by Culligan Soft Water Service of Lots 83 and 84 Block 6 First Addition to Pacific Beach Vista Tract, in C Zone, is a business similar to and not more obnoxious or detrimental to welfare of that particular community than uses permitted in C Zone, provided the service does not use more than 25% of the floor area for processing or manufacturing, and not more than 15% is used for storage of merchandise, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission submitting communications which request a ruling from the Planning Commission and City Council that a decorating and display workshop is not more obnoxious or detrimental to welfare of particular community than other permitted uses in vicinity of 2606 Adams Avenue, in Zone "C", was presented. It says decorating and display workshop conducts a business of supplying and manufacturing props and display material for store windows, builds the displays to order and installs them in windows of merchants. It recommends that finding be made, on conditions.

RESOLUTION 130841, making a finding that use by R. C. Davenport of Lots 23 and 24 Block E University Heights, 2606 Adams Avenue, in C Zone, for decorating and display workshop of retain and not wholesale nature, is not more obnoxious or detrimental to welfare of particular community than other uses permitted in C Zone, provided not more than 5 persons are employed and not more than 2 horse power in motors is used on the property, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication submitting letter which asks that the City accept a strip of land for street purposes, to be named Kemper Street, running southwesterly from Midway Drive, immediately adjacent to proposed Bayview Drive-in Theatre - approved by conditional use permit and a tentative subdivision map approved on the property - was presented. It says street is needed to serve the theater and proposed subdivisions southwesterly of dedication proposed, that all reporting departments have recommended approval, that Planning Commission voted 4-0 to approve proposed dedication in accordance with City Engineer's recommendation of December 20, 1955.

RESOLUTION 130842, adopting recommendation of City Planning Commission approving acceptance of strip of land for street purposes, to be named Kemper Street, running southwesterly from Midway Drive, in Pueblo Lot 220, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Farmers' Market Shopping Village, Inc., 6575 El Cajon Blvd., San Diego 15, signed by B. B. Margolis, dated January 17, 1956, was presented. It says the corporation has commenced grading preparatory to constructing a shopping center on Lot 6 Lemon Villa, that plans for proposed 54th Street re-grading and re-aligning were recently obtained from the City Engineer's Office. It states that engineers have informed the writer that it will be necessary to spend considerably in excess of amount offered by the City of San Diego for strip of land solely for purposes of constructing retaining walls on 54th St. due to grade which contains cuts and fills **up to 14 ft.** in height, making it impossible to conclude sale of strip of land. The communication **says that** if the City could arrange to make the proposed cuts and fills on 54th St. from El Cajon Blvd. to Trojan as soon as possible, it would eliminate necessity of constructing portion of the walls and would also expedite completion of sale to the City.

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

Communication from Mrs. Hazel Merritt, 4461 49th Street, San Diego 15, dated

January 16, 1956, was presented. It submits petition to have alley paved between Block D Belmont and Block J Montecello at 53.5%; work order number 31674.

(It was listed on the agenda at the request of Councilman George Kerrigan).

Communication from City Engineer, approved by City Manager, recommending granting of petition to grade and pave Alley between Block D Belmont and Block J Montecello - signed by 53.5% of property frontage, was presented. It recommends that there be sewer laterals installed, if required.

RESOLUTION 130843, granting petition, Document 528062, for paving and otherwise improving Alley between Block D Belmont and Block J Montecello; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130844, accepting offer of Pacific Union Metal Co., Document 528064, agreeing to furnish Monotube pendent type extensions, standards, luminaires and pole base mounting to all and any contractors desiring to bid on installation of ornamental lighting system on Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, between northerly line of Ash Street and southerly line of Broadway, A Street, B Street, C Street, between westerly line of Third Avenue and easterly line of Sixth Avenue, at prices named in said offer and license agreement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, by Carl F. Reupsch, dated January 17, 1956, submitting form of lease covering premises at 28th Street Pier to be leased to John S. Lyons and Jodie Fae Lyons as joint tenants, was presented. It says term is for 12 1/2 years with rental reviews at end of each 2 1/2 year period, to be used for operation of cafe in connection with Navy Landing on 28th Street Pier - replaces agreement having 2 1/2 years to run and increases minimum rental from \$50 to \$100 per month, and requires increased insurance coverage and modifies other provisions in conformance with recently established policy.

RESOLUTION 130845 confirming, ratifying, and approving tidelands lease with John S. Lyons and Jodie Fae Lyons, copy filed as Document 528074, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, by Carl F. Reupsch, dated January 17, 1956, submitting form of Assignment of Lease and Sublease covering Point Loma Anchorage; covering premises held for several years by Albert Perel and D. Norman Herwit, co-partners, doing business as Point Loma Anchorage, was presented. It says operation has been purchased by Herbert Sinnhoffer who will continue doing business under same name. It also desires to assign sublease which is held by Philip H. Thearle from Perel and Herwit to Herbert Sinnhoffer.

RESOLUTION 130846, confirming, ratifying, and approving tidelands lease - Assignment of Lease and Sublease - copy filed as Document 528071, between Albert Perel and D. Norman Herwit, co-partners, as Assignors, and Herbert Sinnhoffer, an individual, doing business under name and style of Point Loma Anchorage, as Assigness, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130847, 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 Olive Street and Palm Street; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130848, establishing parking time limit of 36 minutes, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

West side of Twelfth Avenue between Island Avenue and J. Street; establishing parking meter zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130849, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of E Street between 18th Street and 19th Street; establishing Parking Meter Zone; directing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130850, declaring a one-way street:

Levant Street, between Wellington Street and Fulton Street for westerlybound and southerlybound traffic; authorizing installation of necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 130851, authorizing and directing City Manager to serve written notice upon Stadium Racing Association, Inc., as lessee of Municipal Stadium that it shall surrender to the City the use of the Stadium for each and all Wednesdays during period commencing May 20, 1956 to and including June 9, 1956, as provided under terms of paragraph 4 of agreement filed in office of City Clerk as Document 496167, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Evenson, Mayor Dail. Nays-Councilman Curran. Absent-Councilman Burgener.

Resolution states that The City of San Diego is desirous of making use of the facilities at the Stadium for conducting public functions for the dates mentioned; that the City and the Stadium Racing Association, Inc. have heretofore executed and entered into agreement for partial use and occupancy of the Stadium calling for use on Wednesday evenings during period May 21 through January 31 during term of the agreement; the agreement reserves to the City the right to require lessee to surrender to the City use of premises on any particular day by at least 10 days written notice; the City should give lessee notice of surrender to the City during the period stated.

RESOLUTION 130852, authorizing and directing City Manager to serve written notice upon Stadium Racing Association, Inc. as lessee of Municipal Stadium that it shall surrender to the City the use of the Stadium for for each and all Wednesdays during period commencing July 8, 1956 to and including August 15, 1956; as provided under terms of paragraph 4 of agreement filed in office of City Clerk as Document, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. (All present voted for adoption of this resolution, although there was split vote on resolution which preceded it - on the same subject, with different dates affected).

The resolution makes the same statement as Resolution 130851, except for dates, which are as stated in this resolution.

The preceding 3 Resolutions - Nos. 130850, 130851, 130852 - were included in 1 motion for adoption, but motion was reconsidered, motions made and seconded separately and vote taken on each.

RESOLUTION 130853, authorizing City Manager to accept work on behalf of The

City of San Diego in Rancho Cabrillo Unit No. 2; and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130854, approving Change Order No. 1, January 16, 1956, filed with City Clerk as Document 528068, issued in connection with contract between The City of San Diego and V. C. Moffitt & Company, for construction of Automatic Sprinkler System for Rotary Intersection, Shelter Island, contract Document 523777; changes amounting to increase in contract price of \$320.67, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130855, 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 37 and 38 Block 420 Duncan's Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130856, 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 183, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130857, 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 183, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130858, granting revocable permit to Barney Lang Touchstone, 2916 Haller Street, to install and maintain 4" G. I. sewer lateral for use and benefit of owner's property in Alley Block L Montclair, through private easement in Lot 25 Block L Montclair to City sewer main in Wabash Avenue: Lot 17 Block L Montclair, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130859, granting revocable permit to Isabel Bedford, 3142 Horton, San Diego 1, to install and maintain 520 feet of 1" galvanized iron water line for use and benefit of owner's property: East 150 feet of south 100 feet Lot 20 Carruther's Addition - 840 San Pasqual, under Logan Avenue and San Pasqual Street, from Owner's property to City water main in 43rd Street, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130860, granting permission to California Western University (Dean H. McCoy, Vice President) to install rough plumbing for Chemistry Laboratory at California Western University, 3902 Loma Linda Drive, San Diego, with approved Duro iron pipe for

washing of acid fluids; venting to be on circuit vent system and to connect to 4" cast iron sewer, 15 feet outside the building; was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130861, granting Roy Clapper (Doye Baird Plumbing Co. 4511 Everts Street, San Diego 9) to substitute 1-1/2" type "M" copper cast iron waste and vent lines in construction at 409 Bon Air Street, La Jolla, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130862, granting Richard Van Os, 3003-05-07 Greely, revocable permit to install and maintain 4" sewer in 30th Street, 115' for use and benefit of owner's property under 30th Street into City sewer main in alley, Block 324 Choate's Addition: North 31 feet Lots 21, 22, 23 and 24 Block 324 Choates Addition, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130863, appointing the Honorable Chester E. Schneider, member of the Council, the official representative of The City of San Diego, with full powers as such representative, to participate in the joint goodwill tour sponsored by the Border Cities Conference Board of Directors having for its purpose the demonstration of the solidarity of business and political peoples of the cities along the Baja-California/California border, to visit Mexico City and Acapulco during period of January 24, 1956 to January 31, 1956, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

This resolution goes into considerable detail beyond what is shown here. It is in addition to an earlier resolution, which was not so specific.

RESOLUTION 130864, authorizing Richard J. Curran, City Prosecutor, to attend the Traffic Court Conference, to be held at University of Southern California, Los Angeles, California, January 30 through February 3, 1956; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 130865, authorizing Hoyt E. Ray, Deputy City Attorney, to travel to Los Angeles during week of January 30 to attend conferences concerning Urban Transportation and visit Traffic Conference and Police Conference; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 130866, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, a quitclaim deed quitclaiming to Isabel Bedford Lot H Block 418 Arlington; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor with instructions to carry out processes of exchange, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution says that City is desirous of obtaining Lot 23 Block 39 Fairmount Addition and Lot 16 Block 20 Swan's Addition for public purposes, that Isabel Bedford, owner of the land, is willing to deed to The City of San Diego and pay the City \$426.00 in exchange for quitclaim deed for the City property mentioned; value of property to be granted as determined by qualified real estate appraiser is \$100.00; value of City property is \$526.00 as determined by last report of City Auditor and Comptroller; that City Manager has recommended the exchange.

RESOLUTION 130867, authorizing and empowering Mayor and City Clerk to execute,

for and on behalf of and as act and deed of The City of San Diego, a quitclaim deed quitclaiming to Herbert R. Yost and Leona A. Yost, portion of 4.00 foot water easement in Pueblo Lot 1785; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to grantees upon receipt by the City of deed conveying property required by the City, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution says that City is desirous of acquiring easement for water purposes, that Herbert R. and Leona A. Yost are owners of the property and are willing to deed to the City in exchange for quitclaim deed from the City; value of property to be granted to City as determined by qualified real estate appraiser is \$100.00; value of City property, as determined by last report of City Auditor and Comptroller is the same.

RESOLUTION 130868, accepting quitclaim deed executed January 9, 1956, by Tri-W-Builders, Inc., a corporation, and Ed Fletcher Company, a corporation, 4595 El Cajon Blvd., 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 Rancho Cabrillo Unit No. 2, being portion of Lot 37 Rancho Mission of The City of San Diego; authorizing 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 130869, accepting quitclaim deed executed December 8, 1956, by Magnet Homes, Inc., a corporation, Ohm Homes, Inc., a corporation and Watt Homes, Inc., a corporation, 1150 Silverado, La Jolla, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, subdivision named Clairemont Unit 14, being a subdivision of portion Pueblo Lots 1238 and 1239; authorizing and directing The City Clerk to file deed, together with certified copy of resolution, for record in office of County Recorder, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130870, accepting quitclaim deed of John Louis Gongora, November 27, 1955, quitclaiming Lots 78 and 79 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130871, accepting quitclaim deed of Julian Gongora, Mary V. Gongora and Robert Gongora, December 19, 1955, quitclaiming Lots 78 and 79 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130872, accepting quitclaim deed of Luis Gongora, November 27, 1955, quitclaiming Lots 78 and 79 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130873, accepting quitclaim deed of Dolores Henry, Amelia Pedronza, Jesus Gongora, Conception Fillet and Frances Moreno, November 27, 1955, quitclaiming Lots 78 and 79 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 Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 130874, accepting deed of Irene Wilson, December 29, 1955, conveying portions of Lots 33, 34, 35, 36 Block 420 Duncan's 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130875, accepting deed of Oswald R. Doucet and Carmel M. Doucet, December 14, 1955, conveying easement for right of way for public street and incidents in portion Lot 12 Block 6 Floral Terrace; naming land Aster 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130876, accepting deed of Arthur W. Soto and Lorraine Jane Soto, December 15, 1955, conveying easement for right of way for public street and incidents in portion Lot 8 Block 7 Floral Terrace; naming land Aster 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130877, accepting deed of Earl C. Witt and Ruby W. Witt, December 13, 1955, conveying easement for right of way for public street and incidents in portion Lot 20 Block 14 Floral Terrace; naming land Beryl 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130878, accepting deed of Rosalie Mahood, January 3, 1956, conveying easement for right of way for public street and incidents in portion Lot 21 Block 96 Pacific Beach; naming land Geranium 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130879, accepting deed of Harold E. Kottke and Harriet M. Kottke, January 3, 1956, conveying easement for right of way for public street and incidents in portion Lot 11 Block 4 Floral Terrace; naming land La France 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130880, accepting deed of Union Title Insurance and Trust Company, a corporation, January 5, 1956, conveying easement for right of way for public street and incidents, in portion Lot 15 Block 5 Floral Terrace; naming land La France 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130881, accepting deed of Joe C. Jones and Frances J. Jones, December 13, 1955, conveying easement for right of way for public street and incidents, in portion Lot 12 Block 5 Floral Terrace; naming land Wilbur 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130882, accepting deed of Joe C. Jones and Francis Jones, December 13, 1955, conveying easement for right of way for public street and incidents, in portion Lots 14 and 15 Block 6 Floral Terrace; naming land Wilbur 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130883, accepting deed of Clairemont Business Properties, a co-partnership, composed of Carlos Tavares, Louis C. Burgener, Arthur A. Dresser, Harold B. Garfield, David H. Garfield, and Worlton, Incorporated, a California Corporation, January 6, 1956, conveying easement for right of way for public sewer and appurtenances in portions Lots 140, 142 and 143 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 Curran, adopted.

RESOLUTION 130884, accepting deed of Thomas E. Sharpe, December 21, 1955, conveying easement for installation, construction, operation, maintenance, repair, replacement, and reconstruction of sewer pipe or pipe lines, manholes and other structures incidental thereto, in portion Lot 17 Rancho Mission of San Diego; 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 Curran, adopted.

In connection with the next item, Councilman Schneider asked where the people were who wanted to speak on the subject.

Mayor Dail said that they are apparently satisfied.

On motion of Councilman Williams, seconded by Councilman Schneider, Ordinance amending Division 5 of Article 1 of Chapter X of The San Diego Municipal Code, Regulating Zoning Administration, reading in full was dispensed with, by not less than 4 members of the Council. On motion of Councilman Williams, seconded by Councilman Schneider, it was adopted.

(The Ordinance was not numbered here, because of a reconsideration).

The Mayor congratulated the Council for passing the Ordinance, and expressed his surprise that it had. There was pleasantries between members of the Council and the Mayor on that point.

Mayor Dail announced that the Council had finished the meeting in record time.

The Mayor invited the president of the class from the Cathedral High School to be heard.

Yvonne Mitchell said that she and members of the Class were glad to be able to attend the meeting, and to participate. She expressed a hope for a return. At the Mayor's invitation, she took Councilman Burgener's vacant seat.

In connection with the zoning administration ordinance, shown on this page,

Eugene L. Freeland (Structural and Civil Engineer) told the Council that he thought there to be other gentlemen here. He stated that there are objections - unless the wording is changed. He said he understands that it would be necessary to go to court, after a certain point.

Councilman Kerrigan told Mr. Freeland that this is the same as Los Angeles uses. He said that the Council sets the rules under which the Zoning Administrator can act, and that there is appeal provided (but not to the Council).

Mr. Freeland said that he wants the appeal to be to the Council.

Councilman Kerrigan said that is what is being done now, and that is what the Council is trying to get rid of.

Mayor Dail said that if the Council were to do what Mr. Freeland suggests, it would be right back where it is. He said that it is felt that the Council is more amenable to pressure. He stated that property owners can reason with the Zoning Board. He spoke of the Council's effort to streamline the procedure, so that it can give attention to more important matters.

Councilman Schneider said to Mr. Freeland that this is an attempt to see how it works. He pointed out that it is a success in Los Angeles.

Mr. Freeland agreed that the Council sets the policy. If it gets out of hand, it can come back to the Council, he stated.

Councilman Kerrigan said there is the safeguard because of an appeal to the Board. Following that, property owner can go to court, he stated.

Mr. Freeland said that he does not like to go to court. He said people and regulations can be changed, if found improper.

Asked for a comment, City Attorney J. F. DuPaul said that variance is on an administrative level, and should be held there. He said that appeals are denied by the Board, appellants will probably not win in court. He said that variance is not legislative. Mr. DuPaul said that variances have been used to rezone, which is poor practice. Mr. DuPaul, speaking directly to Mr. Freeland stated that he can check with his own son, who is an attorney.

Vernon Taylor, chairman of the planning committee of the Realty Board, thanked the Council for having granted the 1 week continuance on the ordinance consideration. He spoke of having not had sufficient time to secure Board action. He said he felt that Council action is a step in the right direction.

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

ORDINANCE 6834 (New Series), amending Division 5 of Article 1 of Chapter X of The San Diego Municipal Code, Regulating Zoning Administration, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted, by the following vote: Yeas-Councilmen Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Burgener.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:24 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk

By August M. Hadston
Deputy

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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, January 24, 1956

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

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

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 107.

Rev. B. R. Lewis, Dawson Avenue Christian and Missionary Alliance, was presented by the Mayor. Rev. Lewis gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Williams, Minutes of the Regular Meetings of Tuesday, January 17, 1956, and of Thursday, January 19, 1956, were approved without reading - after which they were signed by the Mayor.

The Purchasing Agent reported in writing that 7 bids had been opened January 20, 1956, for installation of sewers in Country Club Drive, Mimulus Way, et al., under a 1911 Act proceeding.

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

The Purchasing Agent reported in writing that 4 bids had been opened January 20, 1956, for grading and sidewalking in Pirotte Drive, Haniman Drive, McGann, et al., under a 1911 Act proceeding.

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

The Purchasing Agent reported in writing that 4 bids had been opened January 20, 1956, for paving and otherwise improving Sterling Court, Landis Street, Rex Avenue, 50th Street, et al., under a 1911 Act proceeding.

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

The Purchasing Agent reported in writing that 3 bids had been opened January 20, 1956, for lighting system (removal of existing street light standards and appurtenances, installation of luminaires with standards and appurtenances) in Third Avenue, Fourth Avenue, Fifth Avenue, et al, under a 1911 Act proceeding.

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

Meeting convened
Invocation
Reports on 1911 Act Bids

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current in Crown Point Lighting District No. 1, the Clerk reported 1 bid.

On motion of Councilman Burgener, seconded by Councilman Evenson, it was publicly opened and declared. It was from San Diego Gas & Electric Co., accompanied by certified check in sum of \$67.86 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current in Garnet Street No. 1, the Clerk reported 1 bid.

On motion of Councilman Williams, seconded by Councilman Schneider, it was publicly opened and declared. It was from San Diego Gas & Electric Co., accompanied by certified check in sum of \$63.84 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current in Presidion Hills Lighting District No. 1, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman Williams, it was publicly opened and declared. It was from San Diego Gas & Electric Co., accompanied by certified check in sum of \$46.98 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing current in Sunset Cliffs Lighting District No. 1, the Clerk reported 1 bid.

On motion of Councilman Williams, seconded by Councilman Curran, it was publicly opened and declared. It was from San Diego Gas & Electric Co., accompanied by certified check in sum of \$214.02 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 130334, continued from meeting of January 17, 1956, for storm drains in Reynard Way, Eagle Street, Upas Street, Curlew Street, Brant Street, Otsego Drive, et al., Councilman Burgener said that the City Engineer was to explore the possibility of enlarging the district.

The City Engineer told the Council that he had looked at the area. He pointed to a map, and said he did not see how the drain could be extended. He said that if property owners want the street paved, they should submit a petition.

There was discussion over a plan laid on the Council table by the City Engineer. The Engineer said that this is like all storm drain projects, making it a question "where to draw the line". He said if district is reduced, cost gets so high that owners can't afford the work. He explained to the Council from the map, further. He said that he could extend the district for assessment, but he drew the line "as far as he thought he dared. He said that if it is extended to cover all those whose property is drained, they will oppose the project. There was discussion between Engineer A. K. Fogg and members of the Council, further, from the map which was not seen by the clerk.

The City Engineer said that it can be argued either way; "it is not an open and shut thing". He stated that Mr. Eckenrode from his office saw the people, and that he did not make any promises. He said he would not argue with anybody.

Councilman Schneider asked if the City can force the district on them.

The City Engineer referred to benefits.

City Attorney J. F. DuPaul stated that courts have ruled that assessment

"can go to the ridges". He said that if the City does that, people (who would be assessed) "would raise Cain".

The City Engineer said that he had tried big and little assessments; this is in between.

The City Manager told the Council that collection of assessments costs \$20.00. He said that if assessment is \$20. or less, it would cost more to collect than the assessment. He said that it has been worked, and this is about the only way of doing it. He said there were no written protests.

Councilman Burgener asked about 5 or 6 protests.

The City Engineer spoke of there being a group of people, and that the Council will get a protest.

Councilman Burgener held a discussion with the City Engineer, over the plat.

Councilman Curran moved "to adopt the resolution"

Councilman Schneider moved to overrule the protests. Motion was seconded by Councilman Williams. Roll was not called here.

Emmett Zink, who spoke at the first hearing said that it "does not pinpoint". He said statement was made that he could not get the drain. He stated that he was the originator of the petition; he is not protesting, but wants other improvements. He said the Engineer has "gone across; not to the peak". He said that water comes from Washington and Sutter. He said that when drain is installed, it will not improve his property, but he will still be assessed. He said he is for the project, but asked "why draw the line there?"

There was discussion between Councilman Williams and Mr. Zink. Mr. Zink told Councilman Williams about discussion with Mr. Eckenrode.

The City Engineer said that the district can be made larger, but that will bring more people into the picture, and they will protest.

Mr. Zink identified his property as Lots 410 and 411 and closed portion of street. He said if the City takes in the rest, he would be glad to come, although he said he thinks his property does not belong in. He pointed out on a map on the Council table.

The Mayor called the Council to order.

The Mayor then welcomed about 40 students from the Social Studies Class, of Woodrow Wilson Junior High School, together with principal and teacher.

At the Mayor's request the students, then the principal and teacher stood for applause.

The Council then returned to the hearing.

Councilman Schneider moved to overrule the protest.

Councilman Williams asked if there would be opportunity at a later hearing to make a change.

Mayor Dail said that if change is to be made, it should be done now.

The City Engineer had another discussion with members of the Council over the map.

At 10:38 o'clock A.M., the Mayor declared a 5 minute recess for the purpose of carrying on the discussion resulting from the hearing.

After 5 minutes, the Mayor called the meeting back to order, with attendance the same shown at the beginning of the meeting.

Councilman Burgener said that the City should not wait years to do the drain. He said that perhaps the formula should be changed, to call for all tax payers to pay all the cost of drains. He said there would be no benefit to change the assessment district.

Councilman Schneider moved to overrule the protest. Motion was seconded by Councilman Curran. Vote was not taken here.

Mayor Dail said that this is "a little piece of a big problem".

Councilman Burgener said that the proposal is as equitable as the City can make it.

Councilman Williams said that protestants can still throw out the proceedings. He said that drain would serve a larger district than assessed. He spoke to Mr. Zink about future decision. He declared that this is an important drain, and that it should go in.

Councilman Burgener spoke to Mr. Zink about there being an indirect benefit to the whole area.

RESOLUTION 130885, overruling and denying protest of Emmett Zink against proposed installation of storm drains in Reynard Way, Eagle Street, Upas Street, Curlew

Street, Brant Street, Otsego Drive, Torrance Street, Pennsylvania Avenue and Public Rights of Way, Resolution of Preliminary Determination 130334; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 130886, determining that installation of storm drains in Reynard Way, Eagle Street, Upas Street, Curlew Street, Brant Street, Otsego Drive, Torrance Street, Pennsylvania Avenue and Public Rights of Way, Resolution of Preliminary Determination 130885, is feasible and that lands to be assessed will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130466 of Preliminary Determination for paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, the clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130887, determining that paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, Resolution 130466 of Preliminary Determination, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution 130467 of Preliminary Determination for paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, Morningside Street, Reo Drive, et al., the clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130888, determining that paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, Morningside Street, Reo Drive, Alley Block 44 Paradise Hills Unit No. 3; Public Rights of Way in Lots 9 to 11 inclusive, Block 44, and Lots 22 and 23 Block 52, Paradise Hills Unit No. 3; and Lot 36 Block 39, Paradise Hills Unit No. 2, Resolution 130467 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 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 University Avenue Lighting District No. 2, the clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 130889, confirming and adopting as a whole "Engineer's Report and Assessment for University Avenue Lighting District No. 2, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bids of Eastman Kodak Stores, Inc., Nelson Photo Supplies, Central Photo Supply Co., Ltd., for furnishing Photographic Supplies, for use of Police Department Property Room: \$855.97 plus State Sales Tax; \$331.69 plus State Sales Tax; \$137.36 plus State Sales Tax, respectively, was presented.

RESOLUTION 130890, accepting bid of Eastman Kodak Stores, Inc. for furnishing Photographic Supplies; 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 Evenson, adopted.

RESOLUTION 130891, accepting bid of Nelson Photo Supplies. for furnishing Photographic Supplies; 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 Evenson, adopted.

RESOLUTION 130892, accepting bid of Central Photo Supply Co., Ltd., for furnishing Photographic Supplies; 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 Evenson, adopted.

Councilman Schneider was excused

The Mayor announced that Councilman Schneider was going to represent the City of San Diego in the Border Cities goodwill tour to Mexico City and Acapulco.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of B. D. K. Corporation for construction of Storm Drain - 7 bids - was presented. Bid was \$7,769.50.

RESOLUTION 130893, accepting bid of B. D. K. Corporation for construction of storm drain in Lots 1, 14, 15, 22, 23, 29 Resubdivision of Villa Lots 1 to 11 Normal Heights (extension of Adams Avenue Storm Drain); 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 Williams, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Cameron Brothers Construction Company for Rental of Earth Moving Equipment and Labor for construction work on new Municipal Golf Courses at Torrey Pines Mesa - \$77,584.00; 9 bids - was presented.

RESOLUTION 130894, accepting bid of Cameron Bros. Construction Company for Rental of Earth Moving Equipment and Labor for Construction Work on new Municipal Golf Courses at Torrey Pines Mesa; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of R. E. Hazard Contracting Company for improvement of Balboa Avenue between Pacific Highway and Clairemont Drive - \$178,641.00; 4 bids - was presented.

RESOLUTION 130895, accepting bid of R. E. Hazard Contracting Company for Grading and Paving of Balboa Avenue between Pacific Highway and Clairemont Drive; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Reliable Pipe Supply Co., Inc. for furnishing 20,000 lbs. Caulking Lead (approx 2 to 3 months supply) - \$3,410.00 plus State Sales Tax - 8 bids, was presented.

RESOLUTION 130896, accepting bid of Reliable Pipe Supply Co., Inc. for furnishing 20,000 lbs. Caulking Lead @ \$17.05 per cwt. or \$3,410.00 plus Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Standard Electric for installation of safety lighting system on Zoo Drive, Village Place, and Garden Walk in Balboa Park - \$19,919.00; 4 bids - was presented.

RESOLUTION 130897, accepting bid of Standard Electric for Installation of Safety Lighting System on Zoo Drive, Village Place, and Garden Walk in Balboa Park; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Taylor & Sloan, Inc. for construction of sanitary sewers in Soledad Terrace and P.L. 1785 - \$32,457.50; 9 bids - was presented.

RESOLUTION 130898, accepting bid of Taylor & Sloan, Inc. for construction of sanitary sewers in Soledad Terrace, and P.L. 1785; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Report of Purchasing Agent, approved by Acting City Manager, on low bid of Western Metal Supply Co. for furnishing 200 (35-gal) Trash Cans; 200 6-gal) Garbage Cans; terms 2% plus State Sales Tax - for Municipal Housing maintenance - \$1,447.48 including Tax; 3 bids - was presented.

RESOLUTION 130899, accepting bid of Western Metal Supply Co. for furnishing 200 Trash Cans, 200 Garbage Cans; 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 Curran, adopted.

The next item had been continued from the Council meetings of November 3, November 10, November 17 (on the latter date it was referred back to the City Manager).

Report of Purchasing Agent, approved by City Manager, recommending advertising for bids for furnishing 1 Motor Grader, was presented.

RESOLUTION 130900, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Motor Grader, Document 523662, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Report of Purchasing Agent, approved by Acting City Manager, recommending advertising for bids for furnishing Cast Iron Pipe and Fittings (Stores Stock), was presented.

RESOLUTION 130901, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Cast Iron Pipe and Fittings, Document 528284, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130902, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Street Lighting of Harbor Drive at Foot of Broadway, Document 528285; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

In connection with the next resolution, Councilman asked a question.

The City Manager explained the proposal, and said that it is part of improve-

ments to which the City was committed when it accepted the land for the park.

RESOLUTION 130903, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation, and other expense necessary or incidental for Improvement of Parking Lot in Kellogg Park, Document 528286; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Curran, seconded by Councilman William, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Record of Survey Map on portion Lot 14 Block 17 Encanto Heights No. 2, was presented.

RESOLUTION 130904, approving Filing of Record of Survey Map in lieu of Final Subdivision Map in lieu of Final Subdivision Map under Section 102.02.1 of San Diego Municipal Code, in portion Lot 14 Block 17 Encanto Heights No. 2, Map No. 1100; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of Final Map of Torno Subdivision, subject to posting of adequate bond to insure installation of required improvements, unless required improvements have been completed and approved by City Engineer, was presented.

RESOLUTION 130905, adopting Map of Torno Subdivision, being subdivision of South 50 feet of North 110 feet (excepting therefrom West 400 feet) Lot "C" Block 14 Central Homestead; accepting on behalf of the public unnamed easements and declaring them to be unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council that they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, California, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, reporting on petition to close Torano Road in its entirety (lying west of La Mesa Drive) within Lots 4 and 5 Pueblo Lot 1782, was presented. It reports that road is dedicated 40 feet wide, shown on Opening Plats 16-23 and 16-24 and is unimproved; tentative map of La Jolla Mesa Vista has been filed which proposes to subdivide property adjacent to Torano Road. It says property owners have made necessary arrangements to provide easements for existing utility plant, and that it is the understanding petitioners propose to file a "Decree vacating and quieting title" in Superior Court. It recommends that City Attorney be authorized to file stipulation disclaiming any City interest.

There was also filed a communication from Street Superintendent, approved and recommended by E. W. Blom, Acting City Manager, that in connection with Superior Court Action 202135 the City of San Diego declare that it has no interest in the property.

RESOLUTION 130906, authorizing City Attorney, on behalf of The City of San Diego, in action entitled "R. W. Kerns and Alberta G. Kerns, Plaintiffs, vs. City of San Diego, a Municipal Corporation, Defendant", No. 202135, 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 La Jolla Mesa Vista Subdivision, a decree may be entered quieting title against The City of San Diego to the real property described, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, reporting on petition to close Yuma Street easterly of Fresno Street, adjacent to Lots 1 through 4 Block 12 Bay View Addition, was presented. It reports that at present there are no improvements in portion of Yuma Street proposed to be closed, but because it is anticipated that Yuma Street may be needed in future to serve surrounding property with utilities and access, it is recommended that closing be denied.

RESOLUTION 130907, denying petition to close Yuma Street easterly of Fresno Street, adjacent to Lots 1 through 4 Block 12 Bay View Addition, was on motion of Councilman Williams, seconded by Councilman Curran, was adopted. (While motion was to "file", the Resolution was written and numbered, to make a positive record).

Communication from Central Labor Council of San Diego County, Room 206, 525 E Street, San Diego 1, California, dated January 19, 1956, signed by John W. Quimby, secretary, was read to the Council by the Clerk, upon request.

It advises that at last regular meeting of the San Diego Central Labor Council, Otto Hahn was authorized to sit in San Diego City Council conferences as an observer for the San Diego Central Labor Council. It says it is felt that the Council is well aware of labor's interest in all civic matters affecting the community, and it is felt that Mr. Hahn has proper experience to act as official observer.

Councilman Curran moved to file the communication.

Councilman Williams said "It is an amazing thing; some continue to sit back and peck away; we don't see those people down here".

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

Communication from City of Coronado, dated January 18, 1956, signed by Walter A. Vestal, Mayor, was read to the Council by the Clerk, upon request.

It reads: "The Coronado City Council, at its meeting held on January 17, 1956, requested me to invite your attention to the possible danger to the health of Coronado citizens, as well as other citizens of the County, arising from the contamination of its ocean beaches as a result of the proposed installation of an ocean outfall sewage treatment plant at Imperial Beach, which may be inadequate in design, in depth of water at the outfall, or any other reasons".

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

Communication from Hercules Oil Company of San Diego, Inc., dated January 18, 1956, signed by C. T. Smith, vice president, was presented. It says attention has been directed to Ordinance 6650 establishing new section to the San Diego Municipal Code with particular attention invited to provisions and requirements of sections 55.08.1 to 55.08.4 inclusive, covering various permits necessary for operation of a petroleum marine facility. It says that for many years the company has operated at 1500 Harbor Drive under lease (from the City), and it would be appreciated if permit be granted under operations of the named sections. It asks for advise required, and advice to the company which will endeavor to comply.

The City Manager said "it is a relatively routine matter; it is making up an omission".

City Attorney J. F. DuPaul recommended reference to the City Manager.

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

Communication from Cletus W. Gardner, Recreation Department of the County of San Diego, signed by Cletus W. Gardner, requesting approval of music events outlined.

Councilman Curran moved to "refer it 1 week".

Mayor Dail said provisions were made for approval.

Councilman Curran moved to continue the item 1 week, and refer it to the Board. Motion was seconded by Councilman Williams. (It was sent to Councilman Curran, a member of the City-County Band Commission, who represents the City with Councilman Schneider who is in Mexico).

RESOLUTION 130908, directing notice of filing Assessment 2437 made to cover costs and expenses of work upon paving and otherwise improving Alley Block C Belmont, Resolution of Intention 126332, and of time and place of hearing thereof, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 130909, directing notice of filing Assessment 2438 made to

cover costs and expenses of paving and otherwise improving Electric Avenue and Public Rights of Way in Lot 2 Pueblo Lot 1783, Resolution of Intention 124572, and of time and place of hearing thereof, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 130910, directing notice of filing Assessment 2436 made to cover costs and expenses of installation of storm drains in 4th Avenue, 5th Avenue, 6th Avenue, 7th Avenue, C Street, Broadway, E Street, F Street, 8th Avenue, Market Street, K Street and 10th Avenue, Resolution of Intention 120426, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 130911, directing notice of filing Assessment 2439 made to cover costs and expenses of installation of sanitary sewers in Cotton Street, Hilltop Drive, C Street, 46th Street, and Public Right of Way, Resolution of Intention 126854, and of time and place of hearing thereof, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 130912, directing notice of filing Assessment 2440 made to cover costs and expenses of paving and otherwise improving Roosevelt Avenue, Resolution of Intention 126203, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 130913, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract, for paving and otherwise improving Alley Block K Montecello, Resolution of Intention 129452, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 16.7% below the estimate.

RESOLUTION OF AWARD 130914, accepting bid of Sim J. Harris Company, a corporation, and awarding contract for paving and otherwise improving San Fernando Street, Resolution of Intention 129187, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 8.4% above the estimate.

RESOLUTION OF AWARD 130915, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current in La Jolla Lighting District No. 1, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 130916, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current in Seventh Avenue Lighting District No. 1, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 130917, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current in Eighth Avenue Lighting District No. 1, for 1 year from and including January 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130918, approving plans, drawings, typical cross-sections, pro-

files and specifications for installation of sewers in El Cajon Boulevard, Pearson Drive, Rolando Boulevard, Campo Drive, Alleys in Metropolitan Center and Public Rights of Way (set out in detail in the Resolution); approving Plat 2734 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 Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 130919, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 33rd Street; approving Plat 2797 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 Curran, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 130920, for paving and otherwise improving Alley Block 8 Clifton Addition to City Heights, Chamoune Avenue, Quince Street and Public Rights of Way, Resolution of Intention 130033, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 130921, for paving and otherwise improving Alleys Blocks 49 and 49-1/2 University Heights, Resolution of Intention 130034, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 130922, for grading and sidewalking Alleghany Street, Resolution of Intention 130035, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK 130923, for paving and otherwise improving Noyes Street, Beryl Street, Law Street, Academy Street, Diamond Street and Missouri Street, Resolution of Intention 129454, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING IMPROVEMENT 130924, for furnishing electric current in El Cajon Boulevard Lighting District No. 2, for 1 year from and including March 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING IMPROVEMENT 130925, for furnishing electric current in Rolando Lighting District No. 1, for 1 year from and including April 1, 1956, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The Mayor invited visitors to ask questions, if they desired.
Bobby Blank, 2639 San Marcos, asked why there was constant calling of the roll.

The Mayor explained that Council's vote is of consent if silent; if members wish to vote "nay", they so indicate.
Councilman Williams told Bobby that the law requires it.
Then Janice Allen, 4458 Thorn, asked why the items were listed.
Councilman Evenson answered that the Council has to take actions on them.
The City Manager explained resolutions where work is to be done, by saying

that when work is to be done it is accomplished upon calling for bids; if the contract runs over time for completion, extension is needed on account of delay. He stated that takes Council action.

Councilman Burgener explained to the students that there had been a conference held, preceding this meeting, to consider items on the agenda.

RESOLUTION 130926, directing notice inviting sealed proposals for furnishing electric current in Hermosa Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130927, directing notice inviting sealed proposals for furnishing electric current in Kensington Manor Lighting District No. 1, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130928, directing notice inviting sealed proposals for furnishing electric current in Rolando Lighting District No. 2, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 130929, directing notice inviting sealed proposals for furnishing electric current in Talmadge Park Lighting District No. 4, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING IMPROVEMENT 130930, for furnishing electric current in Mission Beach Lighting District No. 1, together with maintenance, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION 130931, for paving and otherwise improving Alley Block 18 Ocean Beach Park, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 130932, for paving and otherwise improving Celia Vista Drive and Rolando Boulevard, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130933, for sewers in El Cajon Boulevard, Pearson Drive, Rolando Boulevard, Campo Drive, Alleys in Metropolitan Center and Public Rights of Way (set out in the Resolution), was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 130934, for paving and otherwise improving 33rd Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130935, ascertaining and declaring wage scale for sewers in Alley Block 1 Buena Vista Tract, and 42nd Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130936, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 12 Point Loma Heights, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130937, ascertaining and declaring wage scale for paving and otherwise improving Grape Street, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130938, ascertaining and declaring wage scale for paving and otherwise improving Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, Public Rights of way listed on the resolution, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130939, ascertaining and declaring wage scale for paving and otherwise improving Poe Street, was on motion of Councilman Evenson, seconded by Councilman Curran, adopted.

RESOLUTION 130940, ascertaining and declaring wage scale for paving and otherwise improving Shasta Street and Crown Point Drive, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130941, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 6 Ocean Beach, Resolution of Intention 127511, 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130942, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 51st Street, Pol, Avenue, 52nd Street and Otilie Place, Resolution of Intention 122088, 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130943, approving diagram of property affected or benefited by work of improvement to be done 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; 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 130944, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Macaulay Street and Willow Street, Resolution of Intention 126851, 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 Burgener, seconded by Councilman Evenson, adopted.

Communication from City Engineer, approved by City Manager, recommending that proceedings for improvement of Montalvo Street, Clovis Street, Camulos Street, et al., be amended to include portion of Famosa Boulevard, Soto Street and Etiwanta Street, as required, and that the job also include cross gutters and return segments, and cut-off walls as required, was presented.

RESOLUTION 130945, adopting recommendation of City Engineer; authorizing him to amend proceedings for improvement of portions of Montalvo Street, Clovis Street, et al, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Communication from Street Superintendent, approved by City Manager, recommending granting request of R. E. Hazard Contracting Co. for 15-day extension of time on contract for paving and otherwise improving Dwight Street, Resolution of Intention 120268, was presented. It says construction has been completed, and Assessment Roll confirmed, but additional time is required to cover cash collection period.

RESOLUTION 130946, authorizing Street Superintendent to Grant R. E. Hazard Contracting Co. extension of time for completion of contract on portion Dwight Street, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from Street Superintendent recommending granting request of R. E. Hazard Contracting Co. for 15-day extension of time on contract for paving and otherwise improving La Jolla Hermosa Avenue, Resolution of Intention, was presented. It says construction has been completed, and assessment hearing set for January 31, 1956, but additional time is required to cover cash collection period.

RESOLUTION 130947, authorizing Street Superintendent to grant R. E. Hazard Contracting Co. a 15-day extension of time for completion of contract for improvement of portion of La Jolla Hermosa Avenue, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition for installation of sewers in Kearny Mesa to serve portion of Lot 72 Rancho Mission, by private contract, was presented. RESOLUTION 130948, granting property owner permission to install sewers in Kearny Mesa to serve portion of Lot 72, Rancho Mission, by private contract, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

RESOLUTION 130949, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public assembly facilities upon property (listed in the Resolution), in The City of San Diego, County of San Diego, State of California; and that public interest, convenience and necessity demand acquisition of property, declaring intention of The City of San Diego to acquire the property under Eminent Domain proceedings, and directing the City Attorney of the City of San Diego to commence action in Superior Court of The State of California, in and for the County of San Diego, for purpose of condemning the property, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

(It is for the "downtown civic auditorium, convention hall, arena, and little theatre" - on the site placed in the master plan of the City, by the Council, after hearings).

The next item had been continued from the meeting of January 17, 1956, RESOLUTION 130950, authorizing and directing Purchasing Agent to advertise for sale and sell motor vehicles (listed in the resolution) which are no longer desirable for

use or retention by the City, Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 130951, authorizing the **Mayor** to endorse the 1956 March of Dimes Campaign and to commend Mr. Pat Thienes for his courageous walk throughout the City and County for the past 9 days to gain popular support of the March of Dimes; directing the Mayor to light the small candle carried by Mr. Thienes so that he may deliver the candle to the Mother of the Year who will light the Giant Candle in downtown San Diego, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

(This item will be shown, again, later in the meeting).

Resolution prohibiting parking of automobiles at all times on the north side of San Luis Rey Place, between Mission Boulevard and Bayside Lane, authorizing installation of necessary signs and markings, was presented.

Councilman Burgener asked why the restriction did not include area to the west of Strandway.

On motion of Councilman Burgener, seconded by Councilman Evenson, it was continued to the meeting of Thursday, January 26, 1956.

After the vote was taken, the City Manager told the Council that the proposal had been initiated by residents of the area.

In connection with the next resolution, Councilman Curran asked if it is a contradiction.

The City Manager replied that it is the 3rd resolution; the market value is to be paid. He said that there was a request for passage of a formal resolution. He said that the first resolution did not say it was for public purposes; the second resolution did not say what the public purpose was; now the resolution says that the public purpose is.

RESOLUTION 130952, authorizing and empowering City Manager to enter into negotiations with the United States of America to purchase Lots 7 and 8 Block 32 Linda Vista Unit 5, at price not to exceed \$3,000.00 per lot, to be used for public purposes in connection with Boys' Club activities by The City of San Diego; rescinding Resolution 130507 passed and adopted December 29, 1955, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130953, authorizing and directing the City Manager to forthwith institute and carry on proceedings under Municipal Water District Act of the State of California as will result in having all of the lands shown in red on print of drawing contained in Document 528632 on file in office of City Clerk, and which lands belong to the City, excluded from the area and lands now located within the exterior boundaries of the Otay Municipal Water District, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Resolution says the City is owner of real property located within exterior boundaries of Otay Municipal Water District; land is used and useful to the City as part of Upper and Lower Otay reservoir lands; the land does not now, and, so long as it is owned and used by the City, will never receive any benefit from the irrigation district, and should therefore be excluded from the area of the district.

RESOLUTION 130954, authorizing and empowering the City Manager to do all work in connection with replacement of Cast Iron Water Main Replacement Group 102, and making of necessary connections, sterilizations, and installations of valves, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 130955, authorizing and empowering the City Manager to employ as a building inspection consultant, Herbert P. Ringer, at a compensation of \$950.00 per month, commencing February 20, 1956, and terminating on or before June 30, 1956, to make an investigation and study of the Building Inspection Department, for the purpose of effecting such reorganization and change in methods of operation as may be determined to be desirable; authorizing the City Manager in his discretion delegate to Herbert P. Ringer such authority as he deems desirable in the operation of the Building Inspection Department, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Mayor Dail left the meeting.
Vice Mayor Burgenier took the Chair

The Vice Mayor asked "how to get out of the mess, if City needs the property?"
The City Manager told of there being an illegal sublease. He said that this has to do with cancellation - if the City needs it.

There was discussion between the Vice Mayor, Councilman Evenson, and the City Manager regarding effect.

The City Manager identified the property as "a small field".

Councilman Evenson spoke to the City Attorney about cancellation; and said that lease should probably be written so that it can be cancellable.

The City Manager said that this would now make it consistent. He said this completes the Gibbs (airport) leases; this is the last one of the people to be there, but there may be new people coming in. He explained the activity, and said that lessee does mechanical work for the flying school. He stated that value is \$4,000. He spoke of being in a situation of "going in on an intention". The City Manager said that the City is honor bound to comply. He said that there have been renegotiations, generally.

RESOLUTION 130956, authorizing and empowering City Manager to execute, for, and on behalf of the City, a lease with Frank W. Schössow of 2 buildings totaling 2752 square feet together with 50 feet of apron at Montgomery Airport, for a term of 7 years commencing February 1, 1956, at a rental of \$55.00 per month, for the purpose of aircraft repair and maintenance; description of property and terms and conditions to be as set forth in lease filed in office of City Clerk under Document 528633; property has value of \$4,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

Communication from City Engineer, approved by City Manager, (communication addressed to City Attorney via City Manager), dated Jan. 18, 1956, was presented. It refers to agreement between Milton P. Sessions and City of San Diego covering storm drain system which will run through Acre Lot 51 and in portions of Diamond Street and Chalcedony Street, according to Drawing 10920-L. It says Mr. Sessions was to pay one-half contract price of portions of drain colored in green on the drawing. Communication says that agreement has been signed by Milton P. Sessions, and asks the City Attorney to prepare resolution authorizing City Manager to sign.

RESOLUTION 130957, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Milton P. Sessions for construction of storm drain through "Acre Lot 51", City Engineering Department Drawing 10920-L, under mutual covenants and conditions set forth in agreement filed in office of City Clerk as Document 528634, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted. (Resolution does not identify the subdivision; neither do the City Engineer's letter or agreement form).

RESOLUTION 130958, directing City Attorney to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against properties in Bayside, Electric Line Addition, Mission Beach Addition (listed in the resolution), together with all penalties and other expenses in connection therewith, 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 Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130959, granting request of Rogers Construction Company, dated January 13, 1956, Change Order 4, for extension of 45 days to and including February 29, 1956,

filed as Document 528388, in which to complete contract for completion of Chollas Pumping Plant and Chollas-Redwood Village Pipe Line, contract Document 517238; extending completion to February 29, 1956, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130960, Granting V. R. Houston, 4141 Wilson Avenue, San Diego 15, (owner) permission to connect approximately 18 apartment units into a common, privately owned and operated sewage sump pump which will have a 3" force main extending to City sewer located in vicinity of Arbor and Falcon Streets - apartment units bounded by Eagle, Arbor and Falcon Streets: Lots 3 through 22 Block 13 Arnold and Choates Addition, subject to conditions, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130961, approving claim of Madeline Mary O'Neal, Document 527358; authorizing City Auditor & Comptroller to draw warrant in favor of Madeline Mary O'Neal, 4489 Montalvo St., San Diego 7, California, in amount of \$111.72 in full payment of claim, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130962, approving claim of Elsie R. Rinehart, Document 527248; authorizing City Auditor & Comptroller to draw warrant in favor of Elsie R. Rinehart, 527 24th Street, San Diego, in amount of \$136.55 in full payment of claim, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130963, denying claim of Melvin Ander, Document 524651, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130964, denying claim of M. Edson, Document 526733, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130965, denying claim of Trudi Gifford, Document 526019, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130966, denying claim of H. E. O'Connor, Document 527518, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130967, denying claim of Utica Mutual Insurance Co., Document 526020, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 130968, denying claim of Leonard V. Wisniew, Document 527157, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

In connection with the next resolution, the City Manager said that the City had been advised that the Water Department had been granted an award for safety. Purpose of the trip is to go to accept the award.

RESOLUTION 130969, authorizing 2 representatives of the Water Department to attend the Governor's Industrial Safety Conference, to be held in San Francisco, California, February 2 and 3, 1956; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

In connection with the next resolution, Councilman Curran asked who is to go. The City Manager replied that Paul Beermann, Director of the Water Department, had been invited to appear on the panel, but that he had declined. He said that there will be the top people of the nation. He said that Mr. Hoffman will go, and that he will learn from his attendance.

Councilman Curran asked that he give a report in conference.

RESOLUTION 130970, authorizing a representative of the Water Department and a representative of the Sewage Treatment Plant to attend a conference on Water Reclamation, to be held at Berkeley, California, January 26 and 27, 1956; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 130971, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego, a quitclaim deed quitclaiming to the State of California, a corporation sovereign, Lots 13, 14, 15 Block 37 Parish and Loomis Subdivision; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, with instructions that he deliver deed when he has (received) the consideration therefor; authorizing and empowering City Manager, for and on behalf of the City, a right-of-way contract - State Highway with State of California Department of Public Works Division of Highways, agreeing to the necessary acts to consummate sale to the State of California of property under terms and conditions set forth in form of right-of-way contract filed in office of City Clerk as Document 528647, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Resolution says that the State Department of Public Works Division of Highways is desirous of acquiring in fee title for constructing thereon a State highway; value as determined by last report of City Auditor and Comptroller is \$1,500.00; San Diego Municipal Code authorizes sale of City property to the State and any political subdivision thereof for public purposes without advertising for bids; the City Manager has recommended the sale to the State.

On motion of Councilman Williams, 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 6835 (New Series), providing for issuance of bonds of The City of San Diego in the principal amount of \$9,460,000, and the levy of taxes to pay the principal and interest thereof, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by the following vote, to-wit: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

On motion of Councilman Curran, 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 6836 (New Series), amending Chapter X Article 2 San Diego Municipal Code by amending Section 102,08.1 thereof, relating to subdivisions (Street Name Sign Requirements), was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by follow-

ing vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, 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 6837 (New Series), appropriating \$35,700.00 from Trunk Sewer Extension Fund (231) of The City of San Diego, for construction of sanitary sewers in Soledad Terrace, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, 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 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 6838 (New Series), appropriating \$21,900.00 from Capital Outlay Fund for installation of safety lighting on Zoo Drive, Village Place, and Garden Walk, in Balboa Park, was on motion of Councilman Williams, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, 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 Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

ORDINANCE 6839 (New Series) appropriating \$8,500.00 from Capital Outlay Fund, for construction of storm drain in Lots 1, 14, 15, 22, 23, 29 Resubdivision of Villa Lots 1 to 11 Normal Heights, was on motion of Councilman Curran, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, 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 Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

ORDINANCE 6840 (New Series), appropriating \$750.00 out of Unappropriated Balance Fund, for cost of architectural fees in connection with furnishing preliminary cost estimates of work involved in remodeling Council Chamber in Civic Center Building, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Curran, Evenson. Nays-None. Absent-Councilmen Schneider, Kerrigan, Mayor Dail.

On motion of Councilman Ordinance amending Sections 72.02, 72.03, 72.05, 72.06 and 72.07 of San Diego Municipal Code, regulating operation of Taxicabs, including Drivers, and Taxicab Rates (continued from previous meetings), was on motion of Councilman

Evenson, seconded by Councilman Curran continued to the meeting of January 31, 1956.

The City Manager told the Council that he will have a report on this item in a week or 2.

Mayor Dail entered the meeting during consideration of the preceding item, but did not take the Chair.

At the request of the Mayor, the Council reconsidered its action in authorizing him to endorse the 1956 March of Dimes Campaign, etc., shown earlier in these minutes.

John S. Rhoades, Deputy City Attorney told of the walk being made by Mr. Thienes, whom he introduced.

Pat. Thienes told the Council that he was happy to be present at the meeting, and to make the walk in behalf of the polio drive. He told of having had polio when he was 5 years old. He said walking helped him, and as a result, he wants to walk to help in this drive.

The Mayor lit the candle.

The Resolution was permitted to show adoption, with the number assigned earlier.

There being no further business to come before the Council, on motion of Councilman Evenson, seconded by Councilman Curran, the meeting was adjourned at 11:15 o'clock A.M. Upon adjourning, the Mayor announced that the Council would go into conference.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

Oliver Dail
Mayor of The City of San Diego, California

Mayor returned
Ceremony of lighting the candle
by the Mayor for Pat Thienes
Meeting adjourned

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 26, 1956

Present--Councilmen Williams, Kerrigan, Curran, Evenson, Mayor Dail
Absent--Councilmen Burgener; Schneider (in Mexico, representing City of San Diego)
Clerk---Fred W. Sick

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 107.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of W. H. Thygeson and others from decision of Board of Zoning Adjustment granting permission to Nina Button, George B. and Phyllis D. McFetridge, owners, and Sam J. Russo, purchaser, to construct and operate a drive-in theater with snack bar and usual accessory activities, on portion of Pueblo Lot 1788, on the west side of Pacific Highway, approximately 1200 feet north of Balboa Avenue, in Zones R-1 and C, subject to conditions, finding of facts on Application 14733, was read to the Council by the Clerk.

Councilman Burgener entered during the reading

The Mayor invited the appellants to be heard first.

Mr. Thygeson read a prepared statement, and asked if people who take the same view as he could rise.

Mayor Dail said that while it would have no effect on the hearing, there was no objection.

A group of people stood.

Mr. Thygeson told the Council that people were perturbed over the ease with which the permission was granted. He said that the people "don't like big business on their door step". He stated that the area is "one of the choicer spots of San Diego", and that an outdoor movie will not improve it.

A map was laid on the Council table by Harry Haelsig, Planning Director, at the request of Councilman Kerrigan. Proceedings were suspended while papers were arranged.

Mr. Thygeson said that homesites are getting scarce, and should not be chopped up, bit by bit, by big business. He said that Mr. Scott, to the west had asked if he would, and that he thought this would be rezoned, and his property would go in. He described Mr. Scott, who has been there over 50 years as being bitter and disillusioned, and that he is prepared to go. He said Mr. Scott has lost faith in humanity - and is broken up. Mr. Thygeson said Mr. Scott is bitter. He said that if this is permitted, he wondered what is to keep from eating away the property to the very doorstep. He stated that surrounding property owners have no guarantee that property will remain R-1 - if this goes in. He declared that an outdoor movie would devalue the property. He said that all will lose from this proposal - including the City, which has leased nearby area (in Mission Bay Park, for another drive-in theatre). He said that the property owners have the right to depend on R-1. He told of trouble caused by transients from the Housing Project, but that they are now moving out. Mr. Thygeson said that the property owners "are depending on the City".

Councilman Curran spoke to Mr. Thygeson, who identified on the map portion of Pueblo Lot 1788.

Councilman Kerrigan pointed out that this would not be a change of zone.

Harry C. Haelsig, Planning Director, said that it is (as granted by the Board of Zoning Adjustment) a "conditional use".

A conference was held over the map, which Mr. Haelsig explained.

Ruel Liggett, attorney, spoke for Dr. (Roy M.) Ledford. He identified property, and spoke of it being undeveloped pueblo land - to the top of the hill. He said it is

Meeting Convened
Hearing

also to the north and west of the tract. He told the Council that the Ledford tract belongs to a trust. Mr. Liggett said that Floral Terrace is largely undeveloped tract, although a portion has been sold. He said that the Ledford Tract is not developed, because there is no water and there are no streets. He stated that the City has arranged to construct an access street from Balboa Avenue and Highway 101 to the top of Muirlands, in the same general direction as the pipe line. He said that will have effect on the property above, which is fine property on the heights, similar to Muirlands. He said he has gone with the owners, and realizes that some of the property would not see the theater, but some would. He told of having had to develop the Fleetridge property - which looks down on the Dana High School. He told the Council that when the housing district gets out, there is no reason why Balboa north should not develop in fine homes. He said that if property is given a good start by the theater going in, developments on adjoining properties would be less than average. He said developers of fine homes would not want to develop, on account of the activity and the resulting traffic. He said the property should be given a chance for normal development. He said property would be badly affected by the theater. He asked about necessity for the drive-in. Mr. Liggett said that the Council would not vary, unless the City feels it is needed. He referred to development to be made on the City property, and said that the district will be well served by that and the existing drive-in. He declared that there is no reason, necessity or convenience in granting the variance. He pointed out that the appeal says why the Council should deny it, and that he would not repeat what is in writing. He told of there being information that if the theater goes in, there is going to have to be a radical change on the highway to Muirlands. He said there would be serious traffic. Mr. Liggett told the Council that the present road crosses a portion of the land to be devoted to the theater. He said that the Zoning Adjustment Board failed to give that consideration, and it was impressed by the proposal to do screening. Mr. Liggett said that the presence of a theater would affect, adversely, the entire area. He said "that's why the area has the R-1 zone".

John Butler, attorney (recognized by Mayor Dail as the former Mayor of San Diego), referred to having appeared on a similar item before the Council on another appeal. He said there are different circumstances here. He said that this is a request for "a conditional use; not a variance." He pointed out that his clients in the Mission Bay area will return to the City \$2,000 per month - plus development. He read from the Municipal Code the conditions to be met. He said a second new theater in Pacific Beach will be another drive-in and that others are to go in. He asked if it can be said that this is desirable or necessary. He pointed out that it must be found that development would not be detrimental or injurious. He said there must be a finding of fact, which would include conditions. Mr. Butler stated that his clients (in the newly-leased drive-in theater property from the City in Mission Bay) have a substantial stake. He pointed out that they were the only bidder for the Mission Bay property lease. He said his clients had relied on the zoning, and on Mr. Wolcott report (relative to developments in Mission Bay Park), and the bid request as stated. Mr. Butler said that the housing will be sold shortly for private residential area. He declared that it would be blighted. He said the property has been R-1 for years, and that it will be developed as R-1. He requested denial of R-1 variance.

Dave Brubecker spoke for property in Floral Terrace, which is expected to be a beautiful area. He said the proposed drive-in theatre will not be needed - on account of the others. He said the City should protect the R-1 zones; the commercial zones put a blight on the residential areas. Mr. Brubecker told the Council that "commercial zones are taking over the City". He asked the Council to "turn down the proposition".

Mrs. Devlin Scott, mother of Emily Rose Devlin, was heard next, because she said that the owner of the property cannot be here. She said that she speaks, also for her sister, Constance Herreshoff. Mrs. Scott told the Council that she re-iterates what has already been said. She said there "is a feeling for homes". She said that while residents can't aspire to the wealthy homes of La Jolla, they love them as much. She said that Mrs. Devlin is now Mrs. Romano. She pointed out that the City is not operating under law of eminent domain in this matter. She declared that there is no need of convenience or necessity for the proposed drive-in. Mrs. Scott asked the Council to consider that point. She stated that everything has been said. She stated that she and her husband chose the homesite because of the beautiful view, and the R-1 Zone. She said they would "look directly down in the (theater) pit", and that it would not be a pleasure to look into the pit. Mrs. Scott stated that they would not have built if the property had not been R-1.

The Mayor invited opponents to the appeal to speak next.

Vincent Whelan, attorney, told the Council that appellants have made assumptions which are not supported by fact. He said that a portion is zoned commercial, and that

property could be used for several purposes. He spoke of not increasing values in the area. He said that the Board of Zoning Adjustment has made the findings; property which adjoins would be zoned R-1 - a higher type than exists. Mr. Whelan said that north and west there would be a 32-acre buffer. He stated that the matter of values, and the effect, is matter of opinion. He stated that the owner of a larger tract on the hill thinks that a theater will increase its value. He said that the 32-acre tract (proposed as the buffer zoning) would prohibit the erection of low-cost housing. He said it is a mythical thing to assume that the housing property will be devoted to good housing. Mr. Whelan told the Council that the Board did not make a hurried decision; the item was before it on 3 different days. He said that if theater is built, it would be proper to allow permissive use adjoining, for parking. He said that is substantially what a drive-in theater is. He stated that the decision of the Board was unanimous; all 5 members were present. Mr. Whelan stated that west of Euclid there is only 1 drive-in theater; the Midway. He said that he does not know if the others (proposed) will be built. He said that the City, in offering land for lease to a drive-in theater, has not the right to insure a monopoly. He stated that the Clairemont development has developed in the last few years, as has Bay Park Village. He told the Council that in the eastern part of San Diego, within a radius of 3 miles of the Campus theater, there are high-class residences. He stated that Mr. Liggett assumes, erroneously, that there is a plan for an access highway. He said that proponents have conferred with Mr. Haelsig, the Planning Director. He said it was inferred that the drive-in would not interfere, and an alternate approach was suggested. Mr. Whelan said that automobiles will not face west to enter, and there would be no interference because of lights. He spoke about west line of the theater being approximately 800 feet.

Graham Kelly spoke next, in behalf of trustees who own 80 acres to the west of the Russo (proposed drive-in) 40 acres. He said that there is a good deal of view property. He told of having conferred with his father, Herbert Kelly, and said that the effect of the development is important. He said it is on "old 101", and across 101 is light industrial zone. He said there are industrial zones. He stated that the Federal housing project has been detrimental to the property. He said that investment of theater would raise the value of property on the west of 101. He said that as a result, property would be so high, that owners could not afford to put in poor developments. He said that as result of zoning around the Russo property, it would create so high cost property, that there would be good homes. He said there would be high grade residence property, and would raise prices on the old Federal housing area. Mr. Kelly stated that would avoid junk housing. He declared that view from property he represents would be good, and would be enhanced. He said people for whom he was speaking are in favor, but were not until they had checked the plans. He said there would be no detrimental effect. He stated that it would be beneficial.

Mr. Lykos told of having met with Mr. Haelsig. He said that it has been agreed to put in access road for 1/2; 1/2 will come from the Federal housing property. He said that the Campus Theater went in when the area was only in fields. He said that now there are high class properties and residences surrounding the drive-in. He passed around pictures showing the development. He declared that there was no bad effect. He said there would be a buffer on the proposed site. He said that property looks at light industrial and trailer court areas. He said, again, that there would be a buffer. Mr. Lykos showed pictures taken from the Ledford property, and pictures of the existing development. He showed a sketch, stating that it would be one of the highest type drive-ins in the country. He pointed out that it would be 10 feet below the highway.

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

Councilman Curran spoke to Mr. Haelsig about the access road, and the connection up to Muirlands.

Mr. Haelsig said to Mr. Curran that there is no plan, and would not be affected by this (the drive-in theater) development. He said that it is "possible to bring in another road". He pointed out on the map which was on the Council table, areas to which he referred. He said a tentative map has been filed; it is being re-worked, and re-zoned.

Councilman Kerrigan pointed out that the conditional use permit calls for re-zoning from C to R-1B.

Mayor Dail read that from the conditions (being number 1).

Answering Councilman Kerrigan, City Attorney J. F. DuPaul said that there is nothing illegal, on account of the filing. He said it can't be agreed that there will be exercise of police power. He said it would not be illegal to refuse application for zone change.

Councilman Burgener told of being familiar with the property, and said that the Ledford property to the north, and the Floral Terrace property to the west would be affected. He stated that "the area is becoming more local in character; the highway is removed". He stated that to the south Balboa will be largely removed. Mr. Burgener stated that big business is not so evil as has been said. He spoke about having had letters in protest to the project.

Councilman Burgener moved to grant the appeal, and reverse the decision of the Board of Zoning Adjustment. Motion was seconded by Councilman Williams.

Councilman Williams said that the proposed project would be a detriment to the surrounding property; need or necessity have not been established.

Mayor Dail stated that 5 votes of the Council would be needed to overrule the decision of the Board of Zoning Adjustment.

The roll was called on the motion, resulting in the following:

Yeas--Councilmen Burgener, Williams.

Nays--Councilmen Kerrigan, Curran, Evenson, Mayor Dail.

Absent--Councilman Schneider.

(The motion to overrule the Board of Zoning Adjustment, and sustain the appeal lost). There was, therefore, no action. In effect, the decision to grant the conditional use stands.

The hour of 10:00 o'clock A.M. having arrived, time set for appeal of Louise C. Ford and Euclid Lumber Co., Inc., by Attorneys Higgs, Fletcher & Mack, from decision of Board of Zoning Adjustment in denying permission to Mrs. Louise C. Ford, owner, and Euclid Lumber Co., Inc., lessee, to construct buildings and operate storage and sales facilities for lumber and building material on west side of Euclid Avenue, approximately 282 feet north of Market Street, on portion of Southeast Quarter of Lot 30 and portion of north half of Northeast Quarter of Lot 41 Horton's Purchase, in Zones R-1, R-2 and C, Paul Pierick, attorney, representing Mrs. Ford and the Euclid Lumber Company asked for a continuance of 1 week.

On motion of Councilman Curran, seconded by Councilman Kerrigan, hearing was continued 1 week - to meeting of February 2, 1956.

Report of Purchasing Agent on low bid of Walter H. Barber for construction of storm drain at westerly end of Mimulus Way - \$1,239.96; 7 bids, was presented.

RESOLUTION 130972, accepting bid of Walter H. Barber for construction of Storm Drain at westerly end of Mimulus Way; 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 Kerrigan, seconded by Councilman Curran, adopted.

Report of Purchasing Agent on low bid of Cecil B. Grove, approved by City Manager, for Breaking up and Removing all Concrete Slabs, Concrete Fuel Tanks and other debris from Presidio Housing Area - \$2,006.37; 2 bids, was presented.

RESOLUTION 130973, accepting bid of Cecil B. Grove for removal of concrete slabs at Presidio Housing Area; 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 Kerrigan, adopted.

Report of Purchasing Agent on low bid of Hill Bros. Chemical Company for furnishing 500 tons Liquid Sodium Silicate (approximately a six months supply) for Water Dept. - \$12,972.85; 5 bids, was presented.

RESOLUTION 130974, accepting bid of Hill Brothers Chemical Company for furnishing liquid sodium silicate; awarding contract, authorizing and directing City Manager to enter into and execute on behalf of The City of San Diego, a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Report of Purchasing Agent, on low bid of United Concrete Pipe Corporation - approved by City Manager - for Cement Mortar Lining of Otay Second Main Pipe Line - \$102,079.44; 2 bids, was presented.

RESOLUTION 130975, accepting bid of United Concrete Pipe Corporation for Cement Mortar Lining of Otay Second Main Pipe Line; 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 Curran, adopted.

Report of Purchasing Agent, approved by City Manager, on sole bid of A.B.C. Hardwood Floor of El Cajon, California, for furnishing and installing Maple Floor in Gymnasium of Pacific Beach Recreation Building - \$4,311.00 plus \$225.50 for damp proofing, was presented.

RESOLUTION 130976, accepting bid of A. B. C. Hardwood Floor for furnishing and installing northern Hard Maple Floor in Gymnasium of The Pacific Beach Recreation Building at Diamond and Gresham Streets; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Purchasing Agent, approved by City Manager, submitting resolution authorizing purchase of 38 copies of 1956 City Directory for various City Department, from R. D. Polk & Co., at \$45.00 each, plus State Sales Tax - \$1,710.00 plus Tax; was presented. It says the company is sole source of supply.

RESOLUTION 130977, authorizing and directing Purchasing Agent to purchase for The City of San Diego 38 copies of the 1956 City Directory from the publisher, R. L. Polk & Co., was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Purchasing Agent, recommending sale of automotive lubricating oil to San Diego Unified School District, was presented.

RESOLUTION 130978, authorizing Purchasing Agent to sell to San Diego Unified School District its requirement of Automotive Lubricating Oil (approximately 1500 gallons for the year) at the contract price charged the City of San Diego plus 5% for clerical and operating cost, 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 Delta Court, subject to posting adequate bond to insure installation of required improvements, unless completed and approved by City Engineer, was presented.

Communication has this note, written in ink: "No Improvements F. G. PETERS, Assoc. Civil Engineer, City Eng. Dept."

RESOLUTION 130979, adopting Map of Delta Court Subdivision, being subdivision of portion Lot 70 of portion Ex-Mission Lands of San Diego, commonly known as Horton's Purchase; accepting on behalf of the public portion of Delta Street and unnamed easements shown for public purposes; declaring them to be portion of public street and unnamed easements and dedicated to public use; accepting all public improvements installed within the subdivision; authorizing and directing Clerk of the City to endorse upon map, as and for act of the Council, that portion of public street and unnamed easements and public improvements 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.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of 2-lot subdivision of Resub Block 11 Asher's Cloverleaf Terrace, Pueblo Lot 255,

located on northerly side of Littlefield Street between Goldfield and Lieta Streets, subject to 6 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Tentative Map on Resub Block 11 Asher's Cloverleaf Terrace, P.L. 255, was presented.

RESOLUTION 130980, approving tentative map of portion of Pueblo Lot 255, a 2-lot subdivision of Block 11 Asher's Cloverleaf Terrace; suspending Section 102.17-c of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Glen Oaks Heights, portion Pueblo Lots 1251 and 1252, a 122-lot subdivision of portion Pueblo Lots 1251 and 1252 located at extreme northwest corner of Clairemont, adjacent to Clairemont Unit 14, easterly and above Rose Canyon, southerly of San Clemente Canyon, subject to 16 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, was presented.

RESOLUTION 130981, approving Tentative Map of Glen Oaks Heights Unit 1; suspending Sections 102.07-2 and 102.17-c of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Grant King subdivision, a 1-lot subdivision of portion Pueblo Lot 1286, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Grant King subdivision, a 1-lot subdivision of portion Pueblo Lot 1286, located on private road southerly of Torrey Pines Road, northeasterly of Roseland Drive - offer of dedication has been accepted, but not yet dedicated - was presented.

RESOLUTION 130982, suspending Section 102.17-c of the Municipal Code, in connection with subdivision of portion Pueblo Lot 1286, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 130983, approving tentative map of Grant King subdivision, was on motion of Councilman Kerrigan, 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 Muirlands Crest Unit No. 5, a 65-lot subdivision of portion of NW quarter of Pueblo Lot 1255, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Muirlands Crest Unit No. 5, a 65-lot subdivision of portion of northwest quarter of Pueblo Lot 1255, located in vicinity of but not adjacent to La Jolla Scenic Drive which is one of the major streets involved, was presented. It says that portion of the same area was previously submitted as Muirlands Crest Unit No. 3 and approved by Resolution 126903. It makes approval subject to 15 conditions.

RESOLUTION 130984, approving tentative map of Muirlands Crest Unit 5; suspending Sections 102.09-1&2, 102.07-5, 102.11-2, 102.17-c of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of the Municipal Code in connection with tentative map of Normal Heights, a 3-lot subdivision of Lots 28, 29, 30 Block 38, was presented.

RESOLUTION 130985, suspending Sections 102.12-3, 102.12-4, 102.17-c of the Municipal Code, in connection with tentative map of Normal Heights, 3-lot subdivision of Lots 28, 29, 30 Block 38, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map for resubdivision of portion Lots 28, 29 & 30 Block 38 Normal Heights,

located in R-4 zone on west side of 33rd Street between Adams and Madison Avenues, was presented.

RESOLUTION 130986, approving tentative map of subdivision of Lots 28, 29, 30 Block 38 Normal Heights, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Application of Theodore R. Nutter for Class "C" Dine & Dance and Cabaret License at 6323 Imperial Avenue, was presented, together with recommendations for approval.

RESOLUTION 130987, granting application of Theodore R. Nutter for Class "C" license; also granting application for cabaret license, at the Hayloft Barbecue, 6323 Imperial Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

Communication from Acting City Manager, reporting on petition of property owners on Burton Street, requesting that access rights for Linda Vista Road be granted on east side of the street between Kramer and Tait, was presented. It tells of petition having been reviewed by Planning and Engineering Departments, and their recommendations against the granting. It goes into detail about acquisition by the City. It reports that the office concurs with recommendation of the City Engineer and Planning Department that access rights should be retained, although it is recognized that there is a problem on Burton Street where some of the houses are considerably below the level of the street. It states that it is possible that revocable permits could be granted in cases where hardships exist. It mentions that copy of the report is sent to the first signer on the petition with suggestion that he and the others investigate possibility of obtaining such a permit.

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

Communication from E. E. Asbury, 4982 Dick Street, San Diego 15, dated January 20, 1956, was presented. It says that request through the City Planning Department to rezone his property from R-1 to M1A was filed by the Council in July, 1955, and to the writer's knowledge has not been reinstated. He asks for reinstatement of the petition. It tells of interest in the rezoning of 6.7 acres. It expresses appreciation for cooperation.

Councilman Burgener said it was approved by Planning; it came to the Council, included with a bigger piece, and was filed. He stated that it was puzzling.

Mr. Haelsig said he thinks it was not overruled.

Councilman Kerrigan said that it would be Council adoption, in order to be effective.

Councilman Burgener said that the question is if Mr. Asbury should, or should not pay to institute new proceedings.

City Attorney J. F. DuPaul said that the previous action of the Council is dead, but that the Council itself can initiate proceedings.

Councilman Kerrigan asked "why do it for him, but not for others?"

There was discussion between Councilmen Kerrigan and Burgener.

Councilman Kerrigan said that it is the Council that takes the action; it is a dead issue.

The City Attorney said that the Council's effect, in filing, was the same as if it had been denied.

There was discussion between Councilmen Kerrigan and Burgener over the Planning letter.

On motion of Councilman Kerrigan, seconded by Councilman Williams, the communication was filed, and the Clerk requested to answer it.

Communication from La Jolla Enterprises, 7909 Herschel Avenue, La Jolla, dated January 24, 1956, signed by Andrew Andeck. It states that after conference and discussion

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with Councilman Burgener, it requests hearing at meeting of Thursday, January 26. It concerns with "petition for relief from certain specific stipulations upon a zone variance" (application 14826, Resolution 9369 of the Board of Zoning Adjustment in connection with 10 4-unit apartment buildings on portion of Pueblo Lot 1783.

(Mr. Andeck had requested the City Clerk's office - A.M.W. - before the meeting that there be no action taken by the Council and that the request be filed.

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

Communication from California Mission Trails, Association, Ltd., 6912 Hollywood Boulevard, Los Angeles 28, dated January 19, 1956, signed by Randall L. Ward, president, was presented. It invites Council representation at meetings of the Association. It says that directors receive copies of the minutes of the Board meetings and are kept advised at all times as to the Association's activities.

The letter was read to the Council.

Councilman Burgener moved to refer it to conference.

Councilman Williams told of having attended a meeting as the Mayor's representatives. He said that the Association will be looking to the City for contributions, and feels that San Diego should have a niche in the organization to acquaint tourists with that phase of the area. He said that he knows too little of the situation to make a recommendation.

Councilman Burgener moved to refer the item to Conference. Motion was seconded by Councilman Evenson. (Resolution referring the item to conference, because action was reconsidered later).

There is shown here - to keep the item together - that action in referring the communication to the Council Conference was reconsidered.

Councilman Williams said he thought it would be well to refer it to the Convention and tourist bureau.

On motion of Councilman Williams, seconded by Councilman Kerrigan, the communication was referred to the Convention and Tourist Bureau.

Communication from City Beautiful, 649 Albion, San Diego, 6, dated January 17, 1956, signed by Mrs. Raymond E. Smith, president, was presented. It calls the Council's attention to the inadequacy of trashcans in the City, and cites as an example Garnet Street in Pacific Beach, where there is not one trashcan on the busy thoroughfare. It suggests that the trashcan service be increased to other sections than just downtown.

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

Communication from H. C. Conway, 4504 Louisiana St., San Diego 16, dated January 20, 1955, was presented. It tells of need for information to the citizens, particularly in view of annexation election in South Bay area. (The annexation election had failed to carry, prior to presentation of the letter to the Council.

On motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

Copy of letter from the Joint Interim Committee (of the State Assembly), signed by Wanda Sankary on Transportation Problems, was presented. The original was addressed to the City Manager in connection with meetings to be held on January 30 and 31, 1956.

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

Communication from Julian Pohl, 2310 Fifth Avenue #1, San Diego 1, dated January 20, 1956, was presented. It refers to the disposal of "waste" sewerage water. Councilman Kerrigan moved to file the communication. It was seconded by

Councilman Curran.

Councilman Williams said that would be referred "to the committee".

Councilman Kerrigan moved to refer the communication to the City Manager.

The City Manager read to the Council from the letter.

Mayor Dail said that it should be checked out, and that maybe it should be referred to Conference.

Councilman Williams said that the Council was to refer it to the City Manager, for committee recommendation.

On motion of Councilman Williams, seconded by Councilman Kerrigan, it was referred to the City (the original motion was not withdrawn, however).

Communication from Food Basket, by Gerald A. Awes, president, 5258 Anna St., San Diego 10, dated January 24, 1956, was presented. It tells of having a lease with J. M. B. Development for a market at 955 Catalina Avenue, having applied to the A.B.C. Board for beer and wine license with the thought in mind that beer and wine sales were to be permitted in RC Zone, but not hard liquor. It says license was issued last week, and question has been raised as to whether even beer and wine sales were permitted (in that zone). It asks for an interpretation.

City Attorney J. F. DuPaul said that Planning should answer the letter.

The City Manager said that answer should originate with the City Attorney.

On motion of Councilman Williams, seconded by Councilman Kerrigan, it was referred to the City Attorney, for him to answer.

Communication from San Diego Anti-Litter Committee, dated January 24, 1956, signed by MacArthur Gorton, Jr., was presented. It requests a \$1500. per annum budget allocation, to combat unsightliness and litter in San Diego.

RESOLUTION 130988, referring to Budget Conference communication from San Diego Anti-Litter Committee asking for allocation of \$1500, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION 130989, directing the City Clerk to make a canvass of the votes cast at the Special Annexation Election, held 24th day of January, 1956, for annexation to the City of San Diego of the South Bay Tract, and to certify results of canvass to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The next item, which had been continued from meeting of January 24, 1956, was presented. It was a Resolution prohibiting parking of automobiles at all times on the north side of San Luis Ray Place, between Boulevard and Bayside Lane.

Councilman Burgener said that Reading (James Reading, Traffic Engineer), will be back on Monday, and the resolution should be continued again.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was continued to the meeting of February 2, 1956.

RESOLUTION 130990, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of a public freeway: i.e., a limited access highway, and construction, operation and maintenance of public streets across portions of Lots 1, 2, 3 Block 6 Asher's Clover Leaf Terrace; Lot 5 in Pueblo Lot 255, and Pueblo Lots 256, 263, 271 and 234; Lots 2 to 10 inclusive Lots 19 to 24 inclusive, and Lots 54, 57, 78, 79 and 82, all in Boulevard Gardens; Lots "B", "A", 1, 2, 3, 4, 5, 6, 13, 14, 15, 16 in Block "A", Lots 15 and 16 in Block "B", Lots "C", "D", 1, 2, 3, 4, and Lots 21 to 32 inclusive, in Block 1, and Lots 17, 18, and 32 Block 2, all in Weeks' Addition; also access rights in and to Lots 17, 18, 19, Block 1 Weeks' Addition; and that public interest, convenience and necessity demand acquisition of fee title through, along and across property to be used by the City for construction of the public freeway and public streets; declaring inten-

tion of The City of San Diego to acquire said property under Eminent Domain Proceedings; directing The City Attorney of The City of San Diego to commence action in The Superior Court of The State of California, in and for the County of San Diego, for purpose of condemning and acquiring said property, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

RESOLUTION 130991, urging the Honorable Goodwin J. Knight, Governor of the State of California, to call a special session of the State Legislature for the purpose of creating a Department of Water Resources and studying and resolving the water problems as they exist throughout the State, and of equalizing the distribution of the water supply of the State, where needed, was on motion of Councilman Curran, seconded by Councilman Williams, adopted.

Resolution in connection with Colorado River Water, charge for extension to member agencies of the San Diego Water Authority, was presented.

The City Manager asked that it be referred back to him.

On motion of Councilman Curran, seconded by Councilman Williams, referring the Resolution back to the City Manager - to be re-written, was adopted.

RESOLUTION 130992, authorizing and empowering City Manager to do all work in connection with installation of Cathodic Protection Station on El Capitan Pipeline near Trestle No. 4, near Survey Station 971+75, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

To be done by City forces.

RESOLUTION 130993, authorizing and empowering City Manager to do all work in connection with replacement of 9 of the 26 runs of ornamental street light cable in Talmadge Park Lighting Districts 2 and 3 by City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130994, authorizing and empowering City Manager to do all work in connection with construction and equipping of 2 rooms for curing and preparing concrete test cylinders, and installation of 2 additional work benches, in Building 33, at 20th and B Streets, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130995, authorizing City Manager to employ M. H. Golden Construction Company to do work at intersection of Quince and Haller Streets, etc., in connection with 1911 Street Improvement Act Proceedings, Drawing 12041-L, cost not to exceed \$999.73 payable from Ordinance 5341 (New Series), was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 130996, authorizing City Manager to employ A. R. Kingaard to construct retaining wall to protect Lots 27 and 28 Block 4 Carmel Heights, in connection with 1911 Street Improvement Act proceedings in alley said block, cost not to exceed \$432.92 payable from Ordinance 5341 (New Series), was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 130997, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego, with Kasimir J. Tarnowski and Anne T. Tarnowski, 6319 Camino de la Costa, La Jolla, subdivider of Hotel Block Morena, for install-

ation of mains and appurtenances larger than necessary for the subdivision (Jellett Street from Frankfort Street to Galveston Street) made at request of City and for reimbursement by City to subdivider of \$1573.65 for difference in cost of installation of larger mains as requested by the City, upon execution and delivery to the City of Quitclaim Deed conveying to the City all right, title and interest in and to water distribution system, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

RESOLUTION 130998, authorizing and empowering City Manager to execute, for and on behalf of the City of San Diego, a cancellation of lease entered into with William G. Littón, Andrew Rock and George E. Leonard, Document 407405, for portion of Model Yacht Club House, cancellation filed as Document 528721, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 130999, authorizing San Diego Gas & Electric Company to install 29 6000 lumen street lights, and 2 10,000 street lights, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131000, 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 16 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131001, 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 1242, together with all penalties and other expense in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131002, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of West Half of Southwest Quarter of Pueblo Lot 1199, together with all penalties and other expense in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131003, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 8 Block 1 La Jolla Beach, together with all penalties and other expense in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

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RESOLUTION 131004, granting revocable permit to L. C. Anderson Co., 3040 Hancock Street, San Diego, to install and maintain access steps to building at 3030-3040 Hancock Street, for use and benefit of owner's property, in Hancock Street, 4 feet out from property line into City Street: Lots 1 to 6 inclusive Block 373 E. O. Rogers Subdivision of Blocks 370, 373, 367, 366 Old San Diego, Map 429, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131005, granting revocable permit to Bank of America National Trust & Savings Association Trust Department, P.O. Box 1631, San Diego 12, California, to install and maintain transformer vault and accessories for use and benefit of owner's property over, under and across B Street at 6th Avenue, on southwest corner: Lot L Block 18 Horton's Addition, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131006, granting revocable permit to Security Trust and Savings Bank of San Diego (Dan C. Dickinson, Vice President): 5th and E, San Diego, to install and maintain adjustable metal louvres for use and benefit of owner's property over 4th Avenue on owner's building from University Avenue, 100 feet north, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 131007, granting Joseph A. Adams, 4015 Hillcrest Drive, San Diego, permission to operate 1 Ambulance, subject to compliance with all provisions of San Diego Municipal Code pertaining thereto; directing Chief of Police and City Clerk to issue certificate of public convenience and necessity, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 131008, granting William E. Miller, 903 Prospect Street, La Jolla, California, for permission to operate 1 additional taxicab, subject to compliance with all provisions of the San Diego Municipal Code pertaining thereto; directing Chief of Police and City Clerk to issue certificate of public convenience and necessity, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 131009, granting application of Rex Taylor, Vice President, Saunders National Car Rental Service (General Automobile Company, Inc.), permission to operate 6 U-Drive automobiles for hire; directing Chief of Police and City Manager to issue certificate of public convenience and necessity, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 131010, commending and congratulating Hoyt E. Ray for his scholarly activity as a citizen of the City in publishing his exceptional article "Communists Fight for Mind of Man" in the magazine National Republic, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

RESOLUTION 131011, accepting quitclaim deed, executed on 16th day of January, 1956, by L. B. Butterfield and Edna L. Butterfield, 1211 South 32nd Street, 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 Amantea Mar Vista, ~~either within or without~~, being subdivision of portions Lots 145 and 193 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 County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 131012, accepting quitclaim deed executed on 16th day of January, 1956, by L. B. Butterfield and Edna L. Butterfield, 1211 South 32nd Street, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways, and public places, either within or without the subdivision named Loma Mar Vista, being portion of Pueblo Lot 145; 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 Curran, adopted.

RESOLUTION 131013, accepting quitclaim deed executed on the 14th day of January, 1956, by Kasmir J. Tarnowski and Anne T. Tarnowski, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Hotel Block Morena, a subdivision of block delineated and designated as "Hotel"; 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 Curran, adopted.

RESOLUTION 131014, accepting quitclaim deed executed on the 10th day of January, 1956, by The Starmar Corporation, a corporation, Yuma Realty & Investment Co., a corporation, and the Leston Corporation, a corporation, 9325 El Cajon Boulevard, La Mesa, 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 Mission Heights, being subdivision of portion Pueblo Lot 1174; authorizing 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 Curran, adopted.

RESOLUTION 131015, accepting quitclaim deed executed on the 17th day of January, 1956, by Robert R. West and Clara L. West, and Josiah W. Smith and Vivian G. Smith, 3403 Cooper Avenue, San Diego, quitclaiming all water mains and structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, subdivision named Ridge View Manor, being portion of Lot 12 Ex-Mission Lands of San Diego (Horton's Purchase); authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 131016, accepting subordination agreement, executed by John V. Cramer and Inez Cramer and Alfred J. Pass, beneficiaries, and Pacific Coast Title Insurance Company, a corporation, trustee, January 17, 1956, subordinating all right, title and interest in and to easement for right of way for construction, etc., of storm drain, or drains and appurtenances in portions of Lots 29, 30, 31 Block 52 C. D. Carr'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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 131017, accepting patent of the State of California, January 6, 1956, conveying Township 18 South Range 2 East; authorizing and directing City Clerk to file the patent, 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 Curran, adopted.

RESOLUTION 131018, accepting patent of the State of California, January 6, 1956, conveying Township 18 South Range 2 East; authorizing and directing City Clerk to file the patent, 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 Curran, adopted.

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RESOLUTION 131018, accepting deed of Robert E. Clark and Henrietta Clark, January 12, 1956, conveying Lot 16 Block C 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 131019, accepting deed of Joseph Kaiser and Clara Kaiser, January 13, 1956, conveying easement for right of way for public street and incidents thereto in portion Lot 14 Block 17 Encanto Heights No. 2; naming easement Cardinal 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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 131020, accepting deed of Willie J. Walker and Lola M. Walker, December 29, 1955, conveying easement and right of way for storm drain, or drains and appurtenances, in portions of Lots 29, 30, 31 Block 52 C. L. Carr'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 Kerrigan, seconded by Councilman Curran, adopted.

RESOLUTION 131021, accepting deed of Herbert R. Yost and Leona A. Yost, January 10, 1956, conveying permanent easement and right of way for water main or mains, together with any and all fittings, structures, and appurtenances in, portion Northwest Quarter of Pueblo Lot 1785; 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.

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 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 6841 (New Series), appropriating \$5,000.00 out of Capital Outlay Fund, for furnishing and installation of northern hard maple floor in gymnasium at the Pacific Beach Community Center, at Diamond and Gresham Streets, was on motion of Councilman Curran, seconded by Councilman Williams, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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 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 6842 (New Series), appropriating \$990.00 out of Unappropriated Balance Fund for 36 condemnation title reports in connection with proposed condemnation of land needed for proposed convention hall, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Curran, Evenson. Mayor Dail. Nays-None. Absent-Councilman Schneider.

In connection with the next item, Councilman Burgener said he had a question. Councilman Kerrigan replied that the City Manager said that "it is to tether boats".

The City Manager told the Council that it is a simple ordinance, in which Leo Callan, Park and Recreation Director, designates areas for Boat Beaching.

On motion of Councilman Williams, seconded by Councilman Burgener, Ordinance amending Section 63.20.9 of The San Diego Municipal Code regulating Boat Beaching Areas, was introduced, by the following vote: Yeas-Councilman 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.

The Planning Director explained it to the Council.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of La Jolla Highlands Unit No. 2 (formerly La Jolla Alturas), subject to posting of adequate bond to insure installation of required improvements, unless they have been completed and approved by the City Engineer, was presented.

The City Manager requested, and was granted, unanimous consent to present the next 2 items, not listed on the Agenda:

RESOLUTION 131022, authorizing and directing City Manager to execute for and on behalf of The City of San Diego, a contract with La Jolla Highlands, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for La Jolla Highlands Unit No. 2 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 Williams, adopted.

RESOLUTION 131023, adopting Map of La Jolla Highlands Unit No. 2 Subdivision, being portion of Pueblo Lots 1298 and 1299; accepting on behalf of the public Dunaway Drive, Glenwick Lane, Bordeaux Avenue, Glenwick Place, and portion of Torrey Pines Road, together with any and all abutters rights of access in and to Torrey Pines Road, adjacent and contiguous to Lots 16 to 22 inclusive and Lot 66 as shown on the map, and the unnamed easements shown for public purposes; declaring them to be public streets, portion of public streets, together with access rights, and 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 all streets, portion of public street, together with any and all abutters rights of access in and to Torrey Pines Road, adjacent and contiguous to Lots 16 to 22 inclusive, and Lot 66 shown on the map, and the named and unnamed easements dedicated are accept on behalf of the public as stated; directing City Clerk to transmit the map to the Clerk of the Board of Supervisors of the County of San Diego, California, was on motion of Councilman Evenson, seconded by Councilman Williams, adopted.

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

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

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

1/31/56

REGULAR MEETING

Chamber of the Council of the City of San Diego, California
Tuesday, January 31, 1956

PRESENT-Councilmen Williams, Kerrigan, Curran, Evenson, Mayor Dail

ABSENT--Councilmen Burgener; Schneider (in Mexico as the City's representative on goodwill tour)

Clerk---Fred W. Sick

The Mayor presented Reverend R. E. Delafield, of the Ocean Beach Seventh Day Adventist Church, who gave the invocation.

Ordinances and Resolutions for this meeting are recorded on Microfilm Roll 107.

On motion of Councilman Kerrigan, seconded by Councilman Curran, minutes of the regular meetings of Tuesday, January 24, 1956 and of Thursday, January 26, 1956 were approved without reading, after which they were signed by the Mayor.

Purchasing Agent reported in writing on 5 bids opened January 27, 1956, on 1911 Act proceedings for paving and otherwise improving Treat and 28th Streets.

On motion of Councilman Kerrigan, seconded by Councilman Williams, bids were referred to the City Manager and City Attorney for recommendation.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 130461 for paving and otherwise improving Alleys Blocks 29 and 30 Ocean Beach, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 130462 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, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Curran, seconded by Councilman 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 130463 for paving and otherwise improving of Birch Street, the Clerk reported written protests from M. F. Wagner and others, Mrs. Jessie Wagner, Nathaniel Buckmaster.

The Mayor asked if anyone desired to be heard.

Mrs. Jessie Wagner protested, and said that cost of the work would create a hardship on many. She said that there are mostly shacks on Birch, and the owners could not afford the improvement. She said that Birch Street was in a terrible condition, but is better now.

Meeting convened
Invocation
Minutes approved
Hearings
Report on Bids

The City Engineer told the Council that there was a 60.3% petition; a 25.6% protest, none of whom were signers of the petition to have the work done.

Mayor Dail pointed out that improvement had been petitioned for by property owners; none of the protestants had signed the original petition asking for the paving. He said it was a majority petition, which the City did not instigate.

Mrs. Wagner said that now property owners want to change the situation, regarding the cost.

Councilman Kerrigan moved to adopt the 6-vote resolution of feasibility.

The Mayor and the Clerk reported that the hearing was on the Resolution of Intention (not the preliminary determination)

Councilman Burgener entered

RESOLUTION 131024, overruling and denying protest of Property Owners against proposed improvement of Birch Street, Resolution of Intention 130463; overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Evenson, adopted.

On motion of Councilman Williams, 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 Preliminary Determination 130578, for paving and otherwise improving Main Street, Dalbergia Street, Osborn Street, Cottonwood Street, Eta Street, 40th Street, 41st Street, 42nd Street, Alley Block 2 Nordica Heights, Alley in Block 6 Nordica Heights No. 2, Alley Block 498 H. H. Dougherty's Subdivision, and Public Rights of Way, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

George G. Peters, owner of Lots 3 and 4 Block 10, asked if it is proposed to come through the alley or the so-called Cottonwood Street. He told of grade having been raised.

Mayor Dail told of the many meetings which had been held in the area, during time he was councilman from that district.

Mr. Peters asked the City Engineer how wide.

The City Engineer replied that it is an alley, 20 feet wide; it has been closed.

Mr. Peters asked what it is - under this job. He said the City is claiming 20, 40 and 60 feet.

The City Engineer said that it has been closed, and is no longer a street. He said a part would be used; it was originally 40 feet.

Mr. Peters said that according to the profile it is 60 feet; the ditch was 15 feet, is now 20 feet deep. He said it has an 11-foot base, and is 35 feet back from the center line.

Mayor Dail said that there are 3 engineers here (Capt. Fogg, City Engineer; Willard Olson, of the City Engineer's office; Bernard Eckenrode, of the City Engineer's office).

Mr. Eckenrode said there is a 15-foot cut; "throwing out 40 feet". He said it would be closed to traffic, after ditch drain goes in.

There was discussion between Mr. Peters and Mr. Eckenrode, during which Mr. Eckenrode explained further.

Mr. Peters said that he protests against the open ditch as being unsafe; it is 31 feet to the top of the grade. He showed a photo, which he explained to the Council as he pointed out features not seen by the clerk. He said it is 51 feet 4 inches, according to the way he figures it. Mr. Peters wanted to know the cost of a chain link fence. Mr. Eckenrode addressed his replies to Mr. Peters.

The next speaker identified himself only as Hodgson, at Nordica and 42nd. He said he wanted information about the acquiring of the land and how much is to be paid for it. He asked where the dirt is to be put.

Mayor Dail said that the City is asking for easements, without payment.

Mr. Eckenrode said that the City would not pay for the easements, unless it has to.

Mr. Hodgson said there is no alley; he has title to the property, and has fruit trees on it.

Councilman Burgener told Mr. Hodgson that it would be a matter of giving the land, or going to court.

Mr. Hodgson asked how it is proposed to connect up to the present underpass at 43rd. He said the pipes should be extended, covered up and paved. If it is a ditch, he said, it will decrease the value.

Mayor Dail said if it were to be done so as to run up the cost, it would make a majority protest.

Mr. Hodgson said that by the time the work is done, it would cost as much as to cover.

Mayor Dail spoke to Mr. Eckenrode and asked that the added cost would be.

Mr. Eckenrode answered that the cost of a closed conduit would be 3 times the cost of an open ditch.

Mayor Dail said that today's hearing is on the debt limitation.

Mr. Hodgson asked what means would be used to connect the ditch to the 3 tiles.

Mr. Eckenrode said that he can show the plans. He took property owners to the office of the City Council to show them the plans. The hearing was continued, temporarily, and will be found listed again near the end of these minutes.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 130579 for paving and otherwise improving Seminole Drive, Acorn Street, 63rd Street, Public Rights of Way in Lots 20, 21, 22 La Mesa Colony, etc., the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

Resolution of feasibility was adopted, but is not shown. A property owner appeared, and talked to the Council on the hearing which follows, but it developed that it concerned this one. As a result, the next hearing was interrupted, and the Council action reconsidered.

George Pallas, 4645 Seminole Drive, said he is not protesting the paving - but the assessment. He said there are 3 streets that dead end, and there is also a parallel street. He told of having seen the plan for golf courses; streets are dead-ended, and Seminole Drive would have to be used. He said "they" should share in the assessment.

The City Engineer exhibited plats, and talked to Mr. Pallas. He said Seminole Drive (Mr. Pallas' statement) is almost a thoroughfare and since "they must use it, they should pay.". He said there is to be a school built on Seminole.

The City Engineer spoke of there being a large assessment on the diagram. He explained from the plan. He said he has "gone back a long way for the assessment district." He stated that there was a petition of 58.6% for the work.

Councilman Kerrigan said that it would be no different procedure than others.

The City Engineer told the Council that it is a peculiar-shaped tract.

Willard Olson, of the City Engineer's Office, said that it is "going far back".

Mr. Pallas asked if it is far enough. He looked at a plat shown by the City Engineer. They had a discussion over the plat.

Councilman Kerrigan said that the law requires assessment to go a 1/2 block. He discussed with Mr. Pallas the method of assessing. He said that the City has to follow all the provisions of the 1911 Act.

Mr. Pallas said he protests the fairness of method of paying.

Councilman Kerrigan discussed with Mr. Pallas an access street.

The City Engineer said that if there is an attempt to open up and take in much property it might vitiate the proceedings. He said that proceedings can't be varied without abandoning the project.

The Mayor said that the Council could not abandon the project, because it does not have protests to warrant such action. He said that hearing will be held on the assessment after job is done.

Councilman Kerrigan told Mr. Pallas that the Council is faced with the desires of the majority.

Mr. Pallas said he is in favor of the paving; he was not told what the assessment will be.

RESOLUTION 131025, overruling and denying protest of George Pallas against proposed improvement of Seminole Drive, Acorn Street, 63rd Street, Public Rights of Way in Lots 20, 21, 22 La Mesa Colony, Resolution of Preliminary Determination 130579, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131026, determining that improvement of Seminole Drive, Acorn Street, 63rd Street, et al., Resolution 130579 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 Assessment 2430 made to cover costs and expenses of paving and otherwise improving Wawona Drive, Resolution of Intention 122704, the clerk reported written appeals.

It was at this point that George Pallas spoke, when he should have been on the preceding hearing. Since it was pointed out to Mr. Pallas that this was not the job, and proceedings are shown in full where they should have been considered, they will not be shown here.

The Clerk said that appeals in writing were from Edna R. Shaw, Lester L. Wittenberg, and J. C. Peirce.

The Mayor inquired if anyone was present to speak on this hearing.

Les Wittenberg said he was not protesting the paving - but the assessment. He said that assessment is \$297.66; people facing Wawona are paying little more. He said his lot value had been damaged because of the alley being closed. He said there is a 10-foot drop to the alley, and identified property as being Lot 2 Block 8.

Willard Olson, of the City Engineer's office, explained the property and the assessment from a plat.

Mr. Wittenberg said that people on Wawona will benefit more than the \$70.00 more their properties are assessed.

Mr. Olson explained assessment to Councilmen from the Assessment Roll.

Mr. Wittenberg said he was told it would be 40 or 45 (dollars, presumably).

Mr. Olson, from the records, said that he had given estimate of quite another figure.

Councilman Burgener asked Mr. Olson to "break it down".

Mr. Olson explained the assessment, in detail, to Mr. Wittenberg.

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

Mr. Wittenberg said that it is his opinion that the neighbors "are benefited more".

Councilman Kerrigan stated that the area assessment is regarding the neighborhood benefit.

Mr. Olson said that Capistrano (where Mr. Wittenberg lives), was paved some 5 years ago. He said that for the Capistrano project some paid who could not use it.

Mr. Wittenberg's comment was that "there must be a better way to figure out the cost distribution".

There was continued discussion between Councilmen, Wittenberg and Mr. Olson, over benefits, effects, and assessments.

Mr. Wittenberg said that he bought the property regarding the price cost estimate.

Edna Shaw said that she is paying a high assessment; the closed alley was the only access. She said that it has been made a "cliff". He said her property is being assessed for something that does her no good. She told the Council that she works, and had to take a day off to come to this hearing.

Mr. Olson said that it is the same situation as that of Mr. Wittenberg; an area assessment.

Mrs. Shaw asked why the alley was closed. She said that it is almost impossible to get into her garage.

Councilman Williams in discussing the situation with Mrs. Shaw, said he wishes the street had not been cut down.

Mr. Olson showed a profile, and told the Council that there was an 8-foot cut, and a 10-foot fill.

Councilman Burgener discussed the assessments on the plat.

Mr. Olson said that all have to be treated the same.

Councilman Burgener asked if it is legal to have a different assessment on each side.

Mr. Olson said "some are 8 to 10 feet below".

The City Engineer told the Council that when the grade came to him, he refused to sign the plans. He said the engineering people went out and staked the property, etc. He said then property owners wanted the work, and that interviews were made of "front-age people".

Mrs. Shaw said that she can't use the improvement, yet she is assessed more than the neighbor on the other side.

Councilman Burgener asked, again, if it would be legal to have an area assessment - twice as much on 1 side as the other.

Aaron Reese, Deputy City Attorney, answered the Council that he would have to see what court cases on the subject are. He told the Council it "has to be careful" on that point.

Councilman Burgener asked that the City Attorney make a study regarding legality of 2 assessments - individual amounts on each side of the street.

Mrs. Shaw said that would be of no benefit.

Mr. Olson said that the street could be used.

There was discussion between Councilman Williams and Mrs. Shaw regarding payments by properties on improvements on another street.

Mr. Olson, answering Councilman Kerrigan, said that the assessment is \$9,214.87.

Councilman Kerrigan said "the Council has the right to do anything it wants; but it would have to stand up in court".

Councilman Dail asked if the Council wanted the item referred to Conference - to pursue it further.

Councilmen Burgener, Williams and Mr. Olson checked from the assessment roll on individual assessments.

Councilman Williams asked if it would be legal to continue the assessment hearing a week.

The Mayor's reply was "yes".

RESOLUTION 131027, continuing hearing Assessment 2430 made to cover costs and expenses of paving and otherwise improving Wawona Drive, Resolution of Intention 122704 until hour of 10:00 o'clock A.M., Tuesday, February 7, 1956; referring the assessment roll to City Engineer and City Attorney to ascertain legality of changing the assessment, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted.

Mayor Dail recognized City Manager O. W. Campbell, president of the State League of Cities and Richard Carpenter, Secretary of the State League.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2431 made to cover cost and expenses of paving and otherwise improving Guy Street, Resolution of Intention 123157, 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 131028, confirming and approving Street Superintendent's Assessment 2431 made to cover cost and expenses of paving and otherwise improving Guy Street, Resolution of Intention 123157; confirming and approving the Assessment; authorizing and directing the Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Curran, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2432 made to cover cost and expenses of paving and otherwise improving La Jolla Hermosa Avenue, Resolution of Intention 120406, 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 131029, confirming and approving Street Superintendent's Assessment 2432 made to cover cost and expenses of paving and otherwise improving La Jolla Hermosa Avenue, Resolution of Intention 120406; confirming and approving the Assessment; authorizing and directing the Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

At this time a majority of the members of the Council signed undertakings for street lighting with San Diego Gas & Electric Company, for furnishing electric current in:

Hearings

131027 - 131029

Lighting current contracts signed

El Cajon Boulevard Lighting District No. 1;
 Logan Avenue Lighting District No. 1;
 Montemar Lighting District No. 1;
 Pacific Beach Lighting District No. 2.

Application of Fred I. Stomberg dba Fred's Rental Service, 5921 Fairmount Ext., for license to operate 10 Trucks and Tractors for rental, was presented.

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

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Groff Manor, was presented.

Communication from Planning Commission, By Jack Van Cleave, recommending approval of Tentative Map of Groff Manor, a 26-lot subdivision of portion of north half of south half Lot 66 Horton's Purchase, located in southeastern portion of the city, westerly of 47th Street at Beta Street - access to be provided over westerly extension of Beta Street from 47th Street, was presented. It is subject to 14 conditions.

RESOLUTION 131030, approving Tentative Map of Groff Manor; suspending Section 102.17-c of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with Las Alturas No. 2, subdivision of Lot I Block 5, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map for 3-lot subdivision of portion Lot I Block 5 Las Alturas Unit 2; located on southerly side of Santa Margarita Street, between 54th and 55th Streets, within Zone R-4, was presented. It is subject to 6 conditions.

RESOLUTION 131031, approving Tentative Map of subdivision of portion Lot I Block 5 Las Alturas Unit No. 2; suspending Sections 102.02.1, 102.17-c of the Municipal Code, 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 Ocean Vista Gardens, resubdivision of Lot 36, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map for resubdivision of Lot 36, was presented. It is subject to 5 conditions.

RESOLUTION 131032, approving resubdivision of Lot 36 Ocean Vista Gardens into 2 lots; suspending Section 102.17-c of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map for resubdivision of Lot 37 Ocean Vista Gardens, on easterly side of Beta Street between 41st and Alpha Streets; frontage on both Beta and 41st Streets, was presented. It is subject to 6 conditions.

RESOLUTION 131033, approving Tentative Map for resubdivision of Lot 37 Ocean Vista Gardens, was on motion of Councilman Evenson, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of Tentative Map for 2-lot subdivision of Pacific Beach Block 275, Lots 1 & 2, was presented. It is subject to 5 conditions.

RESOLUTION 131034, approving tentative map of Pacific Beach, 2-lot subdivision of Lots 1 & 2 Block 275; suspending Section 102.17-c of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of Section 102.17-c of Municipal Code in connection with tentative map of Rancho Hills Estate, a 4-lot subdivision of portion quarter Section 82 Rancho de la Nacion, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Rancho Hills Estates, located on southerly side of Roanoke Street east of Sea Breeze, was presented. It is subject to 7 conditions.

RESOLUTION 131035, approving tentative map of Rancho Hills Estates; suspending Section 102.17-c of the Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Seebree-Gibson Tract, 2-lot subdivision of portion Pueblo Lot 1286 located on Lowry Place between Avenida Alamar and Lowry Terrace, was presented. It is subject to 7 conditions.

RESOLUTION 131036, approving tentative map for subdivision of portion of Pueblo Lot 1286, Seebree-Gibson Tract, was on motion of Councilman Evenson, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code in connection with tentative map of Sunny Slope Addition to Encanto Heights, Block 2 Lot 14, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map for 2-lot resubdivision of Lot 14 Block 2 Sunnyslope Addition to Encanto Heights, located in Encanto, frontage on Klauber Street approximately 300 feet northerly of Bittern Street, was presented. It is subject to 6 conditions.

RESOLUTION 131037, approving tentative map for resubdivision Lot 14 Block 2 Sunny Slope Addition to Encanto Heights; suspending Section 102.17-c of Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

The next item had been referred to the City-County Band Commission, and sent to Councilman Curran, a City member - and continued from the meeting of January 24, 1956 to this meeting.

RESOLUTION 131038, approving music events set out in communication from City-County Band & Orchestra Commission, Cletus W. Gardner, secretary, dated January 20, 1956 and filed as Document 528281, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD 131039, accepting bid of Walter H. Barber, and awarding contract for installation of sewers in Country Club Drive, Mimulus Way, Mint Canyon Path, Lobelia Path, et al., Resolution of Intention 129453, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 11.1% below the estimate.

RESOLUTION OF AWARD 131040, accepting bid of Merle Tryon, and awarding contract for grading and sidewalk on Pirotte Drive, Haniman Drive, McGann Drive, 52nd Street, et al., was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 21.8% below the estimate.

RESOLUTION OF AWARD 131041, accepting bid of V. R. Dennis Construction Co., a corporation, and awarding contract 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, Resolution of Intention 129590, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 13.3% below the estimate.

RESOLUTION OF AWARD 131042, accepting bid of Ets-Hokin & Galvan, a corporation, and awarding contract, for installation of ornamental street lighting system on 3rd, 4th, 5th, 6th Avenues, A, B and C Streets, Resolution of Intention 129591, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

City Engineer reported in writing that low bid is 23.6% below the estimate.

RESOLUTION OF AWARD 131043, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract for furnishing electric current in Crown Point Lighting District No. 1, for 1 year from and including February 1, 1956, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD 131044, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract for furnishing electric current in Garnet Street Lighting District No. 1, for 1 year from and including February 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 131045, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract for furnishing electric current in Presidio Hills Lighting District No. 1, for 1 year from and including February 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION OF AWARD 131046, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract for furnishing electric current in Sunset Cliffs Lighting District No. 1, for 1 year from and including January 1, 1956, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131047, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 9 Bird Rock by the Sea; Waverly Avenue; Public Right of Way in Lot 10 Block 9 Bird Rock City by the Sea; approving Plat 2811 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131048, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Montalvo Street, Clovis Street, Camulos Street, Mentone Street, West Point Loma Boulevard, et al; approving Plat 2805 showing exterior boundaries of district to be included in assessment; directing City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131049, directing notice inviting sealed proposals for furnishing

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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 Williams, adopted.

RESOLUTION 131050, directing notice inviting sealed proposals for furnishing electric current and maintenance in Mission Beach Lighting District No. 1, for 1 year from and including May 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 131051, directing notice inviting sealed proposals for furnishing electric current in Rolando Lighting District No. 1 for 1 year from and including April 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION ORDERING IMPROVEMENT 131052, for furnishing electric current in University Avenue Lighting District No. 2, for 1 year from and including March 1, 1956, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 131053, for installation of sewers in Alley Block 1 Buena Vista Tract and 42nd Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 131054, for paving and otherwise improving Grape Street, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION OF INTENTION 131055, for paving and otherwise improving Myrtle Avenue, 46th Street, Thorn Street, Menlo Avenue, Redwood Street, Public Rights of Way in Lots 25 and 26 Block 7, Lots 46, 47 and 48 Block 10, and Lots 7 and 8 Block 11 Bungalow Park Addition, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 131056, for paving and otherwise improving Poe Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 131057, for paving and otherwise improving Shasta Street and Crown Point Drive, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 131058, for paving and otherwise improving Alley Block 9 Bird Rock City by the Sea; Waverly Avenue; and Public Right of Way in Lot 10 Block 9 Bird Rock City by the Sea, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION 131059, for paving and otherwise improving Montalvo Street, Clovis Street, Camulos Street, West Point Loma Boulevard, Valeta Street, Famosa Boulevard, Soto Street and Mentone Street, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131060, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131061, ascertaining and declaring wage scale for storm drains and otherwise improving Reynard Way, Eagle Street, Upas Street, Curlew Street, Brant Street, Otsego Drive, Torrence Street, Pennsylvania Avenue, et al., was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131062, ascertaining and declaring wage scale for paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, et al., was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131063, approving diagram of property affected or benefited by work of improvement to be done on installing sanitary sewer in Rosecroft Lane, Silver Gate Avenue, Silver Gate Place and Public Rights of Way in Pueblo Lot 104, Resolution of Intention 127633, 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 Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131064, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 247 Pacific Beach, Resolution of Intention 126726 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Certificate of City Clerk, on results of canvass of Special Annexation Election, held on Tuesday, January 24, 1956, for annexation to the City of San Diego of the South Bay Area Tract, was presented.

(Results will be set out in the Resolution which follows, so will not be shown here).

RESOLUTION 131065, declaring result of special election held in certain inhabited territory designated as "South Bay Area Tract", in the County of San Diego, State of California, on Tuesday, January 24, 1956, upon proposition to annex territory to The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

The resolution states that the Council of The City of San Diego by Ordinance 6750 (New Series) adopted November 2, 1955, ordered a Special Election to be held on 24th day of January, 1956, for the purpose of submitting to electors residing therein question whether the territory in South Bay Area Tract shall be annexed to, incorporated in and made a part of The City of San Diego, and that property therein shall, after annexation, be subject to taxation equally with property within The City of San Diego to pay bonded indebtedness of the 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; the City Clerk at time and place provided by law and order of the Council has canvassed returns of the Special Election, and the result of the canvass has been certified to the Council and has been examined, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

The Resolution sets out the proposition voted upon. It states that the whole number of votes cast was 2073; number of votes given in favor of annexation is 862; number of votes given against annexation is 1205; that number of votes given in each precinct for and against the annexation is recorded in the Election Returns Book of The City of San Diego

and made a part of the record of the Council and shall be considered part of such record.

Resolution states that votes of less than one-half of voters of the territory voting at said special election were cast in favor of the annexation, and the measure is declared not to have carried. It directs the City Clerk to enter on the minutes of the Council showing the measure voted upon, the whole number of votes cast in the territory upon the measure, the number of votes given in the territory for and against the measure, and a state ment that the number of votes given in each precinct for and against the measure is recorded in the Election Returns Book; and to make results of the canvass of election returns public immediately by ~~making~~ publishing returns in the official newspaper of the City: The San Diego Union.

The proposition voted upon reads:

"Shall South Bay Area Tract be annexed to The City of San Diego, and the property therein be, after such annexation, subject to taxation equally with the property within said City, to pay the bonded indebtedness outstanding or authorized at the date of the said 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?"

In connection with the next resolution, Councilman Curran said that he had a question. He asked if what is stated in the resolution was the determination.

The City Manager replied that he had been instructed to prepare the resolution, regarding the total cost.

RESOLUTION 131066, stating that The City of San Diego shall not spend in excess of \$125,000.00 for and on account of the forthcoming public event to be known as Fiesta Del Pacifico, including the \$50,000.00 which has heretofore been appropriated for that purpose, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

RESOLUTION 131067, stating that member agencies of the San Diego County Water Authority have been purchasing from the San Diego County Water Authority portions of the Colorado River water to which the City is entitled as a member of the Authority to purchase and use; the member agencies have been paying to the City \$10.00 per acre foot, to reimburse the City for cost that the City has been required to pay to bring Colorado River water to the San Vicente Reservoir; the City Manager has recommended that reimbursement charges should be increased from \$10.00 per acre foot to \$12.50 per acre foot; declaring that from and after date of the resolution none of the waters of The City of San Diego obtained from the Colorado River, or to which the City is entitled, shall be sold to or delivered to any of the other member agencies of the San Diego County Water Authority except under and pursuant to an agreement made with such member agency seeking such water that it will reimburse The City of San Diego as a service charge to the extent of \$12.50 per acre foot for each acre foot of water sold and delivered by either the County Water Authority to said agency or by the City pursuant to the terms of agreement over and above \$12.00 per acre foot, which amount is established as The City of San Diego's cost for the purpose of resale or re-delivery of said water, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131068, 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 Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131069, authorizing and empowering City Manager to do all work in connection with relocation of certain water mains on Templeton Street and alley, in Linda Vista, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131070, authorizing and empowering City Manager to execute, for and on behalf of the City, an agreement with the San Diego Gas and Electric Company for joint use by the City and the Company of westerly 81.45 feet of easterly 118.09 feet of northerly 4.0 feet of Lot 3 Marcellena Tract and of southerly 6.0 feet of portion Lot 67 of Rancho Mission of San Diego, measured westerly along the northerly line of Lot 3 from southwest corner of Lot 164, Collete View Estates Unit 4, under terms and conditions set forth in Document 529078, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131071, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with H. H. Peterson of 2160 square feet of City-owned property at intersection of Naples and Knoxville Streets, for 5 years commencing January 1, 1956, at monthly rental of \$20.00 for construction and maintenance of a construction office; description of property and terms and conditions set forth in Document 529077; value of real property is \$700.00 as disclosed by report of last appraisal made by City Auditor and Comptroller, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

RESOLUTION 131072, approving Change Order 2, January 23, 1956, filed with City Clerk as Document 528744, issued in connection with contract between The City of San Diego and Raymond D. Haas for construction of 28th Street Pier Cafe and Landing Building, contract Document 521827; changes amounting to increase in contract price of \$67.50, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131073, authorizing and directing City Auditor and Comptroller to transfer \$100.00 deposit from suspense account to General Fund of the City, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

Resolution states that George O. Eshom requested that Lot 3 Block 393 Old San Diego, belonging to The City of San Diego, be put up for sale, and accompanied request by deposit of \$100.00 to cover costs as required by San Diego Municipal Code; the Property Supervisor advertised property for public auction; Mr. Eshom made no bid and the deposit was forfeited.

RESOLUTION 131074, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against westerly half of portion Pueblo Lot 1288, 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 Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131075, 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 141 of Morena, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds; was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131076, denying claim of Cleeta A. Atkinson, Document 525940, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

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RESOLUTION 131077, denying claim of Ione Heaton, Document 526610, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131078, denying claim of Wussaw Medical-Dental Building, Document 526595, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131079, authorizing 2 members of the Park and Recreation Department to attend the annual conference of California for Health, Physical Education and Recreation, Sacramento, California, March 23 through 26, 1956; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131080, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to John M. Spurlock and Hope Spurlock, portions of Lots 1, 2, 3, 4, 6 and 34 Block 2 Vernon Park, described in form filed in office of City Clerk as Document 529079; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be placed in an escrow opened for purpose of effecting exchange of properties, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted.

Resolution says that City is desirous of obtaining land in Lots 22, 23, 24 Boulevard Gardens, to be used for Naples Place and Morena Boulevard, together with 3 parcels of land in Block 2 Vernon Park, for street and alley use; the owners are willing to deed land to the City and pay to the City \$2,727.00 in exchange for quitclaim deed from the City for portions of Lots 1, 2, 3, 4, 34 Block 2 Vernon Park; value of property to be granted to the City is \$2,073.00; value of City property is \$4,800.00, and City Manager has recommended the exchange.

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

On motion of Councilman Williams, seconded by Councilman Kerrigan, reading in full 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 6843 (New Series), appropriating \$1,846.18 out of Capital Outlay Fund for additional funds for acquisition by condemnation of property for Moraga Avenue northerly from Balboa Avenue, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted, by the 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, the next ordinance was introduced.

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

ORDINANCE 6844 (New Series), establishing grade of Alley Block 14 La Jolla Hermosa and Block 14 Bird Rock City by the Sea, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

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

ORDINANCE 6845 (New Series), establishing grade of Alley Block 44 Tract 1368, between north line of Trojan Avenue and southerly line of El Cajon Boulevard, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

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

ORDINANCE 6846 (New Series), establishing grade of Bond Street, between northerly line of Grand Avenue and southerly line of Balboa Avenue, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

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

ORDINANCE 6847 (New Series), establishing grade of Figueroa Boulevard, between easterly line of Pico Street and northerly line of Grand Avenue, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

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

ORDINANCE 6848 (New Series), establishing grade of Hornblend Street, between easterly line of Pico Street and southwesterly line of Figueroa Boulevard, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

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

ORDINANCE 6849 (New Series), establishing grade of Magnolia Avenue, between easterly line of Pico Street and southwesterly line of Pacific Highway, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

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

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

ORDINANCE 6850 (New Series), establishing grade of Wightman Street, between westerly line of 52nd Street and line parallel to and distant 229.29 feet westerly therefrom, was on motion of Councilman Curran, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance amending Sections 72.02, 72.03, 72.05, 72.06 and 72.07 of the San Diego Municipal Code, regulating operation of Taxicabs, including Drivers, and Rates, was introduced by the following vote: Yeas-Councilmen Burgener, Williams, Kerrigan, Evenson, Mayor Dail. Nays-None. Absent-Councilman Schneider.

Hearing which had been continued, temporarily, on Resolution 130578 of Preliminary Determination for installation of sewers in Main Street, Dalbergia Street, Osborn Street, Cottonwood Street, Eta Street, 40th Street, et al., was brought up again.

Mr. Eckenrode, from the City Engineer's office, who had taken property owners to the Council offices for explanation, told the Council that he had gone over the plans when they were not here for this continued hearing). He said they are interested, now, in the tentative assessment.

Mayor Dail stated that there are hearings to follow.

Councilman Curran said that assessment will depend on acquisition (of rights of way for the drain).

The City Engineer stated that the acquisition is being carried out - outside of this proceeding.

Councilman Curran stated that Mr. Peters had said that he is not inclined to give an easement.

The City Engineer told the Council that the bond fund (to cover portion of cost of installation of the storm drain) can't be used for purchase of property to be used for easement. He said the City Attorney had ruled that would have to come from the Capital Outlay's.

Mayor Dail asked the City Engineer if he is ready to give an estimate.

The Engineer replied that he has a plan of the district; the plat shows different methods. He stated the various figures that might be used under different methods of levying assessments. They are shown in the notes, but not listed here.

Councilman Burgener said that before hearings, property owners should have ideas of the cost.

Henry Page said to the Council that what he saw of the plans, the project would take the biggest share of his property. He asked if it is taken, all would be taken.

The City Manager said that if most is taken, generally all is. He said that "if the Council acts, the City will start negotiating".

Mr. Page said that his reason for making the inquiry, is that he is ready to start building.

RESOLUTION 131081, overruling and denying protests of George G. Peters and Walter Hodson, against storm drains and sewers in Main Street, Dalbergia Street, Osborn Street, Cottonwood Street, Eta Street, 40th Street, 41st Street, 42nd Street, Alley Block 2 Nordica Heights, et al., overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

RESOLUTION 131082, determining that installation of storm drains and sewers in Main Street, Dalbergia Street, Osborn Street, Cottonwood Street, et al., is feasible and that lands to be assessed will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

6850 N.S.

Ord introduced

Hearing (which had been continued, temporarily)

Councilman Burgener spoke to people in the audience regarding Council action in connection with the preceding improvement hearing.

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

RESOLUTION 131083, authorizing and directing City Auditor to advance necessary moneys from the General Fund to meet any obligations of contracts incurred by the City, in connection with the new pier for which bonds have been voted, and to reimburse the General Fund out of proceeds derived from sale of the general obligation bonds as soon as they are received, in order that the General Fund may be reimbursed before the expiration of the fiscal year 1955-1956; repealing Resolution 129026 adopted October 11, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

The City Manager requested, and was granted, unanimous consent to present the next 2 items, not listed on the agenda:

RESOLUTION 131084, accepting deed of Joseph P. Hofman and Elizabeth D. Hofman, January 23, 1956, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom over and across easterly 4.00 feet of Lot 21 Block 420 Duncan's Addition; authorizing and directing City Clerk to file deed, together with certified copy of the resolution, for record in office of Recorder of San Diego County, was on motion of Councilman Williams, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131085, accepting deed of Joseph P. Hofmann and Elizabeth D. Hofmann conveying easement for right of way for public alley and incidents in portion Lot 24 Block 420 Duncan's Addition; dedicating the property for a public alley; 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.

The City Manager requested, and was granted, unanimous consent to present the next 3 items, not listed on the agenda:

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final map of Euclid Mesa, subject to posting of adequate bond to insure installation of required improvements, unless they have been completed and approved by the City Engineer, was presented.

RESOLUTION 131086, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with The Euclid Mesa Company, a partnership, for installation and completion of unfinished improvements and setting of monuments required for Euclid Mesa 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 Williams, adopted.

RESOLUTION 131087, adopting Map of Euclid Mesa Subdivision, being portion of southwest quarter of Lot 1, the east half of the southeast quarter of Lot 2 and portion of northwest quarter of Lot 15 of Ex-Mission Lands; together with all abutters rights of access in and to Euclid Avenue adjacent and contiguous to Lots 70 to 75 inclusive, and right of ingress thereto and egress therefrom over and across all lots shown on the map: Dafter Drive, Deaton Drive, Genesta Street, Fir Street, Oakshire Court, and Westover Place, portions of 50th Street, Elm Street and Euclid Avenue, together with access rights in and to Euclid Avenue, etc., together with easements; rejecting dedication for public street land shown as "Reserved for Future Street"; authorizing and directing Clerk of the City to endorse upon the map as and for act of the council, regarding acceptances and rejection; 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 Williams, adopted.

The City Manager requested, and was granted, unanimous consent to present the next 2 items, not listed on the agenda:

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

Communications

131083 - 131087 under U.C.

1/31/56

approval of final Record of Survey map of Resub Lots 21 to 24 Block 420 Duncan's Addition, was presented.

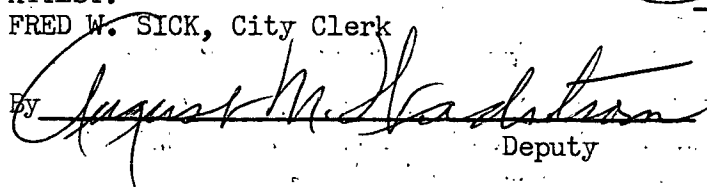
RESOLUTION 131088, approving filing of Record of Survey Map in lieu of Final Subdivision Map under Section 102.02.1 of The San Diego Municipal Code, on Lots 21, 22, 23 and 24 Block 420 Duncan's Addition, was on motion of Councilman Kerrigan, seconded by Councilman Williams, adopted.

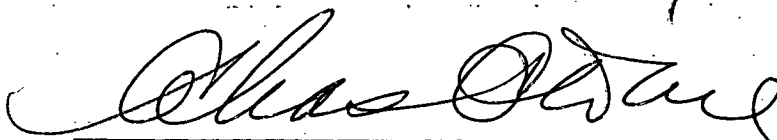
There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:22 o'clock A.M.

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, February
2, 1956

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

Ordinances and Resolutions are recorded on Microfilm Roll 107

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on appeal of Louise C. Ford and Euclid Lumber Co., Inc. from decision of Board of Zoning Adjustment denying permission to Mrs. Louise C. Ford, owner, and Euclid Lumber Co., Inc., lessee, to construct buildings and operate storage and sales facilities for lumber and building material on west side of Euclid Avenue, approximately 282 feet north of Market Street, on portion of southeast quarter of Lot 30 and portion of north half of northeast quarter Lot 41 Horton's Purchase, in Zones R-1, R-2 and C, finding of facts signed by D. E. South, Zoning Administrator, was read to the Council.

Councilman Burgener entered during reading of the finding

Answering the Mayor, Mr. South said that vote was 5-0 to deny.

The Mayor asked if changes in the area had been done by variances.

Paul Pierick, attorney for both appellants - who had requested the continuance last week, spoke. He said that the proposed use lies on Mrs. Ford's land. He identified the property. He told the Council that he understands that when raw land is taken into the City it is blanked into R-1 zone. He said that the property is divided by a wash that carries the rain. He said that the portion is in a draw and is not usable for R-1 purposes. He stated that the Zoning Board did not have all the facts; the plans had not been submitted. He said he has the plans, now. He stated that it would not be an open-type, corrugated shed (as reported in the finding of facts). He said there is no establishment for lumber within 2½ miles. He passed around a plan to members of the Council. He said it is true that there would be a storage building to the rear. He said it would be a better type building than others in the area. He passed around a plat of the property. He said that there is C-1 zone on Euclid. Mr. Pierick said there would also be a store, with portion for retail usage. He told the Council that he understands there have been objections from people to the north, to the north and east of the property. He stated that a portion of the Ford property has been planned for R-1 use, which would make a buffer. He showed a picture of the area, which he passed around. He stated that land is not level; the proposed site is not visible to residences to the west. He showed other photographs. He contended that view is blocked out. He said that there would be no effect on the land to the west; and land will not be developed as zoned. He told of having many other photographs, and said his clients are willing to comply with reasonable requirements: fence and planting. He said, upon being asked, that it would be lessee-operated. He and Councilman Burgener held a discussion. Mr. Pierick said there is a culvert on Market that cannot be used. He said that the north 300 feet can be utilized as R-1; it is the wish to develop the property and to put through a street. He said he thinks that if the item had been submitted fully, it would have been granted. He continued to pass around additional photographs. He stated that there is sound reason for the appeal.

Councilman Kerrigan said that it had taken 5 years to get rid of a wrecking yard. He said that if it is true, as said, the item should be referred back.

Mr. Pierick said, again, that there had not been complete plans.

Councilman Schneider stated that the report says it is not a hardship case.

Mr. Pierick said it is not a case of other property being available. He said that in the ordinance the surrounding land zoning does not come into the zoning question.

Mayor Dail asked if people were present at this hearing to protest.

There was no response.

Councilman Burgener asked how many written protests were on record.

Meeting convened
Hearing

2/2/56

Mr. South replied that a man telephoned from Oklahoma, and letters were sent to the City Clerk.

Harry Haelsig, Planning Director, told the Council that there are general planning problems. He said that 54th Street is to be a general thoroughfare. He corrected himself, and told the Council that it is Euclid Avenue at this point. He said that some widening has been acquired. He stated that it is a hazardous location, and there will be need for acquisition for Euclid.

Mr. Pierick said there would be a 40-foot setback, and that there are sewers on Euclid.

Mayor Dail asked if conditions have been set out.

Mr. Haelsig's reply was "no". He said Guymon portion is improved. He said there is another subdivision, and that Guymon will be widened. He showed a sketch.

Mr. Pierick asked how it would get across the draw.

Mr. Haelsig said that it would be by bridge or culverts. He said the property is unsubdivided.

Councilman Schneider moved to close the hearing. Motion was seconded by Councilman Evenson.

Councilman Kerrigan said that property is subject to development; to be fair, the item should be referred back, for use and for street designs.

Mayor Dail said that it should be indicated by the Council if it intends to overrule or grant.

Councilman Curran said that if Guymon Street is extended, it would be impossible for him to vote for it. He said that if it is not in the line of Guymon, he favors granting. He stated that it should be referred back to the Board, for writing of conditions.

Councilman Kerrigan talked about necessity for complete study of the area.

Councilman Schneider said that if the Council is going to take steps for this designation, that should be included on Market. He said that if that does not fit, there is need for study.

Councilman Burgener said that talking is going into an academic field; there is not enough of a planning staff to make the study.

Mr. Pierick told of providing a 40-foot setback, and grading. He said it was granted for Euclid widening; street was closed in 1949; there are bluffs; thought Guymon Street would not be opened. He said it begins nowhere, ends nowhere. He said buildings could be moved north, but that is a problem.

Mayor Dail said that properties have been zoned by variances - properties close by. He wondered about fairness on this property. He said that the Langley Corporation property was re-zoned.

Mr. Pierick said that he was in attendance at the Council meeting last week, at which time the drive-in theater hearing was held. He said there would be no objection to rezoning - to Market.

Mayor Dail said that not long ago there had been grant to the west.

Mr. Haelsig said that had been by re-zoning.

Mr. Pierick stated that his client is operating at the site of the Benson Lumber Co., and has to move out. He said that if it can be granted subject to rezoning, the rezoning request will be filed.

Councilman Kerrigan said that the corner of Euclid and Market is going to remain in C Zone. He said now they want to jump up north on Euclid and have M-1. He said that does not set a good pattern. He said it should go back, and be worked out.

Mayor Dail said several pieces are zoned M-1; it is spotted, and makes no sense. He said that area is not suitable for residential purposes, and that rezoning of the entire area probably would be proper. He said that would take time.

Mr. Pierick said that Mrs. Ford would file an application for rezoning; R-1 property will be developed.

Councilman Burgener said that appeal should be granted - subject to conditions.

Councilman Curran spoke to Councilman Burgener about future expansion. He said he prefers to see it done by variance, rather than developed by rezoning.

Councilman Curran moved to refer the papers back to the Board of Zoning Adjustment.

Mayor Dail said it should be referred to Mr. Haelsig and Mr. South and conditions be worked out - and the item continued 1 week.

Councilman Kerrigan said there should be final thought to development of the whole area; a study is indicated.

Mayor Dail said that if it is granted, it should be subject to conditions and granting of rezoning. He said that would take time.

Councilman Kerrigan said that it "is for protection of the people".

Mr. Haelsig said that subdivision would not be filed unless required.

Councilman Curran moved to refer the subject to the Planning Department for study and recommendation for granting variances and reference back to the City Council - to be available in 1 week.

Councilman Burgener stated that he will not be here 1 week from today.

Mayor Dail pointed out that conditions upon which appeal might be granted are not known

Councilman Curran said it is intended that the item be brought back for Tuesday - with conditions attached.

Councilman Burgener seconded the motion - with provision that it be brought before the Council and continued to a date 1 week from Tuesday

RESOLUTION 131089, referring to the Planning Department the appeal of Louise C. Ford and Euclid Lumber Co., Inc., by Higgs, Fletcher and Mack, attorneys, from decision of Board of Zoning Adjustment denying permission to Mrs. Louise C. Ford, owner, and Euclid Lumber Co., Inc., lessee, to construct buildings and operate storage and sales facilities for lumber and building material on west side of Euclid Avenue approximately 282 feet north of Market Street, on portion Southeast Quarter of Lot 30 and portion of north half of Northeast Quarter of Lot 41 Horton's Purchase in Zones R-1, R-2 and C, for study and recommendation on possible granting of variances; the matter to be again presented to the Council for meeting of Tuesday, February 14, 1956, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Councilman Kerrigan said that there should be no mistakes made - and he does not want it indicated that the Council will grant the variance.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed rezoning of Lots 558 to 563 inclusive Clairemont Manor Unit 4, from R-4 to RC1A, the Clerk reported no protests.

The Mayor inquired if anyone was present to speak.

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

RESOLUTION 131090, denying and filing petition of Mid-City Heights, Inc., asking that 6 lots along north side of Clairemont Drive between Merrimac Avenue and Cole Street, Lots 558 to 563 inclusive Clairemont Manor Unit 4, be rezoned from R-4 to RC-1A, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(The Commission had voted 2 to 2 to approve the rezoning).

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed rezoning of portion Lot 17 Rancho Mission, from RC to C, report from Planning Commission by P. Q. Burton, was read.

Petition for rezoning from RC to C is on approximately 2 acres on west side of 54th Street between Euclid Avenue and Haniman Drive. In addition to giving a detailed report, the Planning communication says that only reason contained in petition is that adjoining property is already in C zone in the county.

The Clerk reported no protests.

The Mayor inquired if anyone was present to speak. No one appeared.

Councilman Kerrigan observed that "it is RC".

Mr. Burton agreed.

Councilman Kerrigan asked if there could be parking lots.

Mr. Burton's reply was "yes".

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

The Mayor recognized Mr. Kuhlken, R. J. Dennis, and R. C. Neaves, who came to the microphone. He said it would be stipulated that they oppose the rezoning.

Councilman Curran asked if there is a grocery store.

Harry C. Haelsig, Planning Director, replied "right".

RESOLUTION 131091, denying and filing petition for rezoning from Zone RC to C approximately 2 acres of land on west side of 54th Street between Euclid Avenue and Haniman Drive, in portion Lot 17 Rancho Mission, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent on 2 identical bids for furnishing 75 Steel Sheet Piling - \$7.55 per cwt; total weight 276,500 lbs; was presented.

It recommends award to Columbia-Geneva Steel Division, United States Steel Corporation in accordance with bid and qualifying letter. It states that Harbor Commission concurs in the recommendation. Communication reports that purchase is to replace 75 pieces borrowed from Port of Long Beach for use on Harbor Department 10th Street Pier project.

RESOLUTION 131092, accepting bid of Columbia-Geneva Division, United States Steel Corporation for furnishing 75 steel sheet piling, according to supplementary letter dated January 19, 1956; 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 Curran, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending authorizing occasionally renting for various periods of time as needed, until June 30, 1956, a heavy dozer at \$50.00 per day, was presented.

RESOLUTION 131093, authorizing and directing Purchasing Agent to occasionally rent for various periods of time, as needed, until June 30, 1956, a heavy dozer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, approved by City Manager, recommending that bids - total of \$1,147.01 received from 2 high bidders - for sale of 4 houses located on Weeks Avenue and on Morena Boulevard, was presented.

On motion of Councilman Schneider, seconded by Councilman Curran, the report was filed. It states that money received has been deposited with the City Treasurer.

Communication from Planning Commission, by Harry C. Haelsig, recommending acceptance of final map of Aranda Heights, subject to posting of adequate bond to insure installation of required improvements, unless they have been completed and approved by the City Engineer, was presented.

On the fact of the letter this note, written in ink, appears:

"Required improvements have been completed and accepted."

ROBERT E. COBURN, Jan. 31, 1956, City Engineer Office".

RESOLUTION 131094, adopting map of Aranda Heights Subdivision, portions of Pueblo Lot 1257; accepting on behalf of the public Michaeljohn Drive, Aranda Avenue, Scarlati Place, portion of Nautilus Street, named and unnamed easements, together with any and all abutters rights of access in and to Fay Avenue and Nautilus Steeet adjacent and contiguous to Lots 18 to 28 inclusive; declaring them to be accepted and dedicated to public use; accepting improvements installed within the subdivision; 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 Schneider, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Alvarado Terrace, a 13-lot subdivision of portion Lot 23, Part-ition of Rancho Mission of San Diego, located adjacent to Alvarado Subdivision, northerly of Montezuma Road, subject to 13 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code in connection with tentative map of Alvarado Terrace, was presented.

RESOLUTION 131095, approving tentative map of Alvarado Terrace, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The resolution also suspending Secs. 102.11-1 and 102.74c of San Diego Municipal Code.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of Irving Terrace, a 4-lot subdivision of portion Pueblo Lot 1290, located in La Jolla adjacent to Ridgeview Road, now called La Jolla Scenic Drive, subject to 8 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion of Municipal Code, was presented.

RESOLUTION 131096, approving tentative map of Irving Terrace; suspending Sections 102.5, 102.17-c and 102.30 of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of La Jolla Hermosa Heights, a revised tentative map originally approved July 26, 1955 by Resolution 127611, was presented.

It makes approval subject to 12 conditions.

Communication from Planning Commission, recommending suspension of portion Municipal Code - signed by Jack Van Cleave - was presented.

RESOLUTION 131097, approving tentative map of La Jolla Hermosa Heights, a 10-lot subdivision of portion of Pueblo Lot 1773; suspending Sections 102.09-1 & 2, 102.17-c of the Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, by Jack Van Cleave, recommending approval of tentative map of La Jolla Mesa Terrace, 3-lot subdivision of portion Lot 6 Pueblo Lot 1782, within R-1 zone on west side of La Jolla Mesa Drive, southerly of Deerhill Court in Muirlands Panorama Subdivision, subject to 10 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, was presented.

RESOLUTION 131098, approving tentative map of La Jolla Mesa Terrace; suspending Sections 102.07-5 and 102.17-c of the Municipal Code, 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 Lawrence Manor, a 3-lot subdivision of portion of Pueblo Lot 148, located at southeast corner of Silver Gate Avenue and Dupont Street, subject to 6 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, was presented.

RESOLUTION 131099, approving tentative map of Lawrence Manor; suspending Sections 102.18-5 and 102.17-c of the Municipal Code, 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 Pacific Beach resubdivision of Lots 21 and 22 Block 216 into 2 lots, 1 fronting on Kendall Avenue and 1 a corner lot - at northwest corner of Hornblend Street and Kendall Avenue, Pacific Beach, in R-4 zone - subject to 4 conditions, was presented.

Communication from Planning Commission, by Jack Van Cleave, recommending suspension of portion Municipal Code, was presented.

RESOLUTION 131100, approving tentative map for resubdivision of Lots 21 and 22 Block 216 Pacific Beach; suspending Sections 102.18-3, 102.12-3, 102.12-4, 102.17-c of Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

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Communication from Planning Commission, by Jack VanCleave, recommending approval of tentative map for 2-lot subdivision of portion Pueblo Lot 1288, located on easterly area from intersection of Torrey Pines Road and Ardath Road in La Jolla, subject to 9 conditions, was presented.

Communication from Planning Commission, by Jack VanCleave, recommending suspension of portion Municipal Code, was presented.

RESOLUTION 131101, approving tentative map of portion Pueblo Lot 1288; suspending Section 102.17-c of the Municipal Code, was on motion of Councilman Curran, seconded by Councilman Burgener, adopted.

Communication from the City Manager, dated Jan. 31, 1956, reporting on petition from Mrs. Irene Oliver, 5548 Mesa Road, asking for permission to circulate petitions for annexing 232-acre portion of La Mesa Colony to San Diego, was presented. It says that the County Boundary Commission filed with the City Clerk of San Diego a notice that the same area has already filed for annexation to La Mesa. It says that until such time as proposed annexation to La Mesa is resolved, it would not be legal for City of San Diego to consider the annexation.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, all the papers were filed.

Communication from Street Superintendent, approved by City Manager, and Assistant City Manager's signature of approval, recommending granting petition for closing Clove Street between Udall and Tennyson Streets, was presented. It gives a detailed report of the street as it exists.

RESOLUTION 131102, granting petition for closing Clove Street between southwesterly line of Udall Street (formerly 21st Street) and northeasterly line of Point Loma Heights (Map 1106) as recommended by Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Associated Glider Clubs of Co. Calif., Ltd., 3917 Hawk Street, dated 25 January 1956, signed by Sterling V. Starr, president, was presented. Communication says that it has come to the attention of the club, the only soaring club in San Diego County and most active club of its type in Southern California, that the City Planning Commission is proceeding with plans to build a golf course on Torrey Pines lands leased to the club by the City for use as a glider port, and that information does not coincide with earlier reports that it would be sometime before the golf course construction would in any way interfere with operations at the site. It tells of the historical importance of the area related to the sport, and of Pacific Coast Midwinter Soaring Championships the last weekend in February. It asks for immediate notification of any change in of status of present lease.

The communication was read to the Council.

Councilman Schneider moved that it be referred to the City Manager.

Councilman Burgener asked about interference.

The City Manager said to the Council that it had been discussed this morning. He repeated that "it has been discussed".

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

Communication from Mrs. Gordon Fuller, 1910 Robinson, dated Jan. 26, 1956, relative to need for water in this area, fertilizer to supplement deficiency in the soil, sewage reclamation, etc., was presented.

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

Communication from Pacific Power Boat Club, incorporated, of San Diego, California, dated January 31, 1956, requesting that a spokesman for the Club be allowed to present to the Council today a resume of the Club's prospective activities in connection with Power Boat Racing in San Diego, and problems involved concerning use of the "Floodway" for such activities, was presented. The letter was signed by S. A. Foushee, Vice Commodore.

B. D. Hunt, representing the Club, which represents San Diego in national racing, spoke to the Council. He stated that the club had run up against a few obstacles. He said that the flood control channel seemed to have no value until the club got there; now it is valuable. He said there is a program, and that there is a controversy on the style of the lease. He said plans show adequate racing plans - to Pacific Highway. He said such plans should bring bigger classes (of boats). Mr. Hunt said that anything that is done should be so that it could be retrieved. He said it is a big event (one planned) - one of the biggest in the nation. He said there is need for a building for that reason. He told the Council that the Club owns a quonset hut; a couple of architects in the Club are willing "to doll it up". Mr. Hunt said there should not be a charge of "so much per head on the entertainment". He said he wants something brought to a conclusion, so the building can be used. He said it is temporary; the club wants to carry on.

Councilman Burgener asked Mr. Hunt if the building would be on a slab.

Mr. Hunt replied "no; it is 20' x 28'".

Councilman Burgener said that effort should be made to accommodate the club on a temporary basis.

The City Manager said that it is a question of moving; it is the Planning Department's policy not to authorize quonset huts except for commercial purposes.

Councilman Kerrigan asked about changing ordinance.

Mr. Haelsig said the ordinance should not be changed; it is a matter of buildings in Mission Bay. He told the Council that he did not want to approve a quonset hut in Mission Bay. He said the subject should be referred to the Board of Architectural Review.

Councilman Kerrigan pointed out that the ordinance requires approval.

The City Manager stated that several departments have to approve.

Mayor Dail said that the ordinance is a good, sound one. He said that it would have to go through departments of the City before being approved. He reiterated that the ordinance is all right.

Councilman Schneider asked if the club is bound to the quonset hut.

Mr. Hunt said that the club owns it.

Councilman Schneider stated that it could be sold.

Mr. Hunt said that it is on Navy property, and that the Navy wants it off.

Councilman Schneider pointed out to Mr. Hunt that the running around should have been done before the quonset hut was bought.

Mr. Hunt said that it was stalled by the Commission; they were told that they would have "to come here".

Councilman Burgener stated that it would not be permanent. He pointed out that it will be some time before the east portion of the Bay is dredged.

Asked how this could be accomplished, Aaron Reese, Deputy City Attorney, said that it would be necessary to get a moving permit.

Councilman Burgener asked how.

Councilman Kerrigan said by changing the ordinance.

Mayor Dail said it could be granted on a temporary basis. He said there was a letter for a time basis - subject to removal on a 30-day basis. He said that as it was presented to him, it would be temporary. He said he would go along on a temporary basis - very temporary.

Councilman Burgener told the Council that the club had been requested by the fiesta people (Fiesta del Pacifico) to stage the show.

There was discussion between Councilman Burgener, the City Manager, and Mr. Reese.

Mayor Dail said that it is a good policy regarding there being no quonset huts on Mission Bay.

Councilman Kerrigan said he finds out that this item has not been to the Planning Commission.

Councilman Burgener asked why the item could not be heard next Wednesday.

The City Manager told the Council that there are problems regarding dirt (to

be brought in). He said he does not know about utilities plans, sewers, etc.

Mr. Hunt told the Council that the club went to the area as a favor to the City and to the public.

Councilman Schneider asked about the utilities.

Mr. Hunt replied that there has to be contracts for them.

Councilman Schneider asked about reference to the Planning Commission and to the City Manager.

Mr. Hunt said that it is being "done for the City".

Mayor Dail said that the subject should be referred to the City Manager.

Mr. Hunt said that the club members can't stand around and say that the event (referred to earlier) will be taken to Long Beach.

Councilman Curran said it should be "on a certain basis; not on sewer".

Councilman Schneider moved to refer the item to the City Manager, for him to consult with Planning. Motion was seconded by Councilman Curran.

Councilman Burgener asked if there would be any recourse, if turned down.

Mayor Dail said it should be referred to the City Manager - for a report back.

Mr. Foushee, thought to be the writer of the letter, stated as had been said before, that the club owns the quonset hut. He said the proposal had been displayed to the Mission Bay Committee. He said it was a temporary expedient. He said the club is striving to even crawl a little bit; then walk; then run. He told the Council that if the building is placed, it will have to be placed on timbers, before the fill dirt is brought in. He said the fill would take several weeks. He stated that the Fiesta is scheduled for July and August; time passes rapidly. He said the club has the building now; it does not intend that it shall be permanent. He said perhaps it could be moved to an area designated. He said he talked to McGee (John McGee, director of Mission Bay Park) about the City assisting. He said the primary concern is for the Fiesta; the race is going to be staged next month.

Communication from San Diego County Heart Association, 1651 Fourth Avenue, San Diego 1, dated January 31, 1956, signed by O. Martin Avison, executive director, was presented. It thanks the Council for resolution granting permission to conduct heart sale in the City on February 18, 1956. It asks for permission for the same purpose and on the same date in business areas of La Jolla and Clairemont.

Councilman Schneider moved to grant, and file the communication.

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

The next item had been before the Council on January 26, 1956, at which time it was continued to this meeting.

RESOLUTION 131103, prohibiting the parking of automobiles at all times on and along:

The North side of San Luis Rey Place, between Strandway and Bayside Lane; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

(Resolution presented a week ago called for the prohibition for a shorter distance)

RESOLUTION 131104, declaring intersection of streets to be an intersection stop:

Baker Street, Shawnee Road and Sumter Street, affecting northbound traffic on Sumter Street and eastbound traffic on Baker Street; authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran Evenson, Mayor Dail. Nay-Councilman Kerrigan. Absent-Councilman Williams.

RESOLUTION 131105, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays excepted:

Both sides of Kettner Boulevard, between Laurel and Maple Streets; establishing parking meter zone; authorizing City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, recommending award to John Hanson @ \$5.55 per hour, rental of 5-yard dump trucks, was presented.

The City Manager told the Council that the resolution had been changed to 5 from 10 yard trucks, on informal bids. He said bid had been withdrawn on the 10, since the contractor did not want them used.

RESOLUTION 131106, authorizing and directing Purchasing Agent to hire 5-yard dump trucks from John Hansen at price of \$5.55 per hour fully manned and operated for period of approximately 320 truck hours, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131107, extending time for completion of public improvements in Bowman's Terrace subdivision, under contract with Courtney E. Bowman and Florence C. Bowman, Document 519895, designated as February 15, 1956, to August 15, 1956, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131108, approving request of Schafer and Stowers, January 23, 1956, Change Order 1, for extending time of 15 days to and including February 7, 1956, filed as Document 529106, in which to complete contract for installation of small water main replacements, Group 21 (Specification 101), contract Document 517883; extending completion time to February 7, 1956, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131109, 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 83 Boulevard Gardens, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131110, 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 1235, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131111, 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 1234, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem

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

RESOLUTION 131112, 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 65 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 Burgener, adopted.

RESOLUTION 131113, granting permission to Kensington Business Association (Otwell C. Greeson, president, and Al Bunnell, treasurer), 4689 Marlborough Drive, San Diego, for installation of flag pole receptacles on Adams Avenue, between 40th Street and Vista Street, on conditions of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131114, granting revocable permit to James Dahl and Joel Artavia, 10703 Eureka Road, Spring Valley, California, to install and maintain 20 feet of 3/4" water line and 70 feet of 1" water line for use and benefit of owner's property: Lots 41, 42, 43, 44 Block 121 City Heights, at 3238 and 3240 38th Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131115, granting revocable permit to Ira Scales, owner (Doyle Baird Plumbing Company, plumbing contractor), construction at 2011 Paseo Dorado, La Jolla, to substitute 1-1/2" type "M" copper for cast iron waste and vent lines, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131116, granting revocable permit to A. Schreiber, Jr., 4232 Midway Drive, San Diego, to install and maintain 250 feet of 1" copper water pipe for use and benefit of owner's property under Valemont Street, from owner's property: Lots 11 and 12 Block 1 Roseville Heights, 3345 Valemont Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION 131117, granting permission to H. L. Summers, 8435 Avenida DeLaAndes, La Jolla, to install 1-1/2" Type "M" copper vent from 1 lavatory at 8435 Avenida DeLaAndes, La Jolla, construction in lieu of cast iron vent piping as required, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 131118, stating that Magnatron Corporation of America, Inc., has fulfilled, performed and completed all requirements and conditions set forth in quitclaim deed from the City - copy filed as Document 517469 - to the corporation, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

The resolution states that the City Manager has advised that requirements and conditions have been complied with.

RESOLUTION 131119, accepting quitclaim deed, executed January 23, 1956, by L. B. Butterfield and Edna L. Butterfield, 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 Yvonne Terrace; authorizing and directing City Clerk to file deed together with certified copy of resolution for record in office of County Recorder, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted..

RESOLUTION 131120, accepting quitclaim deed executed by Point Loma Holding Company, a co-partnership composed of Ruel H. Liggett, Bruce R. Hazard, R. E. Hazard and David G. Fleet, 2150 Chatsworth Boulevard, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways, and public places, either within or without subdivision named Fleetridge Unit 5; authorizing and directing City Clerk to file deed, together with copy of Resolution for record in office of County Recorder, was on motion of Councilman Curran, seconded by Councilman Schneider, adopted..

RESOLUTION 131121, accepting quitclaim deed executed by Ruel H. Liggett, Bruce R. Hazard, R. E. Hazard and David Fleet, partners, doing business under name of Point Loma Holding Company, 2150 Chatsworth Boulevard, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, Highways and public places either within or without subdivision named Fleetridge Unit 4; 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 Curran, seconded by Councilman Schneider, adopted.

RESOLUTION 131122, accepting quitclaim deed of Wilford W. Mast & Associates, a limited partnership, W. W. Mast, general partner, quitclaiming all water mains and appurtenances constructed for its use, located in public streets, rights of way, highways, and public places, within or without Muirlands Village Unit 2; authorizing and directing City Clerk to file deed, together with certified copy Resolution for record in office of County Recorder, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

RESOLUTION 131123, accepting subordination agreement, executed by Fred Barson and Helen Barson, beneficiaries, and Bank of America National Trust and Savings Association, a national bank association, trustee, January 16, subordinating all their right, title and interest in and to permanent easement and right of way to locate, etc., water main or water mains, in portion Lot 7 Block 10 Rancho Santa Fe; 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 Schneider, adopted.

RESOLUTION 131124, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, a corporation, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, January 12, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents in portion Lot 24 Block D Boulevard 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 Schneider, adopted.

RESOLUTION 131125, accepting deed of Sarah Ellen Finch, December 7, 1955, conveying portions of Lots 1, 2, 3 Block 6 Asher's Clover Leaf Terrace; authorizing and

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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 Schneider, adopted.

RESOLUTION 131126, accepting deed of T. K. Toothaker and Julia Toothaker, also known as Julia M. Toothaker, January 19, 1956, conveying portion of Lot 21 Caruther's 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131127, accepting quitclaim of Ted C. Johnson and Esther A. Johnson, December 30, 1955, quitclaiming portions of Lots 41 and 42 Block 420 Duncan's 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131128, accepting quitclaim deed of Isabel Bedford, January 24, 1956, quitclaiming Lot 23 Block 39 Fairmount 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131129, accepting deed of John Belchez and Christine Belchez, January 17, 1956, conveying Lots 19, 20 and 21 Block L Montclair; 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 Curran, adopted.

RESOLUTION 131130, accepting deed of Dayray Investment Corporation, January 23, 1956, conveying portions of Lots 3 and 4 Block "O" Montclair; 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131131, accepting deed of Elmer D. Warnes and Mary B. Warnes, January 19, 1956, conveying portion Lot 2 Block "R" Montclair; 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131132, accepting deed of Aizo Sogo and Komme Sogo, January 13, 1956, conveying portion Lot 5 Pueblo Lot 255; authorizing and directing City Clerk to transmit deed, together with certified copy of resolution, to Properties Department for recording, ~~together with certified copy of resolution~~, when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131133, accepting quitclaim deed of Isabel Bedford, January 24,

1956, quitclaiming Lot 16 Block 20 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131134, accepting deed of S. C. Barone and Santina Barone, C. G. Miosi and Helen E. Miosi, October 5, 1956, conveying easement for public street and incidents in portion Pueblo Lot 1233; naming land Clairemont Mesa Boulevard; 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

RESOLUTION 131135, accepting deed of Donald Charles Mitchell, October 4, 1955, conveying easement for right of way for public street and incidents thereto, in portion Pueblo Lot 1234; setting aside and dedicating land to public use and naming it Clairemont Mesa Boulevard; 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 Curran, adopted.

RESOLUTION 131136, accepting deed of Leo M. Cranford and Oralene Cranford, December 28, 1956, conveying easement for public street and incidents; naming land Gertrude 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131137, accepting deed of Lawrence O'Connell and Mabelle Jean O'Connell, January 25, 1956, conveying easement for right of way for public street and incidents thereto, in portion Pueblo Lot 256; setting aside and dedicating land to public use and naming it Tonapah 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131138, accepting deed of Virgie R. Babcock, January 5, 1956, conveying public easement and right of way in portion Lot 35 Mission Cliff 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131139, accepting deed of Isabel Bedford, January 24, 1956, conveying easement for right of way for public sewer and appurtenances in portion Lot 28 Block 2 Resubdivision of Blocks 1 to 12 Fairmount 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 Curran, adopted.

RESOLUTION 131140, accepting deed of Union Title Insurance and Trust Company, a corporation, January 11, 1956, conveying easement for right of way for public sewer and appurtenances in strip of land 8.00 feet wide in Summer Street and in Lots 11 and 12 Block M Tecolote Heights; authorizing and directing City Clerk to file deed, together with certified copy of resolution, for record in office of the Recorder of San Diego County, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131141, accepting deed of The United States of America, acting by

The United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, January 17, 1956, conveying easement for right of way for construction, etc., of public sewer and appurtenances, in portions Blocks 134, 135, 136, 137 Pacific Beach, together with alleys in the Blocks (closed), Missouri and Randall Streets (closed); 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 Curran, adopted.

RESOLUTION 131142, accepting deed of Helen B. Hackett, January 19, 1956, conveying easement for right of way for storm drain, public sewer, water pipe line together with all incidents and appurtenances thereto and for any and all public utilities, in portion Lot 14 Block 11 Bird Rock 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 Curran, adopted.

RESOLUTION 131143, accepting deed of Louise Harris, January 26, 1956, conveying easement for water mains, public sewer, drainage, public utilities and appurtenances in portion Lot B Block 9 Las Alturas No. 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 Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131144, accepting deed of Horace G. Phillips and Ann Elizabeth Phillips, December 28, 1955, conveying permanent easement and right of way for water main or water mains, together with any or all fittings, structures, and appurtenances, in portion Lot 7 Block 10 Rancho Santa Fe; 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 Curran, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by 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 6835 (New Series), providing for issuance of bonds of The City of San Diego in the principal amount of \$9,460,000, and the levy of taxes to pay the principal and interest thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Williams.

The proposition at a special election held on the 19th day of April, 1955, read as follows:

"Shall the City of San Diego incur a bonded indebtedness in the principal sum of \$9,460,000 for the acquisition and construction by said city of a certain municipal improvement, to wit: the Tenth Avenue Shipping Terminal in the Bay of San Diego and on the adjacent municipal tidelands for the receipt, storage and shipping of cargo and the transportation of persons and property, including dredging, fill, bulkheads, dock walls, wharves, transit sheds, oil tanker dock, offices, railway tracks, drainage structures, water tanks, utilities, access roads, paving and all appurtenances, structures and works necessary or convenient for said Terminal?"

The ordinance states that proposition received affirmative vote and assent of more than two-thirds of all of the qualified voters of the City voting at said election, and the City is now authorized to issue bonds in the amount and for the purpose set forth in the proposition.

The bonds of The City of San Diego in the principal sum of nine million four hundred sixty thousand dollars (\$9,460,000) be issued and sold for purpose set forth in the proposition in the recitals. They shall be designated City Harbor Bond, 1956, nine thousand four hundred sixty in number, numbered 1 to 9460, inclusive, and shall be of denomination of

\$1,000 each. Bonds shall be dated February 1, 1956, and shall be payable in consecutive numerical order, \$380,000 annually on February 1 in each of the years 1957 to 1973, both inclusive, and \$375,000 annually on February 1 each of the years 1974 to 1981 both inclusive. The ordinance finds and determines that term of years within which bonds are payable does not exceed estimated period of usefulness of the municipal improvement for which the bonds are to be issued. Bonds shall bear interest at following rates per annum: Bonds numbered 1 to 2280, both inclusive, shall bear interest at rate of 3-1/2% and bonds numbered 2281 to 9460, both inclusive, shall bear interest at rate of 2-1/2%, all interest payable annually for the first year and semiannually thereafter on the first day of August and February of each year. The bonds and interest thereon shall be payable in lawful money of the United States of America at the office of the Treasurer of The City of San Diego in said City, or at the main office of Bank of America National Trust and Savings Association in any of the cities of San Diego, California, Los Angeles, California, or San Francisco, California, or at any fiscal agency of The City of San Diego in the city of Chicago, Illinois, or in the city of New York, New York, at the option of the holder. The ordinance sets out the form of bonds and coupons, and said that funds shall be used for no other purpose than payment of the bonds and interest thereon until the bonds and interest are fully paid. It directs the City Clerk to certify to the passage and adoption of the ordinance by vote of more than two-thirds of all the members of the Council of the City at a regular meeting of the Council, and shall cause the ordinance to be published once in The San Diego Union, a newspaper printed and published 7 days a week in said City.

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

Councilman Burgener said that he had a question.

Explanation was made by the City Manager of the effect.

ORDINANCE 6851 (New Series) amending Section 63.20.9 of the San Diego Municipal Code regulating boat beaching areas, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Williams.

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

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

ORDINANCE 6852 (New Series) appropriating \$2,500.00 from Unappropriated Balance Fund, to provide additional funds for purchase of small parcels of property, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas-Councilmen Burgener, Schneider, Kerrigan, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Williams.

Councilman Kerrigan asked the Council if it was the desire that he should go to Sacramento representing the City water resources.

RESOLUTION 131145, authorizing Councilman George Kerrigan to go to Sacramento, California, on Tuesday, February 7, 1956, for purpose of attending a meeting with the Water Resources Board, in connection with the development of the Feather River Project, and other water matters; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

At the hour of 11:24 o'clock A.M., the Council took a recess, on motion of Councilman Schneider, seconded by Councilman Burgener, until 7:30 P.M., this date.

ADJOURNED REGULAR MEETING
Chamber of the Council of the City of San
Diego, California, 7:37 o'clock
P.M.

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

This night meeting had been called, as previous ones had, to give individuals who are not able to attend the day-time meetings an opportunity to bring problems before the Council.

The Mayor announced that since there was not a quorum present, the meeting would be on an informal basis. He called the meeting to order at 7:37 o'clock P.M.

A register which had been set up for names of speakers, and subjects upon which they wished to be heard, showed only the name of C. E. Asbury, 4982 Dick St., AT 4-4278, who listed as his subject Kearny Mesa Industrial zone.

Mr. Asbury said that Kearny Mesa, industrial center of this city, has not had much action. He said 4 industries have been added; Los Angeles has added 10. He said many jobs had been created in Los Angeles County. He told of having come before this Council with request to zone 300 acres on the Mesa, industrially. He stated that it is within the area "condemned by the Navy". He said it is hazardous for homes. He told of having appeared several times, and of Planning having O.K.'d his proposal.

Councilman Evenson entered

The Mayor then asked the Clerk to call the roll, which he did. 4 were present.

Mr. Asbury said he is not much of a speaker, but that he will be; he has joined 2 Toastmasters clubs and a speech arts class, and is going to keep right on talking.

Mr. Asbury said that he had looked for a year for an industrial area; he had said a year ago that Kearny Mesa would be an industrial center. He stated that Mayor Dail ran for election on a platform of bringing in industry. He said Mayor Dail has done more for the City than any other mayor. Mr. Asbury said that he is for industry, and that he will go before the people and expose opposition, which he contended exists. He said there is no reason why all of Kearny Mesa should not be zoned commercial. He said he "is speaking in behalf of the citizens of San Diego". He stated that at the present time there are only about 4 people from whom commercial property can be bought. He wanted to know why. He said that it is strange that the area is not zoned. He said there can't be houses at the airport. He maintained that he "has been blocked, and turned down".

Mayor Dail said there will be no industry if the Navy opposes.

There was discussion between Mayor Dail, Councilman Schneider and Mr. Asbury.

Mayor Dail said that there is going to be need for looking at the whole picture. He said the complexion has been changed; survey should be on the whole area - not just portions.

Mr. Asbury said his request covered 300 acres.

Mayor Dail told about there being objection to the proposal, and stated that Mr. Asbury had been asked to show plans of the development.

Mr. Asbury said he was not asked, but he told Planning in 2 letters.

Councilman Williams spoke to Mr. Asbury about his statement at the zoning hearings about his acquiring land in Escondido for his project.

Mr. Asbury stated that "people were pushing him to produce"; he went before Planning Commission, and stated that he would have to go to Escondido if he could not get started. (He did not go to Escondido). He told about having lost the financing in Los Angeles, and said he will go on the small portion he bought. He said, upon being questioned, that the zoning request was for 300 acres; he owns 6 acres.

Councilman Schneider asked Mr. Asbury about coming in on one ownership.

Mr. Asbury said "opposition was here; 1% of the owners objected". He stated that the opposition was small.

Mayor Dail pointed out that was before extension of the prohibition against building by the Veterans' Administration, etc. He told of the Council having authorized employment of additional personnel to study the problem. He said there is need for study of the Kearny Mesa land, and of the City-owned land.

Mr. Asbury said the runway can be used for industry - if the Navy buys the property. (He was referring to the City-owned Montgomery field over which there has been controversy in connection with Navy's position on Miramar field).

The Mayor told Mr. Asbury that the City is going to have to do something with Montgomery Field on account of Miramar airbase - after studies and recommendations have been made to the City.

Councilman Schneider said to Mr. Asbury that study is under way now, regarding the Navy's position. He said that San Diego and the adjacent areas need an airport, and it might be relegated to the South Bay. He said it would become City land. He stated that the City has hired experts - so it can get the best advice.

Mayor Dail asked what can be done. Then, he answered the question by advising that application can be made to Planning for variance, or for zone change. He said it seems strange to apply again.

Mr. Asbery asked about divorcing his property from the 300 acres (which he had originally asked to have rezoned).

Councilman Schneider pointed out that "there are many things involved". He said the Navy is trying to get money to buy property in the area. He spoke of desire to have property rezoned - to increase the area.

Mr. Asbery said he wonders if he can make a new application for rezoning - and be denied again. He said that, again, he had joined the speech groups, referring to his inability to address the Council forcefully.

Mayor Dail said it has to go through Planning.

Councilman Schneider stated that there was no pressure to prevent Mr. Asbery's rights; pressures are for what is best for the City, and what the Navy will do.

There was discussion between Councilman Schneider and Mr. Asbery.

Mayor Dail said "the pattern is pretty well set".

Councilman Schneider told Mr. Asbery that the "City can't promise a thing".

Mr. Asbery's response was that he "is ready to build now".

Councilman Schneider said that Mr. Asbery is stymied.

Mayor Dail pointed out that there will not be any big subdivisions; the Council cannot be committed.

Councilman Schneider said that it would be necessary to go through a certain routine. If rezoning is refused, Mr. Asbery can come to the Council, he stated.

There was no action taken on the discussion.

Councilman Schneider spoke to Mrs. Schwartz of Pacific Beach, who had spoken to him, individually, prior to the Council going into session. He asked if she would not like to say to the Council as a body the things that she had told him.

Mrs. B. R. Swartz, 1814 Malden, spoke to the Council. She spoke of there being no water 10 years ago - until reservoir was installed. She said the street was torn up. She said there "was a marvelous job of clean up after the work". She asked that, before the Council disbands, there be attendance at the Mission Bay commission meeting. He said she has seen the dream (development of Mission Bay) come true. She said there are things about DeAnza point which should be considered. She advocated planning ahead for ordinance in the park area. She told of watching Bay View Terrace, which she said is valuable land. She suggested that the Council, Planning Commission, and Mission Bay Commission work together regarding housing, or the government "guide toward Mission Bay development": hotels, motels, homes. He told of having been working on coordinating agencies in the City - to work with citizens in Pacific Beach. She said there are no facilities to try. She wondered about acquiring the Bay View Terrace office; there is acreage around it for picnics. She stated that the community welfare council says there "is lack of coordination between agencies".

Councilman Schneider told Mrs. Swartz that there is a problem connected with acquiring the property, according to the City Manager. He said an effort will be made.

The City Manager told of attempts made to work out the problem - over 10 to 15 years. He said "progress has been made". He said the big issue in doubt is regarding "these units and demountables". He stated that Washington has announced that they are to be permanent. He said the Federal Government has the right to sell the houses on the site "as is". He spoke of there having been tremendous interest. He said his statement was based on promise from the Administration in Washington. He told of being

anxious interest to proceed, so as to have a higher development. He spoke of having "learned yesterday" of the situation. The City Manager stated that the 6th Army has put a hold on the property; all Federal agencies have the right to put on a hold. He told of trying to reach the Army people, to work out the proposition, but Colonel Frye would be out of his office until Monday. He said there is another hurdle. He said that the Council, to the best of its ability, would attempt to accomplish what is being asked (by Mrs. Swartz). He said it takes patience.

There was no action.

There being no further business to come before the Council at this time, and no one else asked to be heard, the adjourned regular meeting at 8:08 o'clock P.M. was adjourned.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstorn
Deputy

Chas. O. Dine
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Tuesday, February 7, 1956

Present--Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail
Absent--Councilman Kerrigan (from the City on Feather River water matter)
Clerk---Fred W. Sick

Mayor Dail called the meeting to order at 10:02 o'clock A.M.

The minister who was to have been present for the invocation, was not present. Instead, all stood at the Mayor's request, for silent prayer.

The Mayor presented a group of Eagle Scouts who acted as "officials for the day". He told of their activities and of the Scouts' theme: "Onward for God and Country". He said that the work of the Scouts is appreciated greatly. Each of the Scouts was introduced by the official he represented. Since Councilman Kerrigan was not present, Councilman Curran introduced the scouts who represented both Councilmanic Districts 4 and 5.

From the audience, additional scouts, who were not able to find seats inside the Council area, were then introduced.

Ordinances and Resolutions are recorded on Microfilm Roll 108.

On motion of Councilman Schneider, seconded by Councilman Burgener, the minutes of the Regular Meetings of Tuesday, Tuesday, January 31, Thursday, February 2, and the Adjourned Regular Meeting of February 2 (night meeting) were approved by the Council, after which they were signed by the Mayor.

The purchasing agent reported, in writing, on bids opened February 3, 1956, for improvement of Alley Block 334 Choates Addition, under 1911 Act proceedings, was presented.

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

A finding was made that bids had been opened as reported.

The purchasing Agent reported, in writing, on bids opened February 3, 1956, for improvement of Newton Avenue, under 1911 Act proceedings, was presented.

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

A finding was made that bids had been opened as reported.

The purchasing agent reported, in writing, on bids opened February 3, 1956, for improvement of Woodman Street, Imperial Avenue, Benson Avenue, et al, for sewers, under 1911 act proceedings, was presented.

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

A finding was made that bids had been opened as reported.

The hour of 10:00 o'clock A.M. having arrived, time set for receiving bids for furnishing electric current in Talmadge Park Lighting District No. 1, the Clerk reported 1 bid.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was publicly opened and declared.

It was bid of San Diego Gas and Electric Co., accompanied by certified check

Meeting convened
Silent prayer
Eagle Scout visitors
Report on 1911 Act bids
Bids

written by San Diego Trust and Savings Bank in sum of \$59.28.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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 Talmadge Park Lighting District No. 2, the Clerk reported 1 bid.

It was bid of San Diego Gas and Electric Co., accompanied by certified check written by San Diego Trust and Savings Bank in sum of \$35.34.

On motion of Councilman Williams, seconded by Councilman Curran, 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 Talmadge Park Lighting District No. 3, the Clerk reported 1 bid.

It was bid of San Diego Gas and Electric Co., accompanied by certified check written by San Diego Trust and Savings Bank in sum of \$93.48.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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 130563, for paving and otherwise improving Alley Block 6 Chester Park Addition, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

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

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Intention 130564, for paving and otherwise improving Alley Block 36 Fortuna Park Addition, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Williams, 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, time set for hearing on Resolution of Intention 130565, for paving and otherwise improving Alley Block 9 Wilshire Place, 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 Burgener, 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, time set for hearing on Resolution of Intention 130566, for sewers in Inspiration Drive, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

On motion of Councilman Williams, 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, time set for hearing on Reso-

lution of Intention 130567, for grading and installation of sidewalks on Thorn 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 Curran, 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 Preliminary Determination 130673, 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 131146, determining that paving and otherwise improving Alley Block 2 City Heights Annex No. 1, 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 apply, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted. not

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 130674, for paving and otherwise improving 52nd 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.

RESOLUTION 131147, determining that paving and otherwise improving 52nd Street, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall apply, was on motion of Councilman Williams, seconded by Councilman Burgener, adopted. not

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Resolution of Preliminary Determination 130675, for paving and otherwise improving High Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 131148, determining that paving and otherwise improving High Avenue, is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment; also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment, Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Schneider, 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 130676, for paving and otherwise improving Howard Avenue, the Clerk reported no protests.

The Mayor inquired if anyone was present to be heard.

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

RESOLUTION 131149, determining that paving and otherwise improving Howard Avenue, 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 (substitute for Councilman Kerrigan, who was absent), adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2430 made to cover cost of paving and otherwise improving Wawona Drive, under Resolution of Intention 122704, the Mayor said that there had been appeals at the hearing of January 31.

City Attorney J. F. DuPaul, recalling the circumstances, said the improvement is high on 1 side, low on the other. He said some people felt the assessment was not equitable. He pointed out that any change would result in a shift of the cost. He said this is laid in the laps of the Council - if it is or is not good. Mr. DuPaul said he can't determine if it is good.

Mayor Dail said that it was the intention to discuss the assessment in conference, but that the Council did not reach the item. He thought it might be continued 1 more week.

Willard Olson, from the City Engineer's office, explained the situation to the Council. He told of the detail of assessments and access. He said that the grade had "been changed about a foot".

Councilman Curran held a discussion with Mr. Olson. Then, there was discussion between Councilman Burgener, Councilman Curran and Mr. Olson.

Councilman Williams said he could see no reason to hold over the assessment. He said the City has gone into the situation as far as it can.

The Mayor asked if anyone was present to be heard. No one responded to his invitation to speak.

Two votes were taken, resulting in the next resolution - 1 on overruling of appeals, and 1 on confirming the assessment.

RESOLUTION 131150, overruling and denying appeals of J. C. Peirce, Edna R. Shaw, Lester L. Wittenberg, from Street Superintendent's assessment 2430 made to cover costs and expenses of paving and otherwise improving Wawona Drive, Resolution of Intention 122704; 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 him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted, by following vote: Yeas-Councilmen Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-Councilman Burgener. Absent-Councilman Kerrigan.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2433 made to cover costs and expenses of work of paving and otherwise improving Roanoke Street with portions of Sea Breeze Drive and Calle Gaviota, the Clerk reported written appeal from Lynn Stark, 6005 Roanoke, San Diego 4.

No one responded when the Mayor inquired if anyone was present to be heard.

RESOLUTION 131151, overruling and denying appeal of Lynn Stark from Street Superintendent's Assessment 2433 made to cover costs and expenses of work of paving and otherwise improving Sea Breeze Drive, Roanoke Street and Calle Gaviota, Resolution of Intention 121777; 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 him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on Assessment 2434 made to cover costs and expenses of paving and otherwise improving Calle Del Oro and La Jolla Shores Drive, the Clerk reported no appeals.

The Mayor inquired if anyone was present to be heard.

Harold Mosier, 8303 La Jolla Shores Drive, told the Council that James Archer, attorney, was to represent him, but that Mr. Archer had been called away. He asked if there were "any exceptions made".

Councilman Burgener told Mr. Mosier that everyone in the district is assessed.

Mr. Mosier said he understood that request for reduction had been made.

Councilman Burgener spoke directly to Mr. Mosier.

Mr. Mosier asked if the hearing could be continued a week or 10 days. He said Mr. Archer was doing work for the City, regarding the scientific college (effort to secure an additional school at the Scripps Institution of Oceanography).

Councilman Burgener pointed out that delays run up the cost (to the contractor).

Answering a question put by Councilman Burgener, Mr. Mosier said that he and Mr. Archer both have property assessed for the improvement; his assessment is \$2601.33. Councilman Burgener stated that Mr. Mosier was entitled to a continuance. Mayor Dail pointed out to Mr. Mosier that appeal can be filed. Mr. Mosier said that he appealed (but he did not put it in writing) for both himself and for Mr. Archer.

Councilman Curran moved to continue the hearing to the meeting of Thursday, February 9.

Mr. Dillion, representing the Griffith Company, the contractor, asked the percentage of the protest.

The Mayor's reply was "it's small".

City Attorney J. F. DuPaul pointed out that when appeal is filed, it is on the grounds of work being not done properly, or assessment being not equitable. He said the Council is "within its rights to ignore protests".

Mr. Mosier stated that there is no question of the workmanship.

There was discussion between Mr. Mosier and the City Attorney.

Mr. Mosier told the Council that he can't speak for Mr. Archer.

The City Attorney said that the assessment district can't be changed; and he does not want the 2 men to make useless protests.

Mr. Mosier said he has been relying on Mr. Archer.

Councilman Burgener stated that it would be fair to continue the hearing 2 days.

RESOLUTION 131152, continuing hearing on Assessment 2434 made to cover costs and expenses of paving and otherwise improving Calle Del Oro and La Jolla Shore's Drive, Resolution of Intention 125944, until 10:00 o'clock A.M., Thursday, February 9, 1956, 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 Assessment 2435 made to cover costs and expenses of work of paving and otherwise improving Franklin Avenue and 28th Street, the Clerk reported no protests.

The Mayor inquired if anyone was present to appeal the assessment.

Sophie D. Reed said she is willing to pay a portion; she protests against Franklin. She said she wants to know what the assessment.

Willard Olson, from the City Engineer's office, showed a plat, resulting in discussion between Mrs. Reed and Mr. Olson.

Mr. Olson said Mrs. Reed's assessment is 38¢, and explained the assessment - being on a district charge.

Councilman Burgener told Mrs. Reed that it is a technicality, and as a result, her property has to be included within the assessment district.

Joseph Wallace, 2111 Franklin Avenue, said there is need to fix the driveway in front of his house.

Mr. Olson said work was done by Hazard Contracting Co.

Richard Steck said that if there is anything wrong with the job, the contractor will do good work.

Councilman Williams moved to refer to the City Manager the driveway item, in front of Lots 45 and 46 (Block 280 San Diego Land & Town Co.'s Addition).

RESOLUTION 131153, overruling and denying verbal appeals of Sophie D. Reed and Joseph Wallace, from Street Superintendent's Assessment 2435 made to cover costs and expenses of paving and otherwise improving Franklin Avenue and 28th Street, Resolution of Intention 121775; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131173, referring to the City Manager the question of repair to driveway in front of Lots 45 and 46 Block 280 San Diego Land & Town Co. Addition, in connection with Street Superintendent's Assessment 2435 made to cover costs and expenses of paving and otherwise improving Franklin Avenue and 28th Street, Resolution of Intention 121775 - as presented by Joseph Wallace, 2111 Franklin Avenue at the hearing this date, 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 hearing on Ordinance Amending Article I Chapter IX of San Diego Municipal Code, adopting the 1955 Edition of the Uniform Building Code, adopting Refrigeration Code, No. ASA B 9.1 - 1953, making additions and deletions to such codes and repealing Section 1.13, letter from San Diego Chapter, The American Institute of Architects, dated February 7, 1956, signed by Frank L. Hope, president, was read to the Council by the Clerk. It says "The local Chapter of the American Institute of Architects feel that Chapter 42, two tables, 42-A and 42-B regarding flame spread are too restrictive and request they be referred back to the Board of Appeals for reconsideration".

Councilman Evenson stated that there are lumbermen in the audience, who would probably like to be heard.

The City Manager submitted communication from the Board of Appeals, by D. K. Friday, chairman, Board of Appeals and Advisors, recommending 6 additional inclusions to the Ordinance amending Article I Chapter IX of the San Diego Municipal Code, adopting 1955 Edition of Uniform Building Code. These are listed:

1. Section 407;
2. Table 5-A;
3. Section 2103(b);
4. Section 2203(b);

"Items 2, 3, 4 are corrections to a mistake in the Uniform Building Code and are recommended by the Pacific Coast Building Officials Conference";

5. Section 2507(b)-2;
6. Section 2516(c)-2;

"Both items 5 and 6 are requested by the San Diego Building Contractors Association. It is believed that the sections as changed better reflect standard practice in the building industry".

Mr. Friday's recommendations, as result of time and work spent during several months. He said there had been meetings 3 or 4 times a month. He said recommendation is result of the meetings. He told the Council that the entire membership had the opportunity to appear. Mr. Friday told the Council that "nothing more can be done". He stated that those that did appear "went away feeling satisfied".

Councilman Burgener asked Mr. Friday if the architects came before the Board.

Mr. Friday's reply was "no". Then he identified those who appeared. He stated that it was give and take, and this is just addition to the 1955 Building Code.

Mayor Dail asked if suggestions are made for refinements, and then passage.

Mr. Friday replied "yes".

Morris Broch, of the Building Association, told of a wonderful job having been done. He said there are changes proposed, as written. He said there are recommendations for changes on Section 25.16.2 and 25.07(b)-12. He told the Council that all has been agreed upon.

City Attorney J. F. DuPaul stated that is in the Friday letter.

Mayor Dail asked the changes are recommended.

The City Manager said that if they are recommended, and it is referred back, they will be included.

Mr. Brock stated that all had the opportunity to get in on the study and recommendations; the architects should have come in. He pointed out that this "could go on forever; the Code should be adopted - with the recommendations.

Mayor Dail said that the changes would have to be incorporated in the ordinance.

The City Manager said it will take a few days; they will have to be included in the ordinance.

Mr. Brock asked if there would still be the opportunity to protest.

The Mayor said "yes".

Mr. Brock then said that his group has no objections. He thanked the Board for its co-operation.

John Fies, building code consultant, National Lumber Manufacturers Association, 681 Market Street, San Francisco 5, was heard by the Council. He told of being ex-head of the City of Dallas, and of being consultant to several others. He stated that the Code, as it reads, appears to be good, except for Chap 42. Mr. Fies pointed out that it would be the most restrictive Code in the United States. Mr. Fies said that the Council Chamber, in which the hearing was being held, would be illegal under the Code, because of its wood paneling.

Councilman Burgener spoke to Mr. Fies about the paneling.

Mr. Fies answered Councilman Burgener by saying that residences and garages would be exempt. He said one hotel has paneling in the corridor. He said that under the new ordinance that paneling could not be used - even if painted with fire resistant paint. Mr. Fies stated that he has movies to show the effect. He said that the "fire would go up". He called the Council's attention to Adlai Stevenson being in town, and that if the hotel wanted to panel a suite for him, it would not. He asked for deferment of passage.

Mr. Priday said he understands the "item has been booted around 4 or 5 years." He declared that "the Board represents all the industry. He said that several are here to speak, if the Council desires to hear them.

Charles Brown, of the Town and Country (hotel in Mission Valley) development, came to the microphone. He told the Council that he had not been advised of the situation, until he tried to expand the hotel, and he was told by the Building Department that shake shingles could not be used. He laid out on the Council a plat of the hotel development, which he identified. He told of having been granted the right earlier to use shake shingles, and as a result, the development proceeded with the Club. Mr. Brown stated that they had been told that they could use the shake shingles - if they were sprayed flame-proof. He said he understands that the spray washes off. He stated that he had been told by the City Attorney that the Board of Appeals could not grant exceptions. He told of trying to have a specific architecture (to match the existing structures). He said it would not be appealing to a customer to have a change. He said the Fire Department says that trouble is the spread of fire from roof to roof. He told of there being 121 (units), and the enterprise must be expanded. He said that the trouble is only regarding commercial structures. Mr. Brown said that if required to comply with the regulations as written, it would create a hardship.

The City Manager passed around to the Council the report of Mr. Priday and the Board of Appeals, referred to earlier, and as set out. He said it has to do with opposition to the shake shingles. He spoke of the Board having been asked to consider exception to the Building Code, and the exceptions were granted on appeal. The City Manager stated that the City Attorney had ruled the action was not legal. He said then there was request to the Board for consideration of exceptions for additions and completion - so there would not be a blanket grant. He told the Council that the Board still does not recommend it, it would not offer opposition. He read the "no objections" in Fire Zone 3. He said it is fairly clear - it has already happened, it is somewhat limited, and is limited to once. He said it would take care of the unusual circumstances. He said it was limited to 1%.

Mr. Brown spoke to the City Manager about the figure, and the City Manager re-read the figure and corrected it to "100%". The City Manager said that as it reads it would be type 5 construction, with shake roofs - not new buildings.

Mr. Brown said that the Club section increases it to more than 100%.

The City Manager said that the ordinance would have to be re-drafted. He said it would not permit new developments.

Don Campbell, architect member of the Board of Appeals, stated that architects are dissatisfied. He asked that the ordinance be referred back.

Councilman Schneider moved to direct the City Attorney to redraft the ordinance - to include the recommendations.

Councilman Burgener asked why there is a rush, especially since there has been time involved in the consideration.

Mayor Dail said the ordinance should be re-drawn, and the hearing continued. He said the Council will hear interested persons further, if that is the desire.

Councilman Burgener seconded the motion to re-draw the ordinance, and continue the hearing 1 week.

RESOLUTION 131154, continuing hearing on proposed Ordinance Amending Article I Chapter IX of the San Diego Municipal Code, adopting 1955 Edition of The Uniform Building Code, adopting Refrigeration Code, No. ASA B 9.1 - 1953, making additions and deletions to the codes and repealing Section 91.13 of the San Diego Municipal Code, until 10:00 A.M., February 14, 1956; requesting the City Attorney to prepare a new draft of the ordinance for consideration by the Council on that date, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In the file there was also a letter from D. K. Priday re Shake Shingle Roofs-- dated January 23, 1956.

Communication from Edwin W. Borton requesting 30-day extension on closing out sale of Borton Variety Store, 2106 Logan Avenue, was presented.

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

Communication recommending purchase of repair parts for GSG-6 Enterprise Engines from National Steel & Shipbuilding Corporation, sole source of supply - \$1,742,79 plus State Sales Tax, was presented.

RESOLUTION 131155, directing Purchasing Agent to purchase from National Steel & Shipbuilding Corporation repair parts for engines (for sewer treatment plant) was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

RESOLUTION 131156, authorizing advertising for sale and the sale of wire, copper scrip, washing machine, beds, window shades, etc., was on motion of Councilman Curran, seconded by Councilman Evenson, adopted.

The resolution directs that all expenses in connection with the sale shall be deducted from proceeds.

Communication from Planning Commission, by Jack VanCleave, recommending amendment to Resolution 130981 which approved tentative map of Glen Oaks Heights Unit 1, was presented.

RESOLUTION 131157, amending Resolution 130981 adopted January 26, 1956, approving tentative map of Glen Oaks Heights Unit No. 1 - Items 2 and 7 - was on motion of Councilman Curran, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack VanCleave, recommending approval of tentative map of La Jolla Hermosa, Resub. Lots 2 & 10 & por Lot 3 - a 2-lot resubdivision of Lots located southerly of Camino La Canada, was presented.

Recommendation is subject to 6 conditions.

Communication recommending suspension of portion of Municipal Code, was presented.

RESOLUTION 131158, approving tentative map for resubdivision of Lots 2 and 10 and portion Lot 3 La Jolla Hermosa; suspending Sections 102.02.1, 102.07-5, 102.17-c of San Diego Municipal Code, was on motion of Councilman Burgener, seconded by Councilman Curran, adopted.

Communication from Planning Commission, by Jack VanCleave, recommending approval of tentative map of Oak Park Annex, a 4-lot resubdivision of portion Lot 113, located at southeast corner of 50th Street and Wightman Street, in R-4 zone, was presented.

Recommendation is subject to 7 conditions.

Communication recommending suspension of portion of Municipal Code, was presented.

RESOLUTION 131159, approving tentative map of Oak Park Annex; suspending Sections 102.16-6, 102.12-3, 102.02.1, 102.17-c of the Municipal Code, 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 of Parker Hill, was presented.

RESOLUTION 131160, suspending Section 102.17-c of the Municipal Code, in connection with tentative map of Parker Hill, a 2-lot subdivision of portion Lot 9 Block 18 Encanto Heights Tract No. 2, 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 Parker Hill, 2-lot subdivision of portion Lot 9 Block 18 Encanto Heights Tract 2 - northwesterly from intersection of Klauber Avenue and Broadway Avenue with frontage on Wren Street to the northeast, in R-2 zone - subject to 7 conditions, was

presented.

RESOLUTION 131161, approving tentative map of Parker Hill, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Communication from John F. Crane, owner and manager, of Allied Industries, dated February 1, 1956, was presented. The communication is from 4246 Pepper Drive, San Diego. It tells of having arrived at a revolutionary yet inexpensive and effective means of processing sea water into fresh drinking water with a purity equal to or better than the present accepted water supply with a hardness range of 25 to 40 grains.

On motion of Councilman Schneider, seconded by Councilman Williams, it was referred to the Mayor for transmittal to the reconversion committee.

Communication from San Diego Convention and Tourist Bureau, 924 Second Avenue, dated February 1, 1956, referring to letter from California Mission Trails Association, which requested City Council representation - referred to the Bureau by the Council - was presented. It encloses copy of letter to the Association, and says it has been suggested that Mitch Angus, executive manager, the writer, serve as the Bureau representative. It states that he is willing to accept the dual responsibility if it should be the desire of the Council.

RESOLUTION 131162, referring to Council Conference the communication from San Diego Convention and Tourist Bureau re California Mission Trails Association, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Annette S. Hurch, 3114 Beech Street, San Diego 2, February 2, 1956, protesting requested increase in cost of bus tokens, was presented.

At the request of Councilman Williams, it was read to the Council.

Councilman Williams said it "is hardly the answer to the question".

RESOLUTION 131163, referring to Council Conference communication from Annette S. Burch, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

Duplicated copy of letter from Shoreline Planning Association of California, incorporated, 506 Santa Monica Boulevard, Santa Monica, California, dated February 1, 1956, signed by Carl P. Staal, president, was presented.

It is entitled "The Matching Requirement Is a Terrific Handicap!" and bears in read ink the notation: "(The Same Letter Sent To All Legislators)"

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

Copy of communication from law offices of Donnelley and MacNulty, 2655 Fourth Avenue, San Diego 3, California, dated February 1, 1956, was presented. It shows that copies had been sent to the City Attorney, City Council, Tom Haynes and Frank Guthrie - original addressed to the City Manager.

It refers to resolutions passed by the City regarding use of the Stadium (leased to Stadium Racing Association, Inc.).

The communication states that the Stadium Racing Association, Inc. that action taken by the City of San Diego in passing and adopting the resolutions is in violation and is a breach of the lease, and it is intended that an action in the Superior Court of this County for a clarification of the matter. It asks to be served with written notices specified in the resolution.

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

RESOLUTION 131164, directing notice of filing Assessment 2444 and of time and

place of hearing thereof, for paving and otherwise improving Alley Block 72 City Heights, Resolution of Intention 126464, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131165, directing notice of filing Assessment 2441 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 13 Swan's Addition, Resolution of Intention 122086, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131166, directing notice of filing Assessment 2442 and of time and place of hearing thereof, for paving and otherwise improving Boundary Street, Resolution of Intention 126987, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131167, directing notice of filing Assessment 2445 and of time and place of hearing thereof, for paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, Milton Street, Ullion Street, et al., Resolution of Intention 119501, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131168, directing notice of filing Assessment 2443 and of time and place of hearing thereof, for paving and otherwise improving 29th Street, E Street and 28th Street, Resolution of Intention 123408, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION OF AWARD 131169, accepting bid of Daley Corporation, a corporation, and awarding contract for paving and otherwise improving Treat Street and 28th Street, Resolution of Intention 129592, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

City Engineer reported in writing that low bid is 1.0% above the estimate.

RESOLUTION 131170, directing notice inbiting sealed proposals for furnishing electric current in University Avenue Lighting District No. 2, for 1 year from and including March 1, 1956, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 131171, for paving and otherwise improving Alleys Blocks 29 and 30 Ocean Beach, Resolution of Intention 130461, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION ORDERING WORK 131172, 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 Williams, seconded by Councilman Evenson, adopted.

RESOLUTION 131173 is shown earlier in these Minutes, in connection with the hearing on paving and otherwise improving Franklin Avenue - to which it relates.

RESOLUTION ORDERING WORK 131174, for paving and otherwise improving Birch Street, Resolution of Intention 130463, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

RESOLUTION OF INTENTION 131175, for paving and otherwise improving Alley Block 12 Point Loma Heights, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 131176, for paving and otherwise improving Alley Block 1 Reed's Ocean Front Addition, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 131177, for storm drains, sewers and appurtenances in Heynard Way, Eagle Street, Upas Street, Curlew Street, Brant Street, Otsego Drive, Torrence Street, Pennsylvania Avenue, public rights of way and portions of Spruce Street closed, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION OF INTENTION 131178, for paving and otherwise improving Roanoke Street, Rachael Avenue, Hopkins Street, Deauville Street, Morningside Street, Reo Drive; and alleys, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131179, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current in College Park Lighting District No. 1, for 1 year from and including June 1, 1956, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131180, ascertaining and declaring wage scale for paving and otherwise improving Seminole Drive, Acorn Street, 63rd Street, Public Rights of Way in Lots 20, 21 and 22 La Mesa Colony, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131181, approving diagram of property affected or benefited by work of paving and otherwise improving East and West Alley in Block 41 City Heights, Central Avenue, and 41st Street, Resolution of Intention 127366, 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131182, approving diagram of property affected or benefited by work of paving and otherwise improving Linwood Street, Resolution of Intention 122841, 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131183, approving diagram of property affected or benefited by work of 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; 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131184, approving diagram of property affected or benefited by work of paving and otherwise improving 33rd Street, Durant Street, Webster Avenue, Gillette Street, Steel Street, et al., Resolution of Intention 124575, 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 Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131185, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 201 Pacific Beach, and Ingraham Street, Resolution 126986, and to be assessed to pay expenses thereof, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131186, granting petition, Document 524300, for paving and otherwise improving Alley Block 127 San Diego Land & Town Company's Addition; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131187, granting petition, Document 528820, for paving and otherwise improving Alley in Congress Heights Addition; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131188, granting petition, Document 526347, for paving and otherwise improving Alley in Block 81 Pacific Beach; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131189, granting petition, Document 524301, for paving and otherwise improving Alley Block 2 Ocean Front; 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.

RESOLUTION 131190, granting petition, Document 526185, for paving and otherwise improving Alley Block 58 University Heights; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

RESOLUTION 131191, granting petition for paving and otherwise improving Orten 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 Schneider, adopted.

RESOLUTION 131192, granting petition for paving and otherwise improving Alley Block 318 Reed & Daley's Addition; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131193, granting petition for paving and otherwise improving Melrose Place; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131194, granting petition for paving and otherwise improving Alley Block 215 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131195, granting petition for paving and otherwise improving Birch Street, Document 526208; 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131196, granting petition for paving and otherwise improving Amherst 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 Williams, seconded by Councilman Schneider, adopted.
Petition bears Document 526834.

RESOLUTION 131197, granting petition for paving and otherwise improving Donna Avenue, Document 524475; 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131198, granting petition for paving and otherwise improving Alley Block 29 Fortuna Park Addition, Document 528710; 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 Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131198, granting petition for paving and otherwise improving Alley Block 29 Fortuna Park Addition, Document 528710; 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 Schneider, adopted.

RESOLUTION 131199, granting petition for paving and otherwise improving Alley Block 299 Pacific Beach, Document 524787; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131200, granting petition for paving and otherwise improving Alley Block 258 Pacific Beach; Document 526346; 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 Councilman Burgener, seconded by Councilman Evenson, adopted.

RESOLUTION 131201, granting petition for installation of sewers to serve portions of Pueblo Lots 1780 and 1785; directing City Engineer to furnish description of assessment district and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Evenson, adopted.

Councilman Schneider asked a question about the next item, which was answered by the City Engineer.

RESOLUTION 131202, adopting recommendation of City Engineer, Document 529153; authorizing City Engineer to amend proceedings for improvement of portions of Broadway and Evelyn Street, in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131203, adopting recommendation of the City Engineer, Document 529154; authorizing City Engineer to amend proceedings for paving and otherwise improving Torrence Street, in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131204, granting petition for paving and otherwise improving Alley Block 148 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 of improvement; directing him to consolidate assessment district with assessment district heretofore ordered by Resolution 126488 for improvement of San Luis Obispo Place and alleys in Mission Beach, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131205, adopting recommendation of City Engineer, Document 529180; authorizing him to amend proceedings for improvement of portions of Goshen Street, Lauretta Street, Fresno Street, Hueneme Street, et al., in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131206, surrendering Building 5007 heretofore constructed and maintained on portion of Cleveland National Forest under and pursuant to Special Use Permit dated December 18, 1931, with Department of Agriculture Forest Service, of the United States, without reimbursement to the United States Department of Agriculture Forest Service, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Resolution refers to the Special Use Permit under which the City occupies portion of Forest Service lands in Cleveland National Forest for caretakers' residences at El Capitan reservoir. It says that under provisions of the permit the Forest Supervisor may request that any or all of the buildings and improvements become the property of the United States Forest Service without reimbursement; that under letter dated January 3, 1956, it was requested that the building be turned over without reimbursement.

(3 Certified copies of the Resolution were sent to the City Water Department for transmittal).

RESOLUTION 131207, determining and finding from evidence presented to the City and from reports resulting from investigations made by officers and employees of Department of Water of The City of San Diego that there has for sometime existed in the County of San Diego, and particularly in portion of the County providing drainage area and watershed of San Dieguito River from which water is secured and supplied to San Dieguito Water System a period of continued drought of such character as to create an acute water shortage in the Water System, and as a result The City of San Diego will not be able to obtain sufficient water, either from that stored in the Lake Hodges Reservoir or that which can be obtained from all other sources belonging to the City in the San Dieguito Watershed, to supply the maximum needs of the Irrigation District, the Santa Fe Irrigation District and Del Mar Water, Light & Power Company, as provided for under contracts heretofore assumed by the City, and that it will be necessary for the City in the immediate future to reduce amounts supplied to San Dieguito Irrigation District, Santa Fe Irrigation District, and Del Mar Water, Light & Power Company in proportions and amounts and to the extent authorized by the contracts described. It directs the City Clerk to serve or cause to be served upon the said Districts and Company, certified copy of the resolution.

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

(3 Certified copies of the Resolution were sent to the City Water Department for transmittal).

In connection with the preceding Resolution, Councilman Schneider asked if it had to do with the suit.

City Attorney J. F. DuPaul replied that is under provisions of the contract.

RESOLUTION 131208, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at Aaron Court, southwest of 52nd and Maple Streets, was on motion Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131209, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in the official newspaper sale at public auction of portion Pueblo Lot 300, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Resolution states that Charles Moran of Moran Construction Company has requested that it be put up for sale, and has deposited with Property Supervisor \$300.00 to cover costs pertaining to sale, including cost of title report, and as a guarantee that he will at time of the sale bid a minimum of \$29,500.00 which the Council will consider. It reserves right to reject any and all bids at the public auction.

RESOLUTION 131210, directing 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 31 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; and authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131211, authorizing and empowering City Manager to execute, for and on behalf of the City, a permit to General Motors, Inc., a corporation, for occupancy of 120,000 square feet of parking lot adjacent to San Diego Zoo in Balboa Park, for period beginning February 14 and ending on evening of February 21, 1956, for holding a General Motors Parade of progress, under permit filed as Document 529559, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131212, authorizing Paul Beermann, director of Water Department; Ralph Campbell, General Services director; Aaron Reese, Deputy City Attorney, to attend Spring convention of California Municipal Utilities Association, Los Angeles, California, February 14 through 16, 1956; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

RESOLUTION 131213, accepting subordination agreement, executed by James F. Price, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, January 27, 1956, subordinating all their right, title interest in and to easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom, in portions of Acre Lot 8 of Sorrento Lands and Townsite; 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 131214, accepting subordination agreement, executed by James F. Price, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, January 27, 1956, subordinating all their right, title and interest in and to easement for right of way for portion of public street and inclusions, in portion Acre Lot 8 Sorrento Lands and Townsite; 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 131215, accepting subordination agreement, executed by James F. Price, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, January 27, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in portion of Acre Lot 8 Sorrento Lands and Townsite; 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 131216, accepting subordination agreement, executed by San Diego Wholesale Credit Men's Association, a California corporation, beneficiary, and Laurence Holzman, trustee, January 31, 1956, subordinating all their right, title and interest in and to easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom in portions of Acre Lot 8 of Sorrento Lands and Townsite; 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, adopted.

RESOLUTION 131217, accepting subordination agreement, executed by San Diego Wholesale Credit Men's Association, a California corporation, beneficiary, and Lawrence Holzman, trustee, January 31, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in portion Acre Lot 8, Sorrento Lands and Townsite; 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 131218, accepting subordination agreement, executed by Paul A. Skinner and Lucile R. Skinner, beneficiaries, and Union Title Insurance and Trust Company, a corporation, trustee, January 27, 1956, subordinating all their right, title and interest in and to easement for sewer, water, drainage and public utilities and the right of ingress thereto and egress therefrom in portions of Acre Lot 8 of Sorrento Lands and Townsite; 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 131219, accepting subordination agreement, executed by Paul A. Skinner and Lucile R. Skinner, beneficiaries, and Union Title Insurance and Trust Company, a corporation, trustee, January 27, 1956, subordinating all their right, title and interest in and to easement for right of way for public street and incidents thereto, in portion of Acre Lot 8 Sorrento Lands and Townsite; 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 131220, accepting deed of O. C. Helming, Jr., and Barbara E. Helming, January 27, 1956, conveying easement for right of way for public street and incidents thereto, in portion of Acre Lot 8 Sorrento Lands and Townsite; naming the land Sorrento Valley 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 Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131221, accepting deed of Sorrento Brick and Clay Products, Inc., January 25, 1956, conveying easement for right of way for public street and incidents thereto, in portion Acre Lot 8 of Sorrento Lands and Townsite; naming land Sorrento Valley Road; 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 Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131222, accepting deed of O. C. Helming, Jr., and Barbara E. Helming, January 27, 1956, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto, and egress therefrom in portions of Acre Lot 8 of Sorrento Lands and Townsite; 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 131223, accepting deed of Sorrento Brick and Clay Products, Inc., a California Corporation, January 30, 1956, conveying easement for sewer, water, drainage and public utilities and right of ingress thereto and egress therefrom in portions of Acre Lot 8 of Sorrento Lands and Townsite; 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 131224, accepting subordination agreement, executed by James F. Price, beneficiary, and Union Title Insurance and Trust Company, a corporation, trustee, January 27, 1956, subordinating all their right, title and interest in and to easement for sewer, water, drainage and public utilities and right of ingress thereto, and egress therefrom in portions of Acre Lot 8 of Sorrento Lands and Townsite; 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 Burgener, 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 6853 (New Series), amending Sections 72.02, 72.03, 72.05, 72.06 and 72.07 of The San Diego Municipal Code, regularizing operation of taxicabs, including drivers, and rates, was on motion of Councilman Burgener, seconded by Councilman Williams, 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 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 the Council prior to day of final passage a written or printed copy.

ORDINANCE 6854 (New Series), appropriating \$4,300.00 from Unappropriated Balance Fund of The City of San Diego, for providing funds to pay services of Herbert P. Ringer, Building Inspection Consultant, to be employed pursuant to Resolution 130955 adopted January 24, 1956, was on motion of Councilman Curran, 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 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 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 6855 (New Series), appropriating \$4,081.50 from Capital Outlay Fund for purchase of portion Lot 21 Caruther's Addition, for South Chollas Drainage Channel Project, was on motion of Councilman Curran, 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 Williams, seconded by Councilman Burgener, ordinance setting aside and dedicating Lot 16 Block C Weeks' Addition as and for public street, and naming land Dorcas Street, was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

On motion of Councilman Williams, seconded by Councilman Evenson, ordinance adding recently annexed territory to The City of San Diego to various Councilmanic Districts, pursuant to the provisions of Section 5 Article II of the Charter:

"San Diego Harbor Tidelands, Ordinance 6222 (New Series), added to Councilmanic District No. 5;

District 5;
 "Federal Boulevard Tract", Ordinance 6412 (New Series), added to Councilmanic District No. 4;
 "Grantville-Rancho Mission Tract", Ordinance 6449 (New Series), added to Councilmanic District No. 4;
 "Western Salt Company Tract", Ordinance 6454 (New Series), added to Councilmanic District No. 5;
 "Rancho Hills South", Ordinance 6578 (New Series), added to Councilmanic District No. 5;
 "Mission Reservoir Lands", Ordinance 6597 (New Series), added to Councilmanic District No. 4;
 "Allied Gardens Tract No. 1", Ordinance 6686 (New Series), added to Councilmanic District No. 4;
 "Allied Gardens Tract No. 2", Ordinance 6725 (New Series), added to Councilmanic District No. 4;
 was introduced, by following vote: Yeas-Councilmen Burgener, Williams, Schneider, Curran, Evenson, Mayor Dail. Nays-None. Absent-Councilman Kerrigan.

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

RESOLUTION 131225, authorizing and empowering City Manager to commence negotiations with the State of California for purpose of determining terms and conditions in connection with transfer of portion of Torrey Pines Park to the State of California for a State park, 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, on motion of Councilman Williams, at 11:11 o'clock A.M.

ATTEST:
 FRED W. SICK, City Clerk

By

August M. Kadstrom
 Deputy

Chas Dail
 Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, February 9, 1956

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

Ordinances and Resolutions are recorded on Microfilm Roll 108

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

The hour of 10:00 o'clock A.M. having arrived, time set for continued hearing on Assessment 2434 made to cover costs and expenses of paving and otherwise improving Calle Del Oro and La Jolla Shores, Resolution of Intention 125944, Mayor Dail stated that hearing had been continued at the verbal request of Harold A. Mosier, in his own behalf, and in behalf of his attorney, James Archer who is a property owner in the district and interested in the assessment. He asked if anyone was present to be heard. No one appeared, to be heard, and no written protests were presented on the continued hearing.

RESOLUTION 131226, overruling and denying appeal of Harold A. Mosier from Street Superintendent's Assessment 2434 made to cover costs and expenses of paving and otherwise improving Calle Del Oro and La Jolla Shores Drive, Resolution of Intention 125944; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment 2434; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on proposed Ordinance rezoning Lots 9 to 16 Block 116 Roseville, from R-1 to R-4, the Clerk read report from Planning Commission, signed by P. Q. Burton. The report states that it concerns 8 25-foot lots fronting on McCauley and Newell Streets and bounded on southeast by Evergreen Street; entire parcel measures 100x200 feet; there are now 3 small, cheap cottages, all apparently occupied, but under a single ownership. It says property is bounded on all sides by R-1, except for 100 feet across Evergreen at McCauley, where a tier of lots is occupied by several apartment buildings. It reports that property is situated at mouth of Wabaska Drive canyon and is cut by a 15 to 20-foot wide drainage channel which flows into underground culverts at Evergreen and McCauley; there is small grove of trees on property near the drainage ditch; property, generally, is lower than surrounding R-1 to the north, west and south; property to east across Evergreen is at approximately at same elevation.

When the Mayor inquired if anyone was present to be heard, no one responded. Councilman Burgener moved to adopt the recommendation. Motion was seconded by Councilman Williams.

On motion of Councilman Burgener, seconded by Councilman Williams, Ordinance incorporating Lots 9 to 16 inclusive Block 116 Roseville into R-4 Zone as defined by Section 101.0408 of The San Diego Municipal Code, and repealing Ordinance 31 (New Series) insofar as it conflicts, was introduced, by following vote: Yeas--Councilmen Burgener, Williams, Schneider, Kerrigan, Curran, Evenson, Mayor Dail.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on appeal of Louise S. Flentye from decision of Board of Zoning Adjustment in denying permission to Louise Flentye, owner, and Neely Electronic Corporation, purchaser, for construction of a 1-story office building on portion of Block 3 Bayshore Addition to New Roseville, at south corner of Upshur Street and Shafter Street, in Zone R-4, finding of facts which denied application 14868, was presented and read. It states that property is vacant, level

Meeting convened
Hearings
131226 -
Ord Intr.

and located near waterfront, in an area of mixed development. It reports property surrounded by San Diego Yacht Club, undeveloped R-4 property, and residential units, within a half-block of a fish cannery and light manufacturing plants, including electronics and commercial businesses. It reports that vacant lots are adjacent south and across the street to the west; R-1 property lies 1 block south; the Yacht Club is across the unnamed street to the southeast. It says that Shafter Street has been improved with pavement and curbs within recent months; unnamed street on tidelands adjacent to the southeast was also recently improved with pavement and curbs, and walk on southeast side only. It identifies variances in the vicinity; no variances for commercial use in the R-4 zone. It tells of reasons for the denial.

Councilman Schneider spoke to Harry C. Haelsig, Planning Director, about relation of other properties to this one.

Mayor Dail said there are multiple dwellings.

Mr. Haelsig show a plat, not seen by the Clerk, to the Council. He identified properties.

Councilman Williams asked if it would be in order to have Mr. Haelsig point out other uses in the area.

That was done by Mr. Haelsig, on another plat, not seen.

There was discussion between Councilmen and Mr. Haelsig, over the plat - with individual zones identified by Mr. Haelsig. He then showed a drawing by the architect, as proposed.

Councilman Williams asked about parking places on the site.

Councilman Burgener asked if it would be for the purpose of taking orders.

Mrs. Flentye spoke of there being a zoning map, and of Point Loma having been "strip zoned". She told the Council that Mr. Haelsig had given her a pamphlet to read, which says that strip zoning is the worst thing. She said that her property is vacant; it is unusable for R-4 on account of the changing conditions. Mrs. Flentye spoke of there being "economic deterioration". She spoke about being faced with Kona Kai and a proposed motel, and that she would be unable to compete; expense would be such that it would have to compete with those two. Mrs. Flentye told the Council that the situation "is rough on poor R/4 property owners". She stated that she could place residential units on the property, but that she would go broke.

Leo Butler said that statement was made by Zoning that the rezoning would be a detriment. He said he had a letter from John Burnham Co., which he would show to the Council for scrutiny. He stated that Mr. Burnham says the proposed development would not deteriorate the property. He told the Council that he is agent and manager for a lot of property, and that it is difficult to find R-4 property that is developed, to manage. He declared that the Harbor Department can develop its property as it wants. He said the building proposed would enhance the area; 5 people a day in the door would be many. He pointed out that there would be no warehouse; business would be done by telephone and by teletype, as well as person-to-person at plants which would be the users. He said there is another item, not shown on the Haelsig map. He said "Mr. McFetridge is happy with the proposal". Asked about sizes, Mr. Butler said that it would be a 2,500-square foot building, on 11,000 sq. ft. to 12,000 sq. ft. property.

A photograph of Los Angeles development by Neely Electronics was questioned by Councilman Kerrigan.

Mr. Butler said that the Los Angeles plant is 4 times the size of the one proposed, and that it was exhibited to the type of development. He said there are 4 people, now, answering Councilman Schneider, and that 2 or 3 more would be employed. He said, when asked, that there is going to be preserved area for parking.

Councilman Kerrigan said that the question is regarding the legal right to grant. He asked if there is a legal right. He pointed out that the Finding of Fact says that the property is usable "as is"; the question is regarding the legal right to grant.

Aaron Reese, Deputy City Attorney, told the Council that it is "a question of fact", and read findings that are required to be made, in order to grant the variance.

Mr. Haelsig gave Mr. Reese a letter prepared by Alan Firestone, Deputy City Attorney.

Mr. Reese, after looking at the letter, stated that Mr. Firestone says "it would be zoning by variance". Referring back to the ordinance, he related the findings to be made, as set forth in the Municipal Code. He said that if the requirements exist, the variance can be made. He said that apparently, from a legal standpoint, it is not justified.

Councilman Schneider said this could be referred back to Planning for a study, and making the area C Zone.

Councilman Burgener pointed out that "those 4 points come up repeatedly" in connection with requests for variances. He declared that it is a matter of Council judgment; he does not want the Attorney to do the zoning.

Councilman Kerrigan said he wants them clarified, regarding consideration. He stated that he wanted "to be sure". He said he wonders how they differ from the Board's finding.

Councilman Schneider pointed out that the right of appeal exists.

Councilman Kerrigan pointed out the other properties, on the Haelsig map, and said "it is a real problem". He stated that the unsubdivided land has to be considered. He said there are apparently needs in connection with the re-developing. He maintained that there "should be a real plan".

Frank Seifert (a former Councilman), identified Mrs. Flentye as his daughter. He said that spot zoning is bad; the City should go into rezoning. He told of having gone to bid for construction of a court on the property. He said that the City has leased land (on Shelter Island) to Kona Kai, for which it is getting use for just over \$600. per year for the many units. (Later, the City Auditor & Comptroller brought back figures on this point, which he handed to the Council but it was not seen by the Clerk). He told the Council that he would like to be in the same position as Kona Kai; people who own property can't compete. He said there is paved street, and spoke of need for tidelands. He said this is a hardship case; there is a justifiable; it has been done before.

Councilman Williams spoke to Mr. Seifert about length of ownership.

Mr. Seifert said property has been owned 5 years.

Councilman Williams asked about application for rezoning.

Mr. Seifert said he did not go through with the application.

Councilman Burgener spoke to Mr. Seifert about percentage on the lease.

Mr. Seifert said that he did not know.

Ed Moore, manager of the San Diego office of the Neely enterprises, spoke next. He spoke of being "one of the people that has promoted electronics work". He said that this is the smog-free kind of thing that the City has wanted, and that the company was the first to do this kind of work. He said that it is wanted to have the building as a structure that looks like a home. Mr. Moore said it is a professional building; doctors and attorneys can have them. He told of the Los Angeles structure, and said it is wanted to have this one like the Los Angeles structure; there are 5 in California. He said the organization wants to stay in California.

Mr. Goldfarb, who did not give his first name or initials, told of having 71,000 feet of property, bought as R-4. He told of planning to put apartments on it, and being "against variances", is happy R-4. He said that if the City wants to change zoning to C, he would be happy to do that on his property - but not "piece meal".

Councilman Williams asked Mr. Goldfarb if the proposal would be detrimental.

Mr. Goldfarb said "yes"; he plans to build 160 apartments in the next year. He said that he may start with 4; there is nothing to prevent it being 40. He said with the variance, it would be business next to residential; business in a residential community; that is not done. He told about a change from R-1 to R-4 having been turned down directly across the street. Mr. Goldfarb stated that he purchased the whole block as R-4, and that he wants no commercial variance.

Councilman Schneider spoke to Mr. Goldfarb about there having been no use made of his property for over 4 or 5 years.

Councilman Schneider was asked by Mr. Goldfarb if he wanted assurance.

Councilman Schneider asked why the property had not been developed.

Mr. Goldfarb replied that he has "8 or 10 other pieces".

Councilman Burgener stated that it is none of the City's business if Mr. Goldfarb leaves the property vacant.

Councilman Williams said to Mr. Goldfarb that would be an influencing factor with the Council.

Mr. Goldfarb replied that he would ask for the same treatment; if the Council grants a variance on the Flentye property, he would ask for the same.

Mayor Dail asked Mr. Goldfarb if he would join with the applicant for this variance.

Mr. Goldfarb said that he is content to leave the property R-4.

Councilman Kerrigan spoke to Mr. Goldfarb about effect on residential property, and wondered if he would oppose the variance - with restrictions.

Mr. Goldfarb said he would have difficulty in getting loan for the purpose, if that property is so zoned. He said the problem has been on the commercial property a block

away. He said that insurance companies are concerned with commercial zones near by.
 Councilman Williams spoke to Mr. Goldfarb about purchase.
 Mr. Goldfarb replied that it was not available after February.
 Councilman Burgener moved that the hearing be closed. Councilman Schneider seconded by motion.
 Councilman Burgener pointed out that variances serve a useful function.
 Councilman Burgener moved to grant the appeal - with conditions.
 Councilman Williams said the item should be referred back, for inclusion of conditions governing the use, and bring it back to the Council. He said that the conditions are important.
 Councilman Schneider asked about the length of time.
 Mr. Haelsig asked about limit on employees.
 Mayor Dail said that is important.
 Councilman Schneider said that many items are important.
 Councilman Burgener moved to refer the item to the Planning Commission and Planning staff for preparation of conditions. Motion was seconded by Councilman Schneider.
 Mr. Haelsig said he anticipated the action, and had the conditions with him. He read them.
 There was discussion between Councilman Williams and Mr. Haelsig.
 Councilman Kerrigan said that it is of advantage to have a fine place, including parking.
 Mr. Reese said it would be a variance, then, subject to conditions.
 Mayor Dail said it could be granted - on stipulations.
 Councilman Williams said it would be accomplishing a fine unit; its proximity to other property would not be detrimental.
 Councilman Williams moved to overrule the Board of Zoning Adjustment, and grant the variance - with stipulations. Motion was seconded by Councilman Burgener.
 Mr. Goldfarb told the Council that the action would be turning the property into a commercial enterprise - no matter what it is called. He declared that "it is unfair".
 Mayor Dail said it is not unfair in his book; it could not be varried in a higher zone.
 The roll was called, resulting in
 RESOLUTION 131227, sustaining appeal of Louise Flentye, owner, and Neely Electronic Corporation, purchaser, from denial by Resolution 9378 of application 14868 for permission to construct a one-story office building on portion of Block 3 Bayshore Addition to New Roseville (legal description on file in Planning Office, at south corner of Upshur and Shafter Zone R-4); overruling action of the Board of Zoning Adjustment; granting variance to provisions of Ordinance 32 N.S. insofar as they relate to the property, on the following conditions:

1. That the exterior design of the building be subject to the approval of the Zoning Administrator;
2. That a final subdivision map be filed on the property;
3. That sidewalks be installed according to City specifications;
4. That minimum side yards required in the R-4 zone be observed;
5. That a setback of 15 feet from the street be observed;
6. That the use of the property be limited to administrative and display offices of the Neely Electronics Corporation;
7. That all signs comply with the requirements of the R-4 zone;
8. That there shall be provided on the land surfaced off-street parking for all employees as approved by the Zoning Administrator;
9. That there be no warehousing or storage permitted at any time;
10. That a landscaping plan be submitted and approved by the Zoning Administrator before issuance of a building permit;
11. That the property be landscaped according to the approved plan within six months from the date of the issuance of a building permit.

Motion and second were as shown earlier. All members of the Council voted in favor of the adoption of the resolution.

Report of Purchasing Agent, approved by City Manager, on low bids of Larson Equipment Company, William Kenton dba Hudson Equipment Co., Southern Equipment & Supply Co. for furnishing Pumps of various sizes for the Public Works Department, was presented.

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RESOLUTION 131228, accepting bid of Larson Equipment Company for furnishing Items I, II-A, III, for furnishing Pumps; 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 the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131229, accepting bid of William Kenton dba Hudson Equipment Co. for furnishing Item V Pump; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131230, accepting bid of Southern Equipment & Supply Co. for furnishing Item IV Pump; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131231, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Automatic Street Sweeper Broom Refilling Machine, Document 529548; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131232, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Sectional Cement Burial Boxes, for period of 1 year from 3/1/56, Document 529549, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

RESOLUTION 131233, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 8-Passenger Sedan, Document 529561, was on motion of Councilman Williams, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, by Jack VanCleave, recommending approval of tentative map of Rancho Hills South, por. Sec. 82 Rancho de la Nacion - a 169-lot subdivision of portion Section 82 - located in southern portion of Paradise Hills, subject to 18 conditions, was presented.

Communication from Planning Commission, by Jack VanCleave, recommending suspension of portion Municipal Code, was presented.

RESOLUTION 131234, approving tentative map of Rancho Hills South; suspending Sections 102.11-2, 102.0901&2, 102.17-c of the Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Evenson, adopted.

Communication from Planning Commission, by Harry C. Haelsig, recommending approval of final Record of Survey map of Sorrento Land & Townsite, Lot 8, was presented.

RESOLUTION 131235, approving filing of Record of Survey Map in lieu of final subdivision map under Section 102.02.1 of San Diego Municipal Code, showing division of Lot 8 in town of Sorrento, was on motion of Councilman Evenson, seconded by Councilman Schneider, adopted.

Application of D.M.B. Corporation for Cabaret License for the Club Royal, 1070 3rd Ave., was presented, together with recommendations for approval from City departments.

RESOLUTION 131236, granting D.M.B. Corporation permission to conduct cabaret with paid entertainment at Club Royal, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Application of D.M.B. Corporation for Cabaret License and Class "A" Dine & Dance License, at the Blue Note, 1245 4th Ave., was presented, together with recommendations from City departments for granting.

RESOLUTION 131237, granting D.M.B. Corporation to conduct cabaret with paid entertainment, and a Class "A" Dine and Dance License at Blue Note, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Application of W. J. Kirk for cabaret license at The Trocadero, 3167 - 5th Avenue, was presented, together with recommendations from City departments for granting.

RESOLUTION 131238, granting W. J. Kirk permission to conduct cabaret with paid entertainment at The Trocadero, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

Application of Donald Lupton for cabaret license at Golden Horseshoe, 745 - 4th Avenue, was presented, together with recommendations from City departments for granting.

RESOLUTION 131239, granting Donald Lupton permission to conduct cabaret with paid entertainment at Golden Horseshoe, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Williams, seconded by Councilman Evenson, adopted.

Application of H. L. Whitted for cabaret license at Brass Rail, 530 "B" Street, was presented, together with recommendations from City departments for granting.

RESOLUTION 131240, granting H. L. Whitted permission to conduct cabaret with paid entertainment at the Brass Rail, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Curran, adopted.

Communication from Joseph W. Aidlin, 3460 Wilshire Boulevard, Los Angeles 5, dated February 6, 1956, as owner of North Half of Lot "D" Block 70 Horton's Addition, re proposal for construction of parking facilities in the downtown area of San Diego, was presented. It asks for information on areas contemplated to be condemned, and the contemplated assessments to be levied.

The City Manager suggested that it be referred to him for answer.

Councilman Williams asked if it would be proper for the Council to have a committee on the subject. He said he felt it would be well to have a group, to consider both sides of the parking issue. He said there is need for information. He said it "can't be anticipated what is coming".

There was discussion between Councilman Kerrigan and Williams.

Councilman Williams stated that merchants interested could not get local action, so they went before the legislature to protect themselves.

Mayor Dail said they are just starting their effort to get the needed 51% petition.

Councilman Williams asked if it would still be the responsibility of the Council.

Aaron Reese, Deputy City Attorney, said there are some phases re determination on revenues.

Mayor Dail stated that Hamilton Marston has sat in with him, regarding revenue over 5¢ meter. He said there are legal questions, on which the Council has to depend on the City Attorney. He spoke of having to subsidize, when there is a 51% petition.

Mr. Reese said "no; that is a Council policy".

Councilman Williams wondered if the property has to be condemned, if the Council has eminent domain.

The City Manager said "the district, itself; the Council conducts it, because the district does not have the staff. He said it comes under State law.

Mayor Dail said there can be protest.

The Mayor spoke about seeking technical and legal information. He said advantage should be taken of staff information. He told the Council the item should be referred to Conference.

Councilman Williams said many things enter into the picture regarding need and planning by private operators.

Councilman Kerrigan said there are 2 things: a gentleman is here regarding the C Zone. He said when petition is presented, the Council is going to have to consider it. He said there is need for information.

The City Manager said there are points which should be determined before petitions are circulated. The City should let them know.

Mayor Dail said that would not fail.

Two actions were taken; were combined in 1 resolution:

RESOLUTION 131241, referring to Council Conference matter of construction of parking facilities in the downtown area; requesting City Manager to reply to letter received from Joseph W. Aidlin, 3460 Wilshire Blvd., Los Angeles 5, relative to information on the subject, was on motion of Councilman Williams, seconded by Councilman Curran, adopted.

Angelo Frank, 2829 Canon Street, came to the microphone in connection with the hearing held on appeal of Louise S. Flentye - at the beginning of the meeting - in connection with request for construction by Neely Electronic Corporation of an office building on portion Block 3 Bayshore Addition to Roseville, at the corner of Upshur Street and Shafter Street, in Zone R-4. He charged that Mayor Dail closed the hearing, and did not allow him and others to be heard. He said that until a month ago he owned 9 lots. He said he bought property in a C Zone. He said that if he had not looked for commercial property, he would not have bought what he did. Mr. Frank said it is within a short distance (of the Flentye property), and spoke of being given opportunity to sell. He said he "pays taxes, like everybody else". He said he bought the property nearly 10 years ago - and it has been for sale the whole time.

Councilman Burgener told Mr. Frank that the variance is not the same as C Zone

Mr. Frank stated that it is the same as commercial. He said it would be the same as pouring kerosene on the property; it would keep going (with zone variances and changes).

Councilman Burgener told Mr. Frank that 35 different things can be done in a commercial zone - while this is a specific thing, with restrictions.

Mayor Dail said to Mr. Frank that Mr. Goldfarb has stated that he is going to petition for rezoning of the property, as result of the zone variance grant to Mrs. Flentye. He pointed out that what was done does not hurt the Frank property.

Councilman Schneider said that the Neely Electric Corporation would have bought the Frank property, for that type of development which is restricted - but the corporation was not interested in the Frank property. He stated to Mr. Frank that maybe he is holding the property at something (figure) that nobody wants to pay.

Mr. Frank said that if it keeps on going, people will buy elsewhere.

Councilman Kerrigan said that with orderly planning, zoning calls for orderly development. He said that rules as outlined (conditions attached to the sustaining of the appeal for variance), covers the situation. He said that one of the things that should be considered is if land is available in C Zone.

Councilman Burgener said that the proposal would create a good buffer.

Councilman Schneider said that there would be "residences between commercial and commercial".

Mr. Frank told the Council that another man was here to speak, also - but he left. He said his hand was raised, to be heard, but he was not given the opportunity to speak. He said this was his first time before the Council, so he did not know the procedure.

Mayor Dail expressed regret, and said that Mr. Frank certainly had the right to come in and speak.

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

On motion of Councilman Curran, seconded by Councilman Williams, resolution sustaining the appeal and overruling the Board of Zoning Adjustment, was adopted. The resolution shown adopted earlier was allowed to stand, since this would have been like it.

Communication from H. M. Bricknell, 1145 Beryl, San Diego 9, protesting shuttlebus service on Crown Point Line, poor light service, etc., was presented.

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

Communication from Thomas D. Drake, Colonel, USA., ret., dated 6 February 1956, was presented. It refers to the $3\frac{1}{2}$ billion gallon water shortage during 1956, and of needs of 7 water agencies presented to the County Water Authority last month, above their legal entitlement, was presented. It speaks of reclamation of sewage water, etc.

On motion of Councilman Burgener, seconded by Councilman Williams, it was referred "to the file".

Communication from Otto W. Hahn, business representative, Local 127 AFL-CIO, Hillcrest Station Box 51, San Diego 3, dated February 7, 1956, was presented. It asks for attention to change of present pay days from semi-monthly to bi-weekly.

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

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, San Diego 10, dated February 4, 1956, was presented. It refers to pedestrian accidents on San Diego Avenue, etc.

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

Communication from San Diego Chamber of Commerce, San Diego 12, dated February 3, 1956, signed by George W. Sears, president, was presented.

It opposes setting aside by charter amendment a "certain number of cents on the tax rate for support of cultural institutions".

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

Communication from Arthur Whalen, 6517 Eldridge Street, San Diego 20, dated Feb. 5, 1956, relative to damage from storm drain near that address, was presented.

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

RESOLUTION 131242, urging Governor Goodwin J. Knight to call an extraordinary session of the State Legislature, to run concurrently with the next budget session, authorizing:

- (a) To act on legislation to create a State Water Department;
 - (b) For the appropriation of money to acquire the Oroville and San Louis Damsites and for needed surveys and studies in connection with the Feather River Project;
 - (c) To consider the counties of origin problem and other related matters;
- directing the City Clerk to send certified copies to Governor Knight and to representatives of the State Legislature in this area, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131243, authorizing City Manager to employ Daley Corporation to rebuild 9 drainage inlets along Commercial Street, in connection with 1911 Street Improvement Act proceedings; cost not to exceed \$780.76, payable from Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131244, authorizing City Manager to employ M. H. Golden Construction Company to construct paving at intersections of Groveland Drive and Euclid Avenue, and at Castana Street and Euclid Avenue, in connection with 1911 Street Improvement Act proceeding; cost not to exceed \$863.40 payable from funds appropriated by Ordinance 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131245, authorizing City Manager to employ A. W. Thorpe to construct 38 feet of curb along easterly side of northerly end of westerly North-South Alley in Block 35 Parish & Loomis' Subdivision; cost not to exceed \$66.50 payable from funds appropriated by Ordinance 5341 (New Series) - in connection with a 1911 Street Improvement Act proceeding, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131246, amending contract between The City of San Diego and the Griffith Company, a corporation, Document 524724 on file in office of City Clerk, regarding "Periodic Payments", was on motion Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131247, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 46 Block 12 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131248, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 49 and 50 Block 12 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131249, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 1 and 2 Block 13 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131250, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 1, 2, 3, 4 Block 13 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131251, directing Property Supervisor to file petition with

Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 3 and 4 Block 13 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131252, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lots 3 and 4 Block 14 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131253, 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 3, 4, 23 Block 14 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131254, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion Lot 1 Block 14 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131255, 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 4 and 23 Block 14 Roseville Heights, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131256, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Parcel "00" of Lot 19 Rancho Mission of San Diego, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131257, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southwesterly 7.00 feet, measured at right angles from southwesterly line of Lot 11 Block 4 Floral Terrace, together with all taxes against the property be cancelled; and that

all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131258, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 7.00 feet, measured at right angles from northeasterly line of Lot 15 Block 5 Floral Terrace, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131259, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southwesterly line of Lot 12 Block 6 Floral Terrace, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131260, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 7.00 feet measured at right angles from northeasterly line of Lots 14 and 15 Block 6 Floral Terrace, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131261, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against southwesterly 7.00 feet measured at right angles from southwesterly line Lot 12 Block 5 Floral Terrace, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. It authorizes action to secure cancellation of taxes and deeds.

RESOLUTION 131262, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northeasterly 7.00 measured at right angles from northeasterly line, of Lot 8 Block 7 Floral Terrace, together with all taxes against the property; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131263, 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 20 Block 14 Floral Terrace, together with all taxes against the property; and that all deeds to the State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131264, 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 21 Block 96 Pacific Beach, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131265, 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 1260, together with all taxes against the property be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION 131266, granting Mrs. J. T. Oldfield (Plumber, Clyde Newton) to substitute E. H. Type "K" copper tubing, in lieu of cast iron, vent pipe in bathroom and kitchen in residence construction at 367 Catalina Boulevard, San Diego 6; was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131267, granting revocable permit to Ralph Wyer, 2000 Spindrift Drive, La Jolla Shores, to install and maintain power and communication conduit for use and benefit of owner's property under and across Roseland Drive from power pole to private easement: Lot 3 Beach Club Terrace - 1977 Paseo Dorado - was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131268, approving claim of Louis F. Kotnik, Document 527420, in amount of \$227.73; authorizing City Auditor & Comptroller to draw warrant in favor of Louis F. Kotnik, 2828 Upas Street, San Diego 4, in said amount in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131269, approving claim of Sequoia Landscape Company, Inc., on file in office of Auditor & Comptroller, January 26, 1956, in amount of \$140.00; authorizing City Auditor & Comptroller to draw warrant in favor of Sequoia Landscape Co, Inc., in said amount in full payment of claim, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131270, approving claim of Donald Gardner Sidars, Document 528233, in amount of \$97.90; authorizing City Auditor & Comptroller to draw warrant in favor of Donald Gardner Sidars, 4550 Terrace Drive, San Diego 16, in said amount in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Williams, adopted.

RESOLUTION 131271, approving claim of H. H. Peterson, filed in office of Auditor & Comptroller, in amount of \$692.00; authorizing City Auditor & Comptroller to draw warrant in favor of H. H. Peterson in said amount in payment of claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131272, approving claim of Earvin Treachler, Document 527561, in amount of \$85.05; authorizing City Auditor & Comptroller to draw warrant in favor of Earvin

Treachler, 3325 Central Avenue, San Diego 5, in said amount, in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131273, denying claim of Earl J. Neil, Document 528004, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution denying claim of Mr. & Mrs. R. N. Olson, was presented. Councilman Williams said he had a question. He asked if it is the Mr. Olson on Point Loma "on the other claim".

Aaron Reese, Deputy City Attorney, replied "yes". He said that it was as the outcome of rags and grease in the sewer line. He said there was no additional damage; no repairs. He spoke of a similar case of the First National Bank at 30th and El Cajon. He told the Council that the court has said that where there are rags, etc. in the sewer, the City is not responsible for damages which result.

There was discussion between Councilman Williams and Mr. Reese about the line.

RESOLUTION 131274, denying claim of Mr. & Mrs. R. N. Olson, Document 528487, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131275, denying claim of H. H. Peterson, for sum of \$136.50, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131276, denying claim of Mrs. Earl C. Puffer, Document 528265, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131277, denying claim of Kathleen C. Richards, Document 527902, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131278, denying claim of Mark & Anna Wilbert, Document 528003, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, approved by Assistant City Manager, reporting on petition to close portions of streets and alleys in Wells and Lanes' Tecolote Heights, Map 1487. It recommends that City Attorney be authorized to file stipulation in Superior Court, Case 202440, Union Title Insurance and Trust, versus San Diego, disclaiming City interest, was presented.

RESOLUTION 131279, authorizing City Attorney, on behalf of The City of San Diego, in action entitled "Union Title Insurance and Trust Company, a California corporation, Plaintiff, vs. City of San Diego, a Municipal corporation, Defendant", No. 202440, pending in Superior Court of State of California, in and for the County of San Diego, to file stipulation that upon recordation of final map of Western Hills Unit No. 3, a decree may be entered, quieting title against The City of San Diego to real property described in Exhibit "A" attached to the resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131280, accepting permit of Roscoe E. Hazard and Muriel E. Hazard, executed in favor of The City of San Diego, January 30, 1956, granting permission to use portion of Pueblo Lot 219 for purpose of ingress and egress to Barnard Elementary School,

authorizing and directing City Clerk to file permit, 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 131281, accepting subordination agreement, executed by Security Title Insurance Company, as Trustee of its trust No. P.T. 860, beneficiary, and Security Title Insurance Company, a corporation, trustee, January 30, 1956, subordinating all their right, title and interest in and to permanent easement and right of way for water main or water mains, together with any or all fittings, etc., in portion of Northwest Quarter of Pueblo Lot 1785; 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 131282, accepting subordination agreement, executed by Security Trust and Savings Bank of San Diego, a corporation, beneficiary, and Security Trust and Savings Bank of San Diego, a corporation, trustee, January 25, 1956, subordinating all right, title and interest in and to easement for right of way for public alley and incidents in portion Lot 2 Block 14 La Jolla Hermosa; 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 131283, accepting Deed of Anthony M. Baker, January 4, 1956, conveying any and all abutter's rights of access, appurtenant to grantor's property 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION 131284, accepting quitclaim deed, January 9, 1956, of Soledad Realty & Development Company, a corporation, 770 Turquoise Street, San Diego, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places either within or without subdivision named San Rafael Unit No. 2; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131285, accepting deed of John W. McDaniel; conveying portion Lot 21 of 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 Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131286, accepting deed of Charleen F. Senter, January 30, 1956, conveying Lot 1 Block "R" Montclair; 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 131287, accepting deed of Anthony M. Baker, January 4, 1956, conveying 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 Schneider, seconded by Councilman Williams, adopted.

RESOLUTION 131288, accepting deed of Archie Avakian and Jean Avakian, January 17, 1956, conveying easement for right of way for public alley and incidents in portion Lot 2 Block 14 La Jolla Hermosa; 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 131289, accepting deed of John M. and Hope Spurlock, January 25, 1956, conveying easement for right of way for public alley and incidents in portion Lot 29 Block 2 Vernon Park; 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 131290, accepting deed of John M. and Hope Spurlock, January 27, 1956, conveying for street purposes portion of Lot 7 Block 2 Vernon Park, and portion Lot 33 Block 2 Vernon Park; naming land Anna Avenue; 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 131291, accepting deed of Union Title Insurance and Trust Company, a corporation, December 16, 1955, conveying easement for right of way for public street and incidents thereto, in portion Lot 9 Block 7 Floral Terrace; naming land Aster 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 Schneider, adopted.

RESOLUTION 131292, accepting deed of Richard E. Bowers and Norma J. Bowers, January 19, 1956, conveying easement for right of way for public street and incidents in portion of south 40 acres of Pueblo Lot 1175; naming land Friars 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 Schneider, adopted..

RESOLUTION 131293, accepting deed of Carl J. Maler and Bettie J. Maler, December 21, 1955, conveying easement for right of way for public street and incidents in portion Lots 1 and 2 Block 10 Floral Terrace; naming land Geranium 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 Schneider, adopted.

RESOLUTION 131294, accepting deed of The Presbytery of Los Angeles, a Corporation, January 20, 1956, conveying easement for right of way for public street and incidents in portions of Lot 53 Ex-Mission Lands of San Diego (Horton's Purchase); naming land Euclid Avenue and Holly 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 Schneider, adopted.

(Balance of meeting is shown in the next book of Minutes).